[DE] KJM and KEK reports published

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In May 2023, two German media regulators published reports examining past and ongoing challenges in the fields of youth protection and the safeguarding of diversity in the media. On 12 May, the *Kommission für Jugendmedienschutz* (Commission for the Protection of Minors in the Media – KJM) published its 10th activity report covering the period from March 2021 to February 2023. Meanwhile, the *Kommission zur Ermittlung der Konzentration im Medienbereich* (Commission on Concentration in the Media – KEK) published its 24th annual report, covering 2022, on 15 May.

According to the KJM's activity report, young people are spending more and more time online. Recent studies show that, on average, they now spend more than 200 minutes per day on the Internet. As a result, the risks to the development of children and teenagers into independent, active members of society are constantly increasing, largely on account of the age-inappropriate content they are faced with, such as hate, propaganda, disinformation, violence and pornography. In its report, the KJM stresses that, in order to protect minors from such problematic influences, AI systems could be used to verify users' ages. One example is the recently developed age estimation technology. Rather than using identity documents, these systems estimate a user's age from their biometric characteristics after being trained through machine learning. This gives media providers the opportunity to create legally watertight areas for adult content. The KJM mentions in its report that it has already approved age verification systems of this type.

One of the KJM's most important regulatory tasks during the reporting period concerned proceedings against four operators of popular foreign-based pornographic websites. Children and young people can easily access pornographic content on the Internet with just a few clicks. The operators of these websites are therefore contravening German youth protection laws. Although pornography is not prohibited, German law states that it may only be made accessible to adults in closed user groups. A closed user group can be created using prior age verification. By instigating proceedings against four large pornography platforms, for failure to carry out appropriate age checks, the KJM hoped to pressure the operators concerned into bringing their services into line with youth protection laws. Initial administrative court decisions have found these proceedings to be lawful.

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In its 24th annual report, the KEK describes the media concentration investigations it carried out in 2022. It completed a total of 33 procedures during the reporting period. Of the 15 media concentration law investigations, relating to licence applications for national television channels, 11 were dealt with under a simplified procedure because they were of little importance for the protection of diversity of opinion. The channels concerned were not expected to reach certain audience thresholds. Fourteen procedures dealt with changes to ownership and shareholding structures. Four consultation procedures were held in relation to the licensing of third-party and regional windows. One of the main themes of the KEK's work in 2022 centred on its discussions with the ministerial advisers on broadcasting concerning the reform of media concentration law. The *Bundesländer* have long been discussing a model that moves away from the television-focused system of media concentration controls. The KEK is involved in this process. Other areas of the KEK's work in 2022 included examination of the relationship between European regulatory instruments and the safeguarding of plurality at national level, and the ripple effect of Article 5 of the *Grundgesetz* (Basic Law – GG) on media intermediaries.

10. Tätigkeitsbericht der Kommission für Jugendmedienschutz (KJM) - März 2021 – Februar 2023

https://www.kjm-online.de/fileadmin/user_upload/KJM/Publikationen/Taetigkeitsbericht/KJM_Taetigkeitsbericht_2021bis2023.pdf

10th activity report of the Commission for the Protection of Minors in the Media (KJM), March 2021-February 2023

24. Jahresbericht der Kommission zur Ermittlung der Konzentration im Medienbereich (KEK) - Berichtszeitraum 01 Januar 2022 bis 31. Dezember 2022

https://www.kek-online.de/fileadmin/user_upload/KEK/Publikationen/Jahresberichte/24._Jahresbericht.pdf

24th annual report of the Commission on Concentration in the Media (KEK), reporting period 1 January 2022 to 31 December 2022

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