



National Implementation Report

The **Hungarian** Mobile Telephone Service Providers' Self-regulatory
Code for Safer Mobile Telephone Use by Young Teenagers and
Children

April 2010



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Executive summary

The European Framework for Safer Mobile Use by Younger Teenagers and Children (the “Framework”) is a self-regulatory initiative of the European mobile industry. It contains recommendations designed to ensure that younger teenagers and children can safely access content on their mobile phones. As of April 2010, there are 83 signatory companies implementing the Framework through the roll-out of national voluntary agreements (Codes of Conduct). A further eight mobile operators have only signed up to a national code of conduct but as such are still participating in the initiative. Codes of conduct are currently in place in 25 EU Member States and under development in the remaining two. This means that around 96 per cent of all mobile subscribers in the European Union benefit from the Framework.

This report has been prepared by the Hungarian mobile operators – Magyar Telekom, Pannon and Vodafone – as part of a third review of the implementation of the Framework in the European Union, with a particular focus on how they have implemented the provisions of their national code of conduct, namely the “Hungarian Mobile Telephone Service Providers Self-regulatory Code for Safer Mobile Telephone Use by Young Teenagers and Children” (the code). The code is supplemented by a self-regulatory framework, the “Code of Ethics for Premium Rate Services” that had been established earlier by mobile operators with effect on third party content providers as well in order to protect consumers, especially minors, in the context of mobile premium rate content services.

All three mobile operators have developed tools to control access to adult content by minors, under parental control. These “child lock” tools enable customers to block access to adult content, and they typically cover all channels through which adult content can be accessed, such as mobile portals (e.g. WAP or web portals) and premium rate services, i.e. SMS, MMS and voice services. In the case of Magyar Telekom, the block extends to adult channels on mobile TV. Pannon and Vodafone have, in addition, developed services that allow web or WAP browsing in a confined space of safe content, typically developed for minors, on the basis of a pre-selected list of content (“white list”). All three operators provide information to their customers about access control options when they sign up for a subscription, and continuously thereafter by making available information on safer mobile use in their shops, on their websites and through customer care.

The Hungarian mobile operators have developed brochures available at retail outlets and information on their websites in order to educate customers about the responsible use of mobile phones. These educative materials typically support parents in better understanding mobile communication services and provide advice on how they can protect their children from harmful content and how they should talk to them about responsible behaviour in chat rooms, community sites, etc. All three operators cooperate with third parties, such as child protection NGOs, and are involved in awareness raising initiatives to promote responsible use of mobile phones by minors.

The Code of Ethics – applicable both to the mobile operators and contracted content providers – contains some basic requirements as on the content of PRSs that are unsuitable for minors. In addition, all three mobile operators have their own internal content classification standards, in line

with the approach used in other media. The classification systems are typically of binary nature and differentiate between adult content and content suitable for minors on the basis of a range of factors (e.g. content of erotic or violent nature, etc.).

Magyar Telekom is a member of, while Pannon and Vodafone cooperate with, the Hungarian Content Industry Association (MATISZ), the local INHOPE node that operates a hotline where illegal child sexual abuse content can be reported. Customers of all three operators may also contact the customer service of their provider if they have complaints regarding illegal content, in which case operators contact the local law enforcement authority directly.

The Hungarian mobile operators have set special requirements regarding advertising of premium rate services that are made easily available to minors and implemented measures to prevent excessive use of premium rate services by minors that can result in overspending.

Introduction

This report has been prepared by mobile operators as part of a third review of the implementation of the European Framework for Safer Mobile Use by Younger Teenagers and Children (the “Framework”) in the European Union.

The Framework is a self-regulatory initiative of European mobile operators, which puts forward recommendations to ensure that younger teenagers and children can safely access content on their mobile phones. It was issued in February 2007 following the consultation of child protection stakeholders in the European Commission’s High Level Group on Child Protection. A reproduction of the Framework is available in Annex I of the report.

Fifteen signatories at group level (55 national mobile operators) initially signed up to the Framework on Safer Internet Day, 6 February 2007. As of April 2010, there are 83 signatory companies implementing the Framework through the roll-out of national voluntary agreements (codes of conduct). A further eight mobile operators have only signed up to a national code of conduct but as such are still participating in the initiative¹.

The recommendations of the Framework cover the following areas:

- **Classification of commercial content** — mobile operators’ own and third party commercial content should be classified in line with existing national standards of decency and appropriateness so as to identify content unsuitable for viewing by younger teenagers and children.
- **Access control mechanisms** — appropriate means for parents for controlling access to this content should be provided.
- **Education and awareness-raising** — mobile operators should work to raise awareness and provide advice to parents on safer use of mobile services, and ensure customers have ready access to mechanisms for reporting safety concerns.
- **Fighting illegal content on mobile community products or the Internet** — mobile operators should work with law enforcement agencies, national authorities and INHOPE or equivalent bodies to combat illegal content on the Internet.

The Framework recommendations are not prescriptive. Mobile operators have implemented them in different ways to reflect the diversity of their services and marketing models, as well as to cater for national societal norms and values. National codes of conduct are currently in place in 25 EU

¹ An overview of signatories per EU Member State is available at http://www.gsmeurope.org/documents/List_of_signatories_Dec_09.pdf

Member States and under development in the remaining two². This means that around 96% of all mobile subscribers in the European Union benefit from the Framework.

This report sets out how mobile operators have implemented their national code of conduct in Hungary, namely the “Hungarian Mobile Telephone Service Providers Self-regulatory Code for Safer Mobile Telephone Use by Young Teenagers and Children” (the code). A reproduction of the code is available in Annex II of the report. The signatories of this code are: Magyar Telekom, Pannon and Vodafone.

The Hungarian code was developed as a result of the European Framework in the course of 2007 and 2008, and was signed by mobile operators on 31 January 2008. The implementation deadline set by the operators in the code was 30 January 2009.

A separate code, the “Code of Ethics for Premium Rate Services” had been established before on premium rate services, which also creates a self-regulatory framework for mobile operators and third party content providers aimed at protecting consumers. This code of ethics also includes provisions specifically aimed at the protection of children and teenagers, especially regarding the content and provision of PRSs and advertising, therefore it was attached as an annex to the Code. Mobile operators agreed to enforce the provisions of the Code of Ethics on their content provider partners, but they reserved the right to stipulate conditions stricter than those included therein.

The report’s contents are based on information gathered from the signatories, as well as a child protection stakeholder, on the basis of a questionnaire in the period February-March 2010. The first part of the questionnaire addressed compliance with the recommendations of the national code of conduct. The second part of the questionnaire posed questions to a third party, in this case the Hungarian branch of the International Children’s Safety Service, concerning mobile operators’ role in protecting children in their country of operation. The main findings are presented below.

² Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and UK. The codes can be downloaded at http://www.gsmeurope.org/safer_mobile/national.shtml.

Implementation of national code of conduct

This part of the report contains information on how individual mobile operators have implemented the provisions of the Framework Agreement on Mobile Content and Payment Services. It is subdivided into five sections, which correspond to the four high level areas of Framework and other recommendations of the national code of conduct that go beyond the scope of the Framework.

Access control mechanisms

The recommendations of the **Framework** relating to access controls are as follows:

- 1. Mobile providers should not offer any own-brand commercial content which would be classified as only suitable for adult customers in equivalent media, without providing appropriate means to control access to such content under parental control.*
- 2. Appropriate means to control access to content should also be applied where content is supplied by contracted providers of third party commercial content which would be classified as only suitable for adult customers in equivalent media.*
- 3. Additionally, individual mobile providers should offer capabilities which can be used by parents to customize access to content by children using mobiles. These may include specific services, phones, barring or filtering, and/or billing control.*

The relevant provisions of the **national code of conduct** on access controls are as follows:

- a.) Service Providers wish to help parents as regards content falling under the scope of the Code to enable them to choose those services and content which their children can access via their mobile telephones.*
- b.) Service providers only market under their registered name or commercial name adult content that parents are able to disable by screening the content or by specific cost control solutions that the parents can effectively use in compliance with the goals of the Code.*

Mobile operators have implemented these provisions as set out below.

Magyar Telekom

Magyar Telekom ensures different access control tools for its customers to protect their children from unsafe, adult content when using mobile internet services and accessing content provided by Magyar Telekom or its content provider partners.

On 1 February 2010 Magyar Telekom launched the free Content Lock service for its customers. With the service subscribers have the ability to control access to the following types of adult content:

- Adult content accessible via Magyar Telekom's mobile WAP and mobile internet services. The content lock service denies access to adult content provided by Magyar Telekom and third party adult content resold by Magyar Telekom.
- The Content Lock service denies access to adult premium rate services accessible through premium rate numbers (+36-(90)xxxxxx). This way all mobile originated

	<p>or terminated premium rate voice, SMS or MMS service is blocked.</p> <ul style="list-style-type: none"> • Access to Mobile TV adult channels. • Infotainment services including unsafe, adult content. <p>The Content Lock service can be ordered through the following customer service channels:</p> <ul style="list-style-type: none"> • Calling the 1430 customer service number, which is free for T-Mobile customers. • Through the customer service point on the web (My T-Mobile) • In person, at T-Mobile shops. • Through the customer service point on WAP. <p>Magyar Telekom also provides an access control mechanism for mobile commerce services. Subscribers using mobile commerce services are able to block transactions in respect of adult products or services.</p>
Pannon	<p>Pannon offers two services to control access to adult content that can be ordered either individually or combined. One of them supports access control for SMS, MMS, WAP and voice services, and allows customers to ban access to premium-rate adult content, to receive SMS and MMS from premium-rate numbering ranges and to access premium-rate downloadable content on Pannon WAP. The other service confines access only to Web and WAP sites included in the operator's white list of safe, non-adult content. Another service is a selectable block of all adult content – a setting any customer can opt for, free of charge. A web browsing restriction based on a white list of safe, non-adult websites is also a selectable option.</p> <p>These access controls are available to Pannon's customers free of charge. They can be requested in person upon the purchase of a subscription, or any time thereafter either online, in written form or by contacting customer service. Changes to subscription settings can be made only by the subscriber, after identity verification by quoting specific customer data and a code (e.g. a PIN code) provided upon the conclusion of the contract. Children under the age of 14 cannot be subscribers at all, while post-paid subscriptions are concluded only with customers who are over 18.</p> <p>Customers are informed of the above mentioned possibilities when signing up for a subscription, and they are provided with a document explaining these access control options. Leaflets on safer mobile use are also available at every shop and customer care centre.</p> <p>In respect of SMS and voice content, different numbering ranges are used for adult content. According to Hungarian law, only numbers starting with 06-90 can be used to provide adult content.</p>
Vodafone	<p>At Vodafone, access controls typically operate on the basis of SIM profiles such as child, youth, or adult profile. Vodafone has pre-set options depending on the national market. In Hungary, a child profile can be set through the "Child Lock" service. This</p>

service provides access only to pre-filtered content that is included in a white list, thus opting out of access to content with age limitations for users over the age of 12, 16 or 18 respectively.

Vodafone's customers can opt-in for a child profile at any time. The service may be activated via SMS, online channels, via Vodafone Live!, through customer care, and in retail stores. Deactivation can happen only in possession of a customer security code, via online channels, Vodafone Live!, customers care and in retail stores.

Raising awareness and education

The recommendations of the **Framework** relating to awareness-raising and educational activities are as follows:

4. *Mobile providers should provide advice and effective access to information regarding the use of mobile phone services and measures which can be taken by parents to ensure safer use by their children.*
5. *Mobile providers should encourage customers who are parents to talk to their children about how to deal with issues arising from the use of mobile services.*
6. *Mobile providers should ensure customers have ready access to mechanisms for reporting safety concerns.*
7. *Mobile providers should support awareness-raising campaigns designed to improve the knowledge of their customers, through organisations such as the INSAFE³ network.*
8. *For these measures to work effectively, policy makers should play a role in improving children's awareness through updated educational material and approaches. This should include parent and child-friendly information on safer use of mobiles and the internet.*

The relevant provisions of the **national code of conduct** on raising awareness and education are as follows:

- a.) *Service providers prepare information pamphlets for parents that outline the dangers caused by harmful communication to which it is necessary to draw children's attention.*
- b.) *Service providers publish guidelines on their websites to help parents discuss with their children the dangers hidden in communication and teach them what to do to ensure safe mobile telephone use, as well as outlining the means available to parents to ensure safe use of mobile telephones by children.*
- c.) *Service Providers cooperate with content providers and consumer protection organisations to make safeguards for children as significant as possible and to ensure as efficient protection of children as possible. In doing so, they support conducting joint educational campaigns.*
- d.) *Service Providers enable parents to make reports by calling their Customer Care sections regarding matters associated with the safe use of mobile telephones.*

³ INSAFE is a network of national nodes that coordinate Internet safety awareness in Europe.

These provisions were implemented as set out below.

Magyar Telekom	<p>Magyar Telekom placed brochures in its stores and created an informative website (http://www.t-mobile.hu/lakossagi/mobilszorakozas/gyerekzar) about safer mobile use, giving advice to parents on how they can protect their children from harmful content and avoid uncomfortable situations, for instance:</p> <ul style="list-style-type: none"> • How to use and register in chat rooms, blogs, forums. • How to use and register in community sites. • How to handle services involving obscenity, harassment. • How to handle SPAM. • How to report Illegal content etc.
Pannon	<p>In order to raise awareness on the safer use of mobiles, Pannon provides its customers with brochures on safer mobile use and with prominent notification or pop-ups on websites. Our information brochure on safer mobile use covers, inter alia, the following subjects:</p> <ul style="list-style-type: none"> a) A short introduction of safe content services provided by Pannon. b) Ways of limiting access to adult content. c) A general overview on premium rate services. d) Services available for minors. <p>In addition, the brochure provides customers with advice on where and how they can ask for further information or note or report illegal content. Pannon is currently involved in negotiations with a third party in order to examine the possibilities of providing further support to customers to educate them on safer mobile use.</p>
Vodafone	<p>Vodafone, in cooperation with relevant local NGOs, prepared a Parents' Guide and a booklet on the responsible use of mobile phones. These brochures support parents in better understanding mobile communication services (chat, MMS, etc), and give guidance on how to talk to their children about adult content, chat rooms, bullying, etc. This guidance is downloadable from Vodafone Hungary's website.</p> <p>Vodafone supports and participates in Safer Internet events, which bring together media, NGOs and industry partners to discuss issues on how to improve the protection of children using ICTs. In February 2010 Vodafone Hungary hosted the local Safer Internet Day event. Vodafone also supported the operation of a "Safe Internet Tent" in cooperation with the International Children's Safety Service at their Children's Day event, and participated in the online content section of the conference entitled, "The effect of media on children".</p>

Classification of commercial content

The recommendations of the **Framework** relating to commercial content classification are as follows:

9. *Mobile providers and content providers support classification frameworks for commercial content based on national societal standards and consistent with approaches in equivalent*

media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.

- 10. Mobile providers should ensure that their own-brand commercial content is appropriately classified based on existing national classification standards in the markets where they operate.*
- 11. Through their contractual relationships with professional third party content providers, mobile providers should ensure, after consultation, that these providers classify their commercial content under the same national classification approach.*
- 12. For these measures to work effectively, policy makers, trade associations and other interested parties should support mobile provider initiatives to ensure commercial content providers classify their content against national societal standards.*

The relevant provisions of the **national code of conduct** on the classification of commercial content are as follows:

a.) Service providers undertake to apply adult content classification according to international practice in accordance with the relevant legal provisions (in particular Act No. C of 2003 on Electronic Telecommunications and Government Decree No. 164/2005. (VIII. 16.)), and require the same of third parties.

b.) Service Providers support the development of a commercial content classification system to be used as a basis for establishing which content qualifies as being intended for adults, i.e. for those above 18 years of age, which system complies with the content classification used in other media, as well as the classification principles to be applied as a basis for them.

c.) As regards content falling within the scope of the Code sold under their own registered name or commercial name, the Service Providers apply and clearly display these classification principles.

d.) Service Providers expect this of their commercial partners and stipulate in their contracts that they classify the contents they distribute according to the principles above.

According to the Code of Ethics – based on applicable Hungarian regulations - no content may be provided which contains:

- a) reference to sexual acts or nudity in sexual or non-sexual context,*
- b) language detrimental to the development of children (e.g. obscene, aggressive)*
- c) reference or incitement to violent activities; pictures, videos, voice recordings and applications of such content,*
- d) encouragement to the use of alcohol or tobacco or other addictive substances.*

These requirements must be observed by mobile operators and by third party content providers alike when classifying their content services.

These provisions were implemented as set out below.

<p>Magyar Telekom</p>	<p>Magyar Telekom implemented a mobile content classification process in order to ensure that the content provided to its subscribers is appropriate for their age, and that the right classification principles, age verification and content lock functions are used. Mobile content, provided by Magyar Telekom or third parties that have a contract with Magyar Telekom, are categorised into two groups, content suitable only for adults (above 18) and content suitable for minors (children and teenagers under the age of 18).</p> <p>The following types of content are defined as content unsuitable for minors:</p> <p>Erotic content: This category includes both pictures and/or text the central element of which carry erotic elements or pornography by displaying sexuality in a direct and natural manner, and/or aims to provoke concupiscence in an unmistakable manner in a picture or textual environment.</p> <p>Violent content: This category includes both pictures and/or text the central element of which is conflict solving through brutality, or which makes a direct or indirect reference to violence or brutality.</p> <p>Content implying threat or anxiety and harassment: This category includes both pictures and/or text the central element of which is threat, intimidation, which aims to reach intimidation by communicating horror. These include without limitation cursing, obscenity, threatening or intimidating pictures, unsolicited, messages of harassment, etc.</p> <p>These classification guidelines are applied by Magyar Telekom in respect of its own content and content provided by third parties that have a contract with Magyar Telekom. In respect of content provided by third parties where Magyar Telekom does not exercise prior control before it is offered to customers, content provider partners are expected, by contract, to observe the classification guidelines used and applied by Magyar Telekom in respect of its own services.</p> <p>Magyar Telekom has worked out an adult content reporting process for its content provider partners by which all adult content URLs must be reported. Content provider partners, whose services are not submitted to prior approval by Magyar Telekom, may not offer adult content unless Magyar Telekom secured that this content can be blocked with the Content Lock service.</p>
<p>Pannon</p>	<p>Pannon uses two categories of content, namely adult content and content suitable for all. For its own branded content, Pannon applies internal guidelines based on the definition of adult content as defined by Hungarian law, thereby ensuring that the classification system is built on criteria used in other media. The Code of Ethics and the code of conduct make no difference between mobile operators' own content and contracted third party content, the same classification guidelines apply to both.</p> <p>In respect of third party content providers, individual content items are not subject to Pannon's prior approval as regards compliance with the content classification</p>

	framework, but regular random checks are performed and customer complaints are investigated. If there is a case of non-compliance with the classification standards, the content provider is first requested to correct this. A breach of contractual terms such as that of classification or the misplacement of adult content may also lead to temporary suspension of service or, ultimately, to the termination of the contract with the infringing content provider. These sanctions set out in the contracts with content providers are under review and expected to become more stringent, thereby reinforcing consumer protection and ensuring the highest quality of service.
Vodafone	Vodafone Group's policy prohibits provision of Vodafone branded adult erotic content. Vodafone's operations have implemented a system for classifying content based on benchmarking. Vodafone Hungary uses this global classification system for adult erotic content to classify content provided by third parties. Content classification by commercial content providers is ensured through contractual arrangements. The classification system and its criteria are in line with the approach used in Hungary in other media (e.g. pictures in magazines or press, movies, television programmes, computer games).

Fighting illegal content on mobile community products or the Internet

The recommendations of the **Framework** related to combating illegal content on mobile community products or on the Internet are as follows:

13. *Mobile providers will continue to work with law enforcement authorities in executing their legislative obligations regarding illegal content.*
14. *Mobile providers will support national authorities in dealing with illegal child images and, through the INHOPE⁴ hotline network or equivalent approaches, will facilitate the notification of this content where hosted on mobile community products or on the internet.*
15. *Mobile providers will adopt, or support the creation of, appropriate legally authorized national take-down procedures for such illegal content, including a commitment to liaise with national law enforcement.*
16. *For these measures to work effectively there should be legal clarity on the nature of content which is illegal and law enforcement authorities (or delegated organizations) should be able to confirm where individual items of content are illegal. This will require the allocation of proportionate law enforcement priority and resources. National governments' support for this is vital.*

The relevant provisions of the **national code of conduct** on fighting illegal content are as follows:

Service providers cooperate with the law enforcement authorities in order to be able to fully comply with the legal obligations concerning illegal content.

Mobile operators have implemented these provisions as set out below.

⁴ INHOPE is the International Association of Internet Hotlines.

Magyar Telekom	<p>Magyar Telekom is a member of the Hungarian Content Industry Association (MATISZ) which acts as the local node of INHOPE. MATISZ operates an illegal content reporting service page (www.hu.inhope.org) and Magyar Telekom's mobile subscribers may report any illegal content directly to MATISZ.</p> <p>Magyar Telekom operates a dedicated Content Lock email address for its subscribers where they may report their concerns over the abuse or misuse of mobile phone services. All reports sent to this account are collected and answered by customer service. Whenever illegal content is reported or realised in the mobile services provided by Magyar Telekom or third parties, it is sent directly to the local law enforcement authorities for further investigation.</p>
Pannon	<p>As Pannon's portal is strictly controlled and provides no opportunity to upload uncontrolled content by third parties other than contracted content providers, it is highly unlikely that illegal child abuse content would appear on the portal. As regards the open Internet, Pannon communicates with law enforcement authorities if it is contacted and involved, but does not actively monitor the Internet. Internet users can either contact the local node of INHOPE or the authorities if they wish to report illegal content. They can also contact Pannon's customer service if they feel the content is somehow related to Pannon or the mobile services it provides.</p> <p>Pannon cooperates with the local INHOPE node, operated by the Hungarian Association of Content Industry (MATISZ).</p>
Vodafone	<p>Vodafone reports illegal content (e.g. child abuse) to the local police based on customer complaints. Vodafone supports the local INHOPE hotline for reporting illegal child abuse content on the Internet and proactively communicates with this association to report illegal content.</p>

Other

This section addresses compliance with the recommendations of the national code of conduct that go beyond the scope of the Framework and further initiatives mobile operators have taken to protect children and teenagers when using mobile content services.

General	<p>Education and awareness raising on premium rate services in cooperation with the regulator: Due to the importance of conscious mobile usage as a dominant element in safer mobile use, the National Communications Authority and the Hungarian Mobile Marketing and Content Industry Association launched an initiative with the support of the mobile operators to establish an informative website in order to make mobile services more transparent for customers (http://www.mobilozzokosan.hu).</p> <p>In the first stage of this initiative, mobile operators posted information for customer in order to ensure more transparency of premium rate services. The educative information focuses on how premium rate services work, how they can be cancelled, etc. It also contains a premium rate number search interface, where, for each</p>
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number, customers are able to find out the name of the content provider, type of service, price of the service as well as the availability of customer service. The database will be updated on a weekly basis. The website also contains educative information on the mobile Internet, e.g. how to use it, how the service is charged, etc.

Guidelines on advertising to minors and to control overspending: The three mobile operators established a Code of Ethics on premium rate services, which creates a self-regulatory framework for mobile operators and third party content providers aimed at protecting consumers. Mobile operators agreed to enforce the provisions of the code on their content provider partners, but they may also stipulate conditions stricter than those included in the code. This code includes provisions specifically aimed at the protection of children and teenagers.

As to advertisements made easily available to minors, they must include a notice, highlighted in the same manner as the main message of the advertisement, about the price of the call per minute or the price of the SMS. As regards services meant for minors, the received premium-rate solution is always to be avoided.

A service meant for minors shall not encourage excessive use of the service. Direct solicitation or enticement to make a purchase must not be applied to minors, unless the offered product or service is something within the scope of their interest and can be reasonably presumed to be affordable by them. Advertisements must not encourage minors to use a premium-rate content offered within the 90- numbering range (adult content).

Magyar Telekom provides a premium rate lock service which blocks access to all premium rate services, thereby providing parents with a tool to control spending by their child. Vodafone customers also have the option to ban premium rate SMS and voice services of high tariffs.

Stakeholder cooperation on child protection

This part of the report presents the views of a relevant stakeholder, namely Ms. Zsuzsanna Borsi of the Hungarian branch of the International Children's Safety Service (Nemzetközi Gyermekmentő Szolgálat), concerning mobile operators' role in protecting children in Denmark.

The following questions were posed to the stakeholder:

- 1. How do you think the national code of conduct signed by mobile operators has helped in the pursuit of safer mobile use by children?**

The national code has served as an official and straightforward statement of the mobile operators to commit themselves for promoting the safer mobile and internet use of children and young teenagers. The Code contains detailed action points and deadlines, for which, the operators are accountable. It addresses several issues to promote safety of children: content access controls, awareness raising campaigns, content classification and fighting against illegal content.

- 2. Are you aware of any educational/awareness-raising initiatives on this issue by the mobile operators in your country?**

All mobile operators have a child or content lock service, which (when activated on the children's handsets) blocks the access to adult content (aggressive music and games, erotic content, premium content etc.) The services also enable a "white list", i.e. a list of children-friendly pages (tales, games etc) which are useful and suitable for young children. They promote the free-of-charge service via their websites, and also in print advertisements. The mobile operators have brochures about safer mobile use helping parents to understand more about mobile services (chat, forums, MMS, etc), and giving them advice on how they can protect their children from harmful contents and discomfort situations. The brochures are available in stores and are being spread during events organised for children and families. The National Communications Authority (NHH) has launched a website (www.MobilozzOkosan.hu) in cooperation with Hungarian Mobile Marketing Association (MMTE) supported by the mobile operators. The website provides information on smart mobile telephone use. International Children's Safety Service organizes an awareness raising event on Children's Day (29-30 May) "Safer Internet Tent" which will be supported among others by Vodafone and Magyar Telekom. Pannon has not decided yet about the cooperation.

- 3. What do you think are the key child protection priorities for the ICT sector for your country?**

Supporting education and awareness raising campaigns.

Conclusion

The Hungarian mobile operators have successfully implemented the undertakings set out in their national code of conduct that correspond to the requirements of the Framework.

In order to control access by minors to adult content on their mobile phone, operators introduced tools whereby access to adult content can be blocked on mobile portals and in respect of premium rate services. They provide information about these content block options to customers upon the purchase of a subscription, and in general in retail outlets and on their website. In addition, some of the operators offer child-friendly web or WAP browsing services confined to a space of safe content.

The content classification framework contains uniformly applicable elements which are set out in the Code of Ethics (an annex to the Code). In addition, all three mobile operators have their own internal content classification standards, typically of binary nature, i.e. differentiating between adult content and content suitable for minors.

The access control mechanism as well as the content classification framework is enforced upon third party content providers by means of contractual obligations. In case of infringements sanctions can be applied.

In order to educate their customers about the responsible use of mobile phones, i.e. how they can protect their children from harmful content, mobile operators have developed information brochures, available at their shops and on their websites, and support the regulatory authority's initiative of the same objective. Operators cooperate with third parties, such as child protection NGOs, on awareness raising initiatives.

All three operators support or cooperate with the local INHOPE node that operates a hotline where illegal child sexual abuse content can be reported. Customer complaints about illegal content are forwarded to law enforcement authorities, with which operators cooperate in line with their legal obligations.

Beyond the requirements of the Framework, the Hungarian mobile operators have set special requirements regarding advertising premium rate services that are made easily available to minors, and implemented measures in order to prevent excessive use of premium rate services by minors that can result in overspending.

European Framework for Safer Mobile Use by Younger Teenagers and Children

February 2007

European mobile providers and content providers have developed national and corporate initiatives to ensure safer use of mobiles including by younger teenagers and children. These already cover most EU Member States.

Signatory European mobile providers, with support from signatory content providers, now propose an EU-wide common framework to reflect these developments and to encourage all relevant stakeholders to support safer mobile use. This framework will be subject to national implementation by signatory providers.

We recognize:

- mobile services offer an additional way to consume content (still and video images, music, chat, etc.) already offered in other ways - typically by the same providers.
- the importance of parental oversight: accordingly, mobile providers should endeavour to empower parents with information and tools to facilitate their oversight.
- any initiatives to classify content should be based on national societal standards regarding decency, appropriateness and legislation.
- a framework-based approach to industry self-regulation will be effective in adapting to the fast moving environment of mobile technology and services – it will be future proof.

European Mobile Providers – A Responsible Approach

It should be noted that:

Mobile providers only control commercial content they produce themselves or which they commission from professional third parties.

They exert indirect and retrospective control over commercial content in certain other situations, provided there is a contractual relationship with professional third parties.

They are not in a position to control content which is freely accessible on the internet, since there is no relationship between the mobile provider and the content provider.

However, as responsible companies, mobile providers recognise the need to work with customers, parents and other stakeholders, including child protection organizations, in order to promote the safety of younger teenagers and children using mobile services.

Mobile providers offer content which may use pre-pay, post-pay or hybrid approaches to billing. This framework is intended to provide for safer mobile use by younger teenagers and children across different billing approaches.

Recommendations on Safer Mobile Use

Access Control Mechanisms

- 1 Mobile providers should not offer any own-brand commercial content which would be classified as only suitable for adult customers in equivalent media, without providing appropriate means to control access to such content under parental control.
- 2 Appropriate means to control access to content should also be applied where content is supplied by contracted providers of third party commercial content which would be classified as only suitable for adult customers in equivalent media.
- 3 Additionally, individual mobile providers should offer capabilities which can be used by parents to customize access to content by children using mobiles. These may include specific services, phones, barring or filtering, and/or billing control.

Raising Awareness & Education

- 4 Mobile providers should provide advice and effective access to information regarding the use of mobile phone services and measures which can be taken by parents to ensure safer use by their children.
- 5 Mobile providers should encourage customers who are parents to talk to their children about how to deal with issues arising from the use of mobile services.
- 6 Mobile providers should ensure customers have ready access to mechanisms for reporting safety concerns.
- 1 Mobile providers should support awareness-raising campaigns designed to improve the knowledge of their customers, through organisations such as the INSAFE network.
- 7 For these measures to work effectively policy makers should play a role in improving childrens' awareness through updated educational material and approaches. This should include parent and child-friendly information on safer use of mobile and the internet.

Classification of Commercial Content

- 8 Mobile providers and content providers support classification frameworks for commercial content based on national societal standards and consistent with approaches in equivalent media. Classification of content, whether accessible through telecommunications or not, should be consistent with national societal standards regarding decency, appropriateness and legislation. Classification frameworks should consist of at least two categories: content which is suitable only for adult customers and other content.
- 9 Mobile providers should ensure that their own-brand commercial content is appropriately classified based on existing national classification standards in the markets where they operate.
- 10 Through their contractual relationships with professional third party content providers, mobile providers should ensure, after consultation, that these providers classify their commercial content under the same national classification approach.
- 11 For these measures to work effectively policy makers, trade associations and other interested parties should support mobile provider initiatives to ensure commercial content providers classify their content against national societal standards.

Illegal Content on mobile community products or on the Internet

- 12 Mobile providers will continue to work with law enforcement authorities in executing their legislative obligations regarding illegal content.
- 13 Mobile providers will support national authorities in dealing with illegal child images and, through the INHOPE hotline network or equivalent approaches, will facilitate the notification of this content where hosted on mobile community products or on the internet.
- 14 Mobile providers will adopt, or support the creation of, appropriate legally authorized national take-down procedures for such illegal content, including a commitment to liaise with national law enforcement.
- 15 For these measures to work effectively there should be legal clarity on the nature of content which is illegal and law enforcement authorities (or delegated organizations) should be able to confirm where individual items of content are illegal. This will require the allocation of proportionate law enforcement priority and resources. National governments' support for this is vital.

Implementation, Stakeholder Consultation & Review

- 16 Signatory mobile providers and signatory content providers will work towards implementation of this common European framework through self-regulation at national level in EU Member States. The target for agreement of national self-regulatory codes, consistent with this framework, is **February 2008**
- 17 Mobile providers will regularly review child safety standards on the basis of the development of society, technology and mobile services in cooperation with European and national stakeholders such as the European Commission, INHOPE and INSAFE.

Annex II

The Hungarian Mobile Telephone Service Providers' Self-Regulation Code for Safer Mobile Telephone Use by Young Teenagers and Children

January 31, 2008

INTRODUCTION

The use of mobile telephones in Hungary has recently become general and now almost everyone in Hungary possesses a mobile telephone, with many children and young teenagers among the users. In addition to use in making calls, the mobile telephones are now suitable for use in accessing multimedia services and are thus a new means to access a range of content, for sending and receiving pictures and text messages, making video calls and downloading a range of games and music.

Magyar Telekom Nyrt., Pannon GSM Zrt. and Vodafone Magyarország Zrt. (hereinafter referred to as: the Service Providers) deem it important to allow young users to enjoy the advantages of mobile technology, whilst at the same time introducing them and their parents to the dangers associated with public communication.

In order to realise the goals outlined in the European General Agreement of 6 February, 2007 made by the leading European mobile service providers, the Service Providers have drawn up this Self-regulating Code (hereinafter referred to as the Code) for the protection of minors using mobile telephones.

GOALS OF THE SELF-REGULATING CODE

In order to protect the interests of minors, the Service providers undertake, in compliance with the General Agreement mentioned above, to act based on the following principles when rendering their services:

- Support controlling access to content intended for adults.
- Hold awareness raising campaigns for parents and children.
- Ensure classification of commercial content based on decency and international best practice and national standards of compliance.
- Support the fight against illegal content appearing on mobile telephones.

When rendering their services, the Service Providers observe these general principles although they may apply differing technical, commercial or other solutions.

The Code builds on the Code of Ethics of the Service Providers and Content Providers drawn up in 2007 concerning the provision of premium rate services (see Annex 1) and further develops the rules laid down therein in line with the General Agreement.

SCOPE

The Service Providers apply the provisions of the Code in the territory of the Republic of Hungary. The provisions of the Code apply only to the content services that the Service Providers market under their own registered name or commercial name or use where the same is applied to content

made by third parties on commission or if there is a contractual relationship between the Service Providers and third parties.

The Service Providers do not assume responsibility for internet content freely accessible via mobile telephones where there is no contractual relationship whatsoever between the Service Providers and the content provider.

The Service Providers will review the Code each year and, if necessary, modify it by mutual consent.

CONTROLLING ACCESS TO CONTENT INTENDED FOR ADULTS

As responsible representatives of mobile technology, the Service Providers wish to help parents as regards content falling under the scope of the Code to enable them to choose those services and content which their children can access via their mobile telephones.

To that end and to comply with the requirements above, they undertake to apply the adult content classification according to international practice with a one year introduction period in accordance with the relevant legal provisions (in particular Act No. C of 2003 on Electronic Telecommunications and Government Decree No. 164/2005. (VIII. 16.)), and require the same of third parties too. Accordingly, they only market under their registered name or commercial name adult content that parents are able to disabling by screening the content or by specific cost control solutions that the parents can effectively use in compliance with the goals of the Code.

ORGANISING AWARENESS RAISING CAMPAIGNS FOR PARENTS AND CHILDREN

Safe use of mobile telephones by minors is subject to it being based upon conscious parental-educational guidance. The Service Providers wish to contribute to the same in the following manner: They prepare information pamphlets for parents that outline the dangers caused by harmful communication to which it is necessary to draw children's attention.

They publish guidelines on their websites to help parents discuss with their children the dangers hidden in communication and teach them what to do to ensure safe mobile telephone use, as well as outlining the means available to parents to ensure safe use of mobile telephones by children.

The Service Providers cooperate with content providers and consumer protection organisations to make safeguards for children as significant as possible and to ensure as efficient protection of children as possible. In doing so, they support conducting joint educational campaigns.

The Service Providers enable the parents to make reports by calling their Customer Care sections regarding matters associated with the safe use of mobile telephones.

CLASSIFICATION OF COMMERCIAL CONTENT

The Service Providers support the development of a commercial content classification system to be used as a basis for establishing which content qualifies as being intended for adults, i.e. for those above 18 years of age, which system complies with the content classification used in other media, as well as the classification principles to be applied as a basis for them.

As regards content falling within the scope of the Code sold under their own registered name or commercial name, the Service Providers apply and clearly display these classification principles. The Service Providers expect this of their commercial partners and stipulate in their contracts that they classify the contents they distribute according to the principles above.

THE FIGHT AGAINST ILLEGAL CONTENT APPEARING ON MOBILE TELEPHONES

The Service Providers cooperate with the law enforcement authorities in order to be able to fully comply with the legal obligations concerning illegal content.

IMPLEMENTATION

The Service Providers undertake to meet the obligations laid down in this document by January 31, 2009.

Annexes

1.) Code of Ethics for the provision of premium rate services, drawn up by the Service Providers and the Content Providers in 2007. (http://www.gsmeurope.org/documents/eu_codes/hungary2.pdf)