



The Digital Services Act (DSA) explained

**Measures to protect children
and young people online**

Why the Digital Services Act (DSA)?

The European Union (EU) wants to make sure that:

- ▶ *digital technologies and online platforms respect everyone's rights*
- ▶ *we can trust the digital services we use*
- ▶ *we are safe and protected online, whatever type of digital service we use.*

The **Digital Services Act**, or DSA for short, is the set of rules needed for this.

Other EU legislation also concerns child safety online, but in this leaflet we will focus on **what the DSA has put in place to protect people under 18 (minors)**.



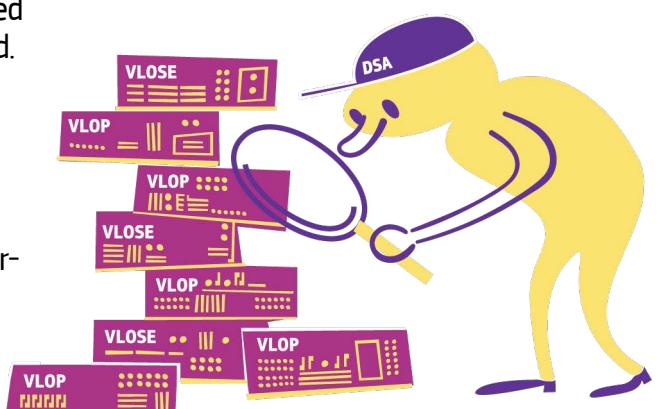
What does the DSA do?

The DSA will make sure that all digital services we use, especially the so-called "**Very Large Online Platforms**" like Instagram, Snapchat, TikTok, YouTube and "**Very Large Online Search Engines**" like Google or Bing, do more to protect users' rights, keep us safe and stop the spread of illegal or inappropriate content.

The DSA covers different types and sizes of online services, used by anyone in the European Union, wherever the service is based. It sets stricter rules for the biggest services.

The DSA requires online platforms to consider the impact of their services on important issues such as fair elections, public safety, the mental and physical well-being of users, and gender-based violence.

You may see "Very Large Online Platforms" and "Very Large Online Search Engines" also abbreviated to VLOPs & VLOSEs.



Our rights

The DSA obliges online platforms to respect our fundamental rights when we are online. Among all those listed in the Charter of Fundamental Rights of the European Union, the following are most relevant to the DSA and to protecting minors online:

- ▶ *the “best interests of the child” principle*
- ▶ *the right to protection for the child*
- ▶ *the right to freedom of expression*
- ▶ *the right not to face discrimination*
- ▶ *the right to protection of personal data*
- ▶ *a high level of consumer protection.*

The DSA also wants platforms to learn from each other's good practices and follow relevant guidance on how to keep their young users safe.



How does the DSA protect minors online?

Article 28 says that online platforms that can be used by minors need to make sure their services offer a high level of **privacy**, **safety** and **security** to young users.

For further details, references to the relevant recitals (R) and articles (Art) of the legal text are provided within the text.

Online risks for minors

Users – and children and young people in particular – should be safe from online dangers and risks such as harassment, bullying, false information, illegal content and/or people pretending to be someone else.

When considering the risks their service poses to young users, Very Large Online Platforms and Very Large Online Search Engines must consider:



- ▶ *if minors will easily understand how the service works (R 81)*
- ▶ *if minors risk finding content that could harm their “health, physical, mental and moral development” (“age-inappropriate content”) (R 81)*
- ▶ *how design features could cause addiction (R 81/83).*

Risk assessment and reduction

Every year, Very Large Online Platforms and Very Large Online Search Engines need to **identify** and **assess** the potential online risks for children and young people using their services (*Art. 34 and 35*).

Just as we have age-rating for films in the cinema, some online content and services are not appropriate for younger age groups. Therefore, platforms must also put **measures** in place to mitigate these risks, including (as appropriate, depending on the platforms):



► **Parental controls**

Settings that help parents and carers, for instance, monitor or limit children's access to the internet, to protect them from online risks and inappropriate content.

► **Age verification**

A system to check the age of users before they access the service, for instance based on physical identifiers or other forms of identification.

► **Tools**

To help young people signal abuse or get support.

Children and young people should always feel safe, secure and protected online from content or contacts that could bother, upset or scare them, or make them feel angry, sad, worried or bullied online.

Child-friendly complaints and reporting systems

It is important that the platforms can act on content that could affect people's rights, such as dignity, privacy, and freedom of expression (*R 89*).

The DSA wants it to be easy for users - including minors - to report and complain when they discover illegal or other content that should not be online.

Platforms should also act quickly when "trusted flaggers" report content which they consider illegal or against the terms and conditions of that platform.



Trusted flaggers are appointed organisations expert in flagging illegal and harmful content.

Personal data/privacy

We all have the right to privacy, and to keep our personal information safe. This also applies online, where platforms should not ask us to overshare personal details with them or other users. The personal data we share must be protected. It cannot be manipulated or re-shared, and people cannot spy on us.

Additionally, according to the DSA, online platforms used by children should protect the privacy and security of their users. This could be done, for instance, by adopting special privacy and security settings by default.

Think about it...
how much personal data are we asked for online? Is it always necessary?



Child-friendly information

Terms and conditions must be written and updated in a way that is easy to understand for everyone, including minors.

Online services used by minors must make an extra effort to explain things clearly so young users can understand what they are agreeing to (*Art. 14*).

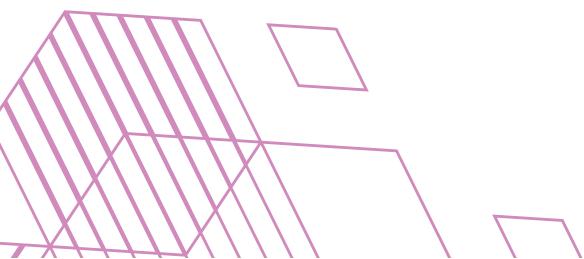
No profiling behind adverts for children and young people

Companies may collect information about our preferences and interests from the websites we visit, what we “like”, links we follow, as well as personal information we provide about ourselves, such as our age or where we live. The platforms use algorithms and artificial intelligence on this profiling data to decide what adverts to show to have the highest impact on each of us. Some online platforms make money each time we purchase products following these adverts.

Under the DSA (*Art. 28*), if platforms are certain that a user is a minor, they cannot show them any adverts based on profiling.

The DSA (*Art. 39*) requires Very Large Online Platforms to make the information about their adverts publicly available, so it is possible for anyone, including researchers, to analyse potential risks. This information should include for example details on the advert content and who paid for it, especially when targeting minors.

Think about it...
how often do we see targeted adverts on social media and wonder how the platform knows so well what we like?



No dark patterns

The DSA (*R 67*) also forbids "dark patterns", the way online interfaces are designed to persuade and trick us into doing things we might not want to do, like purchases, or by influencing decisions, or by making it complicated to cancel subscribed services.

Other measures

The DSA also promotes technical standards (*Art. 44*) and other agreements to give users a better online experience. For the protection of minors, work has started on the EU Code of Conduct for age-appropriate design (*Art. 45*).

Once completed, companies can voluntarily adopt the code and its obligations, demonstrating their commitment to safeguarding children on the internet. However, the code will not replace their legal obligations set in the DSA.



What happens next? How will the new rules be enforced?

- ▶ The Digital Service Act started being used on 16 November 2022.
- ▶ Platforms that are designated as Very Large Online Platforms and Very Large Online Search Engines must follow all the rules in the DSA at the latest four months after their designation. The first 19 such platforms announced by the Commission in April 2023 had to start following the rules four months later.
- ▶ From February 2024, all digital services, including smaller platforms, must follow the relevant DSA rules.
- ▶ Platforms are reacting to this obligation: as we write, Snapchat, Google, YouTube, Instagram and Facebook no longer allow advertisers to show targeted adverts to minors.
- ▶ TikTok and YouTube now also set the accounts of users under 16 years old automatically to private, so that only known contacts can see the videos they upload.
- ▶ This is just the beginning. The Commission has new powers to check the Very Large Online Platforms and Very Large Online Search Engines and the measures they take to reduce risks.
- ▶ The EU and the Member States will make sure that companies follow these rules and can fine companies up to 6 per cent of their yearly global earnings if they do not comply.



Where can you get more information or help?

If you need help or information on any online issues, please contact the Safer Internet Centre in your country. These centres provide helpline services specifically for children and young people, available by phone, email, or online chat – for free!



The full text of the Digital Service Act is available in all official languages on the EUR-Lex website: Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act).

Directorate-General for Communications Networks, Content & Technology (DG CONNECT)
Manuscript completed in November 2023.

You can download or order this publication at op.europa.eu/en/publications.

Copyright notice

© European Union, 2023



The reuse policy of European Commission documents is implemented by Commission Decision 2011/833/EU of 12 December 2011 on the reuse of Commission documents (OJ L 330, 14.12.2011, p. 39). Unless otherwise noted, the reuse of this document is authorised under a Creative Commons Attribution 4.0 International (CC-BY 4.0) licence (Copyright notice © European Union, 2023).

This means that reuse is allowed, provided appropriate credit is given and any changes are indicated. For any use or reproduction of elements that are not owned by the European Union, permission may need to be sought directly from the respective right holders.

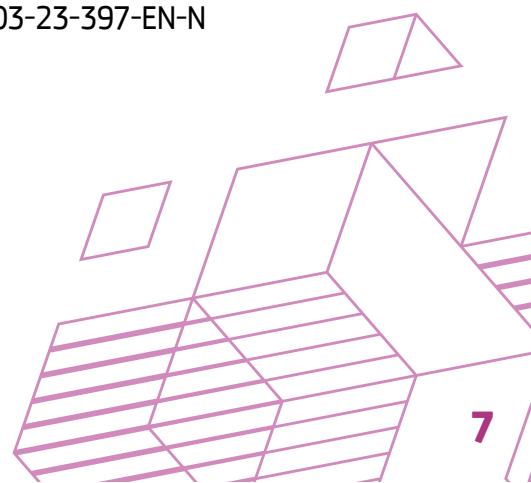
Print ISBN 978-92-68-08998-9 [doi:10.2759/806051](https://doi.org/10.2759/806051)

KK-03-23-397-EN-C

PDF ISBN 978-92-68-07911-9 [doi:10.2759/576008](https://doi.org/10.2759/576008)

KK-03-23-397-EN-N

Luxembourg: Publications Office of the European Union, 2023



For further information:



The DSA on EUR-Lex



The DSA on Europa.eu



The European strategy for a
better internet for kids (BIK+)



Connect with your national
Safer Internet Centre (SIC)