[DE] Parliament Adopts Amendment to Law on Protection of Minors

IRIS 2008-6:1/9

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On 8 May 2008, the German *Bundestag* (Parliament) adopted the Government's draft first amendment of the *Jugendschutzgesetz* (Act on the Protection of Minors), thanks to the votes of the Government parties.

The amendment contains three main aspects: firstly, the list of media products harmful to minors, which are indexed under law, is extended where the portrayal of violence is concerned. Whereas previously minors were only banned by law from buying computer games that "glorify" violence or war, in future the same will apply to those in which "realistic, gruesome and sensationalised portrayals of violence and killing dominate as an end in themselves" (see IRIS 2007-6: 10).

In addition, the indexing criteria for the portrayal of violence in the media, which are set out in the Act, are extended and clarified. Finally, the minimum size and visibility of the age restriction symbols used by the *Freiwillige Selbstkontrolle der Filmwirtschaft* (voluntary self-monitoring body of the film industry – FSK) and *Unterhaltungssoftware Selbstkontrolle* (self-monitoring body of the entertainment software industry – USK) are specified. In future, the symbols must cover an area of at least 1,200 mm² on the front of the packaging and at least 250 mm² on the disk itself.

Following heavy criticism from the opposition in parliament, the Federal Families Minister's original plan to use bogus shoppers to convict retailers who illegally sold alcohol, cigarettes or violent videos to minors was removed from the draft amendment.

The opposition parties voted against the amendment because they thought that, on the whole, it did not go far enough and wanted additional regulations for online activities. Currently, even after the amendment, children and young people can still download indexed games from the Internet with no age restrictions whatsoever. There were also calls for tighter market controls and more substantial fines for infringements of the Act.

There was also a desire for age classification of online games and clarification of responsibility for user-generated content.

According to the *Bundesverband Interaktive Unterhaltungssoftware* (Federal Union for Interactive Entertainment Software – BIU), the actual problem of

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standard age symbols for games remains, regardless of distribution methods. In addition, the problem with these symbols is not so much their size, but rather their design and wording.

Entwurf eines Ersten Gesetzes zur Änderung des Jugendschutzgesetzes

http://dip21.bundestag.de/dip21/btd/16/085/1608546.pdf

Draft first amendment of the Act on the Protection of Minors

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