

[FR] Seventeen pornographic websites ordered to prevent access by minors

IRIS 2025-3:1/5

Amélie Blocman
Légipresse

Amended by the *Loi visant à sécuriser et réguler l'espace numérique* (Law aiming to secure and regulate the digital space) of 21 May 2024, Articles 10 et seq. of the *Loi pour la confiance dans l'économie numérique* (Law on confidence in the digital economy) gave the *Autorité de régulation de la communication audiovisuelle et numérique* (French audiovisual regulator - ARCOM) the power to impose financial penalties against and block or delist pornographic websites that remain accessible to minors in violation of Article 227-24 of the French Criminal Code, whether they are established in France, in the European Union (if designated by ministerial decree) or outside the EU.

The decree of 26 February 2025, published in the French official gazette on 6 March, named 17 video-sharing platforms established in other EU member states (including Pornhub, Youporn, XHamster, etc., described by the French Ministry of Culture as “the most popular in France”). These platforms now have three months to implement the law, which requires them to implement an age verification system ensuring their users are of legal age. If they fail to comply, ARCOM will be able to fine them and/or block their services in France.

On 9 October 2024, after receiving the opinion of the *Commission nationale de l'informatique et des libertés* (the French data protection authority - CNIL), ARCOM adopted technical guidelines requiring each platform to offer at least one “double anonymity” age verification system that enables an intermediary (e.g. bank, telephone operator) to verify a user’s age without the pornographic site knowing the user’s identity and without the intermediary knowing that its customer is visiting a pornographic site.

On 6 March 2025, ARCOM announced that none of the six most popular platforms it had inspected, whether established in France or outside the EU, had met their obligation to implement an age verification system. In addition, one of them had not made the identity and address of its provider available, contrary to the law. ARCOM therefore asked several internet service providers, domain name resolution system providers and search engines to block or delist this platform, with the aim of preventing access to it.

As required by law, ARCOM sent observation letters to the other five platform providers as a first step towards having their sites blocked if they continued to break the law.

According to ARCOM, these actions “reaffirm its commitment to improving the protection of minors on the internet in general, and against online pornography in particular. It is determined to pursue this approach at European Union level within the framework of the Digital Services Act and, more particularly, the future European guidelines on the protection of minors online”.

Arrêté du 26 février 2025 désignant les services de communication au public en ligne et les services de plateforme de partage de vidéos établis dans un autre État membre de l'Union européenne soumis aux articles 10 et 10-1 de la loi n° 2004-575 du 21 juin 2004 pour la confiance dans l'économie numérique, JORF du 6 mars 2025 et Communiqué de l'Arcom du 6 mars 2025

<https://www.arcom.fr/presse/pornographie-en-ligne-de-nouvelles-etapes-franchies-pour-la-protection-des-mineurs>

Decree of 26 February 2025 designating the online public communication and video-sharing platform services established in another European Union member state subject to Articles 10 and 10-1 of Law No. 2004-575 of 21 June 2004 on confidence in the digital economy, French official gazette of 6 March 2025 and ARCOM press release of 6 March 2025

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