[DE] KJM orders blocking of Cypriot pornography portal

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Following numerous violations of the *Jugendmedienschutz-Staatsvertrag* (State Treaty on the Protection of Minors in the Media – JMStV), the *Kommission für Jugendmedienschutz* (Commission for the Protection of Minors in the Media – KJM) ordered the blocking of a pornographic website in a case referred to it by the *Landesanstalt für Medien NRW* (North-Rhine Westphalia media authority – LfM NRW). Many user profiles on the widely used German-language website provide unrestricted access to pornographic content, that is clearly likely to seriously impair the development of minors, without any form of age verification system designed to ensure only adults can view it.

According to Article 4(2) JMStV, pornographic content, unless it is absolutely unlawful – such as hard-core pornography (i.e. pornography featuring children, adolescents, violence or animals) – is only permissible in telemedia services and only "if the provider has ensured that such content is accessible to adult persons only (closed user group)".

An age verification system is required in order to comply with this rule. The KJM has devised and published clear guidelines that such systems should follow.

In March 2020, the KJM had examined the website in question and, since it breached the provisions of the JMStV, had lodged a complaint against the provider, which was established in Cyprus, an EU member state, and banned it in its current form. The provider had been told that it could meet its obligations under the JMStV by setting up a so-called closed user group in order to prevent children and adolescents accessing it. However, since it had not changed the way it operated, the KJM has now contacted the host provider and ordered it to block the website in Germany. It considered this measure necessary because the host provider had so far done nothing, even though the LfM NRW had informed it of the illegal nature of the website in its current form, and the fact that it had been banned in Germany.

By taking this unprecedented step, the KJM is endeavouring to exert its authority in the field of youth protection in a way that extends beyond this individual case.

Although the blocking order is not yet legally binding, the KJM and the LfM NRW have shown that they are persevering in their efforts to enforce the law in order to protect children and young people in the media. Their perseverance is

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necessary in the light of the procedural requirements, laid down in the EU Audiovisual Media Services Directive and E-Commerce Directive, regarding deviations from the country-of-origin principle for the protection of young people.

Pressemitteilung der KJM

https://www.kjm-online.de/service/pressemitteilungen/meldung/kjm-ordnet-sperre-gegen-grosses-pornoportal-an

KJM press release

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