

Joint Statement on the Dangers of Age Verification Proposals to Fundamental Rights Online

Dear President von der Leyen,

Children and young people are among the most at-risk users of online services. As such, they deserve age-appropriate online environments that respect their wellbeing, and facilitate safe experiences that uphold their fundamental rights.

Across European Member States, such as [France](#) and [Denmark](#), policymakers have been calling for EU-wide rules to age-restrict the use of social media and to mandate online age verification tools. Meanwhile, [Spain](#) and [Germany](#), among others, have been taking steps to pilot their own approaches to age verification.

There is a legitimate and crucial need to keep children safe online. At the same time, there is a lack of evidence that existing online age verification tools are able to achieve this goal. Instead, we have seen how age verification tools undermine the fundamental rights of all users, exacerbate structural discrimination and create a false sense of security. By pursuing age verification as a silver bullet to the complex challenge of addressing children's needs online, policymakers risk undermining the fundamental rights of children and adults alike, while failing to improve their safety and wellbeing.

We, the undersigned organisations and experts in privacy, encryption and child safety, call on the European Commission to prioritise effective child safety measures while underlining our deep concerns regarding the suitability, proportionality and overall negative effects on fundamental rights of current age verification proposals.

Age verification methods and their pitfalls

All age verification methods employed to ascertain a user's age online, with the goal of limiting access to certain services and change user experience depending on their age, come with significant challenges and risks.

While declaration-based models (a user declaring their age) interfere with users' fundamental rights to a lesser degree, they can easily be circumvented, which may weaken their effectiveness. Document-based age verification approaches assume a central actor in verifying a user's age through ID documents or other official documentation. These approaches categorically exclude all those that do not have access to these types of documentation, thus violating the fundamental rights of freedom of expression and information of already marginalised groups, and deepening the digital divide. Age estimation approaches (estimating a user's age by combining signals such as user history with predictive analytics) routinely expose the most sensitive categories of personal data, such as biometric information or browsing history, and are error-prone.

The exclusionary and discriminatory effects of age verification

Age verification approaches based on documents do not work in the context of international online platforms. To avoid circumvention through methods such as VPNs, they would require internationally standardised age verification methods and corresponding ID documents, or risk isolating European users from the rest of the web. Age assurance approaches based on biometrics are biased and enhance discrimination based on gender, race or disability, for example by [systematically underestimating the ages of women or people with Down syndrome](#). In both cases, users must hand over sensitive personal data to private platforms or third parties, with unknown [consequences for the safety and integrity](#) of their data.

Age verification as an unsuitable tool for child safety

The French data protection authority CNIL has [evaluated existing age verification approaches](#) and found them to be circumventable and disproportionately intrusive of people's privacy.

Imposing strict age limits on social media usage and enforcing them through technology can also [harm children's and young people's development](#) as it risks excluding them from certain resources that they would benefit from, such as information on sexual health, LGBTQ+ issues or other topics deemed 'unsuitable' by private actors. Such approaches also prevent children and young people from developing the necessary digital skills to build resilience to the range of risks that will continue to play a role throughout their digital lives.

Finally, age verification invites a false sense of security. Every technical approach to age verification must be assumed to be vulnerable to circumvention. Especially in scenarios in which adults are meant to be prevented from entering children-only online spaces, implementing age verification may allow predators to access supposedly safe or restricted spaces unhindered.

Rather than continuing to pursue ill-suited and rights-undermining age verification proposals, we urge the European Commission to advance a more holistic approach to child safety. We propose looking at age verification not just as a technical solution to ensure the safety of children, young people and adults, but as a spectrum of combined solutions and less-invasive measures that can be built up cumulatively. Methods such as age self-declaration can be placed in conjunction with other measures such as safety and privacy by design, content labelling and child versions of services. Combining less invasive tools with other measures, other than technical age verification tools that use documents or estimation, leads to a more holistic and proportionate approach.

We call upon the European Commission to ensure that the online safety of children is in line with all our fundamental rights, especially when it comes to implementing the DSA and the eIDAS Regulation. We should recognise that children's online safety is situated within wider societal issues that also require structural interventions, not just stop-gap solutions such as age verification systems.

Signed,

Non-government and civil society organisations

1. :DFRI - The Digital Freedom and Rights Association (Sweden)
2. 5:th of July Foundation (Sweden)
3. Access Now (International, Global)
4. Alternatif Bilisim (Turkey and Europe)
5. ANSOL - Associação Nacional para o Software Livre (Portugal)
6. Article 19 (International, Global)
7. Asociación The Commoners (Spain)
8. Asociația pentru Tehnologie și Internet (Romania)
9. Aspiration (International, Belgium)
10. Bangladesh NGOs Network for Radio and Communication (Bangladesh)
11. Bits of Freedom (The Netherlands)
12. Chaos Computer Club (Germany)
13. Civil Liberties Union for Europe (Pan-European)
14. Comitato per i Diritti Civili delle Prostitute APS (Italy)
15. comun.al, Digital Resilience Lab (International, Mexico)
16. D3 - Defesa dos Direitos Digitais (Portugal)
17. D64 – Center for Digital Progress e.V. (Pan-European, Germany)
18. Danes je nov dan, Inštitut za druga vprašanja (Slovenia)
19. Defend Democracy (Pan-European, The Netherlands)
20. Defend Digital Me (Pan-European)
21. Digital Rights Ireland (Ireland)
22. Digital Woman Uganda (Uganda)
23. Digitale Gesellschaft Switzerland (Switzerland)
24. Digitas Institute (Slovenia)
25. Electronic Frontier Foundation (Global, US)
26. ESWA - European Sex Workers Rights Alliance (Pan-European)
27. EDRI- European Digital Rights (Pan-European)
28. European Youth Forum (Pan-European)
29. Fight for the Future (International, USA)
30. Heinrich-Böll-Stiftung (International, Germany)
31. Homo Digitalis (Greece)
32. INSPIRIT Creatives NGO (International, Pan-European)
33. ISOC Portugal (Portugal)
34. IT-Pol Denmark (Denmark)
35. IuRe - Iuridicum Remedium (Czech Republic)
36. Lobby4kids – Kinderlobby (Austria)
37. Metamorphosis Foundation (Western Balkans)
38. Norwegian Consumer Council (Norway)
39. Panoptykon Foundation (Pan-European, Poland)
40. Politiscope (Pan-European, Croatia)
41. Privacy & Access Council of Canada (Canada)
42. Privacy First (The Netherlands)
43. Red Umbrella (Sweden)
44. Sekswerkexpertise | Platform Positieverbetering Sekswerkers (The Netherlands)
45. Share Foundation (Serbia)
46. Sindicato OTRAS (Spain)

47. SUPERRR Lab (Germany)
48. SW Digital Resilience Advisor (The Netherlands)
49. SWEN - Sex Workers Empowerment Network / ΔΕΣ -Δίκτυο Ενδυνάμωσης Σεξεργαζομένων (Greece)
50. Wikimedia Europe (Europe, Global)
51. Wikimedia Deutschland e. V. (Germany)
52. Vrijschrift.org (The Netherlands)

Expert Individuals, Academics, Lawyers, Activists

53. Amber Mallery (Spain)
54. Dr. Athena Michalakea, Birkbeck, University of London, School of Law. Attorney at the Appellate Court, Athens Bar Association (Pan-European, Greece)
55. Elizabeth Mc Guinness, M.A., M.Sc. (Pan-European, UK)
56. Hanne Stegeman, PhD (Pan-European, UK)
57. Ines Anttila, Msc (Sweden)
58. Jacqy Sw (The Netherlands)
59. Jeremy Harmer, LL.M., Ph.D. (International, UK)
60. Dr Laura Connelly (UK)
61. M.Wijers LL.M PhD (The Netherlands)
62. Rébecca Franco (Europe, US)
63. Sandra SW (The Netherlands)
64. Yigit Aydinalp (Pan-European)