

Code of Conduct of Chat Providers in the FSM

June 2007

Preamble

The aim of this Code of Conduct of Chat Providers is to improve youth protection in chat rooms in Germany. Numerous surveys prove that children and teenagers use the internet primarily for communication purposes. This shows that chats and other communication platforms are intensively used by minors. The commercial providers of chat rooms gathered in the Voluntary Self-Monitoring of Multimedia Providers FSM e.V. are aware of hence resulting social responsibility for the protection of children and teenagers. This Sub-Code of Conduct is an expression of their awareness and voluntary engagement. The Code of Conduct is solely applicable for German chat providers and for internationally active companies within their German chat offers. It constitutes a final agreement for chats.

The safety for chat users is to be increased by a composition of actions. Each signing company shall choose the package of measures in order to achieve the commonly defined safety requirements.

Sub-Code of Conduct

1. Scope of Application

1.1 This Sub-Code of Conduct obliges the members of the FSM if they are providers of chat rooms or if they provide access to chats and as soon as they have signed this Sub-Code of Conduct. If the signer uses chat offers of third parties, it will work towards the observation of this Code by the third person best possibly. This code is a sub-code of particular member groups (chat providers) according to § 2 para 2 of the FSM articles. The term “chat” describes the electronic communication of two or more persons in real time. This form of communication normally takes place on the internet in so-called chat rooms and within a community. Consequently, the chat providers make these rooms available. Thus, participation is reserved for member of the virtual community.

1.2. The legal principles of liability remain unaffected.

1.3. The rules of conduct described in section 2 are final. Beyond these regulations the violation of other legal regulations, particularly advertising laws, copy right law, data or consumer protection laws, laws of free expression, and competition laws are not covered by this code of conduct.

2. Rules of Conduct

2.1. Supervision of chats, moderation

The providers of chats are committed to offering chat moderation of their entire chat services from 10 am to 10 pm, which is the time children and teenagers usually use chats. Supervisors and moderators may be company personnel or voluntary assistants, e.g. members of the community who are aware of the necessity for the protection of children and teenagers and who are qualified through responsible behaviour within the community. The

chat providers provide the users with an alerting facility within one year of signing this code of conduct. The alerting facility enables all users to promptly call a moderator for support.

2.2. Technical solutions

Technical solutions are essential to achieve an improvement of security in chats. There are various measures which can be implemented in different areas:

2.2.1 Jointly administrated ,bad word list'

The providers of chats are committed to installing intelligent technical solutions in order to optimise the protection of children and teenagers. Among others, they will implement the conjointly administrated bad word list in their filtering programmes. This list contains all terms which must not be used within chat rooms of the signing chat providers. The list is assembled by all signers of this sub-code of conduct and will be updated if required. The office of the FSM manages and administrates the list centrally. It will be regularly reviewed and deployed accordingly.

2.2.2 Ignore mechanism

Users of constantly offered chats and chats of free accessibility are provided with a technical facility to ignore other participants. Users shall particularly be able to refuse invitations to conversations with only one other person before the dialogue actually begins.

2.2.3 Sanctions for breaching the rules

The providers will employ technical mechanisms to bar, to relegate and, if necessary, to delete chat users who have come to the provider's attention by disturbing children and teenagers and who generally violate the rules of chat rooms. Furthermore, they make efforts to hinder barred persons from returning to the chat by implementing the necessary technical measures.

2.3. Age verification/login procedure

The providers will make every reasonable effort within their economic and technical means to establish procedures for the registration of users to the community or chat or for further contact to the community or chat members which make a definite identification and tracking possible. This may be realised among others by sending an activation email to non-free-mailer address or by using 'unique identifiers'. As a result, this procedure not only assures the identification of users who behave inadequately in chats, but it also makes a re-registration of a barred user more complicated.

Generally one has to pay regard to the fact that complicated and tedious registration procedures may have chilling effects and users may consequently switch to other chats which provide easier access and have fewer mechanisms of protections. This would not be of benefit to youth protection because within services of low accessibility barriers, security standards are usually low as well. This would work against to the improvement of youth protection in chats.

2.4. Management of the community

If signers of this Sub-Code of Conduct offer a facility to upload photos to user profiles, they will check them promptly after the upload. In chats clearly directed to children, uploaded photos have to be checked before other users can see them.

2.5. User support/ user education

Technical measures are effective means of improving youth protection. But technical measures alone are not sufficient; the users have to be competent and self-determined as well. The providers are aware of their responsibility in that special area. Therefore, they are committed to contributing to user education within their service frame. For this purpose, they offer a detailed “chatiquette” which informs the user about security and adequate behaviour. Users will get hints to this “chatiquette” as well as to others security tips when they sign in for the first time. Furthermore, that information will be available centrally on the web site. In addition to briefing users on how to chat safely, the providers will offer interactive elements in order to prepare the knowledge about correct behaviour in chats in a target group appealing way. Therefore, the FSM will provide a compilation of already existing and freely accessible material.

3. Sanctions

If the responsible FSM boards state a violation of this Code of Conduct, sanctions according to § 11 of the Complaint Rules may be imposed. The providers are committed to transmitting all available data referring to complaints to the Complaint Office of the FSM upon first notice for the purpose of clarification.

4. Final Provisions

The signing members agree in opinion that development and revision of this Sub-Code of Conduct shall be evaluated every 12 months on the basis of day-to-day business.

Berlin, June 2007