

Procedure file

Basic information		
INI - Own-initiative procedure	2008/2173(INI)	Procedure completed
Protection of consumers, in particular minors, in respect of the use of video games		
Subject		
4.10.03 Child protection, children's rights		
4.60.02 Consumer information, advertising, labelling		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	IMCO Internal Market and Consumer Protection		07/07/2008
		ALDE MANDERS Antonius	
	Committee for opinion	Rapporteur for opinion	Appointed
	CULT Culture and Education		22/05/2008
		PPE-DE BELET Ivo	
	LIBE Civil Liberties, Justice and Home Affairs		15/09/2008
		UEN ANGELILLI Roberta	
European Commission	Commission DG	Commissioner	
	Communications Networks, Content and Technology	REDING Viviane	

Key events			
22/04/2008	Non-legislative basic document published	COM(2008)0207	Summary
04/09/2008	Committee referral announced in Parliament		
11/02/2009	Vote in committee		Summary
16/02/2009	Committee report tabled for plenary	A6-0051/2009	
12/03/2009	Results of vote in Parliament		
12/03/2009	Decision by Parliament	T6-0126/2009	Summary
12/03/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2173(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 052; Rules of Procedure EP 052-p4
Stage reached in procedure	Procedure completed
Committee dossier	IMCO/6/65386

Documentation gateway					
Non-legislative basic document		COM(2008)0207	22/04/2008	EC	Summary
Committee draft report		PE416.256	20/11/2008	EP	
Committee opinion	CULT	PE414.337	09/12/2008	EP	
Committee opinion	LIBE	PE415.189	21/01/2009	EP	
Amendments tabled in committee		PE418.401	26/01/2009	EP	
Committee report tabled for plenary, single reading		A6-0051/2009	16/02/2009	EP	
Text adopted by Parliament, single reading		T6-0126/2009	12/03/2009	EP	Summary
Commission response to text adopted in plenary		SP(2009)3244/2	06/10/2009	EC	

Protection of consumers, in particular minors, in respect of the use of video games

PURPOSE: to protect consumers, in particular minors, against the harmful effects of using video games.

BACKGROUND: video games are increasingly a cross-generation phenomenon, played by children and parents alike. As with other media, freedom of expression both for creators and gamers must be a paramount concern for policy makers who have a certain responsibility for the health of gamers. There is also a need for high protection standards for minors. Owing to the strong psychological effects of video games on minors, it is important to ensure that game-playing by minors is safe. This requires in particular graduated levels of access to video games for minors and adults. The 2002 [Council Resolution](#) on the protection of consumers through the labelling of certain video and computer games stressed the need to provide clear information as regards the assessment of contents and rating by age group. The Resolution calls on the Commission to review the various methods for assessing the content of video and computer games, as well as their rating and labelling, and to report back to the Council. In response, the European Commission has surveyed existing measures protecting minors from harmful video games across the 27 EU Member States.

In April 2003, the self-regulatory Pan European Games Information age rating system (PEGI) was adopted after very close consultation with industry, civil society, such as parental and consumer associations, and religious groups. PEGI is a voluntary, self-regulatory system, designed to ensure that minors are not exposed to games that are unsuitable for their particular age group. PEGI replaced a large number of existing national age-rating systems with a single European system. PEGI On-line, which was launched in June 2007, is the logical development of the PEGI system, designed to better protect young people against unsuitable gaming content and to help parents understand the risks and potential for harm within this environment.

CONTENT: based on the replies of a questionnaire sent out to 27 Member States, the Commission states that most EU Member States apply PEGI. The vast majority of these Member States have related legislation and quite a number have recently improved their legislation or are in the process of doing so. Some Member States have even based this legislation on PEGI. Half of the Member States consider the current measures in place to be generally effective. France, Germany, Greece, Italy, Latvia, Lithuania and Poland have recently improved or are currently improving national legislation.

The situation for on-line games is different. Internet creates new challenges because of its easy access and global character. The majority of Member States do not have specific legislation for on-line video games. However, some Member States consider that legislation for off-line video games applies by analogy and some Member States use PEGI On-line, which was launched in June 2007.

In conclusion, PEGI appears to have achieved good results and PEGI On-line is also a promising initiative, making of PEGI a good example of self-regulation in line with the better regulation agenda. Consequently, further efforts should be made by Member States, the industry and other stakeholders, including parents, to increase trust in video games and improve the protection of minors.

Considering the above, and bearing in mind the value of video games in promoting cultural diversity, the Commission:

- calls upon the Member States to recognise that video games have become a front-rank medium and to ensure that high standards of freedom of expression and effective, proportionate measures for the protection of minors should apply and mutually reinforce each other;
- calls upon the Member States to integrate into their national systems the information and classification system put in place in the framework of the PEGI and PEGI On-line initiatives;
- calls upon the video games and consoles industry to further improve the PEGI and PEGI On-line systems and in particular regularly to update the criteria for age rating and labelling, to advertise PEGI more actively and to increase the list of signatories;
- recognises that on-line videogames bring new challenges, such as effective age verification systems and possible dangers for young consumers related to chat rooms associated with these games, and calls upon Member States and stakeholders to work together on innovative solutions;
- calls upon Member States and stakeholders to evaluate the possible negative and positive effects of video games, notably on health;
- calls upon all stakeholders involved in the sale of videogames in retail shops to agree within two years on a Pan-European Code of conduct on the sale of games to minors and on commitments to raise awareness of the PEGI system among parents and children, as well as to ensure adequate resources to implement the provisions of this Code;
- encourages the Member States and all stakeholders to take initiatives to improve media literacy applied to video games;

- welcomes and supports further efforts to achieve a self-regulatory or co-regulatory cross-media, pan-European age-rating system. The Commission intends in particular to organise meetings of classification bodies to exchange best practices in this field.

Protection of consumers, in particular minors, in respect of the use of video games

The Committee on the Internal Market and Consumer Protection adopted an own-initiative report drafted by Toine MANDERS (ALDE, NL) welcoming the Commission Communication on the protection of consumers, in particular minors, in respect of the use of video games. It emphasises that video games are a great stimulant which in addition to entertainment can also be used for medical and educational purposes, stimulating learning of facts and skills such as strategic thinking, creativity, cooperation and innovative thinking.

Members take the view that harmonised labelling rules for video games ensure improved knowledge of the labelling systems and at the same time promote the effective functioning of the internal market, and they welcome the work of the Council and the Commission to promote the adoption of EU-wide labelling rules for video games and create a voluntary code of conduct on interactive games targeted at children.

They note that market conditions have changed significantly from a situation where video games were predominantly bought in shops to the present situation where games can be downloaded from the internet, and played on mobile devices. Current developments increase the need for effective working age verification systems for games and particularly for online games.

The report calls on the Commission and Member States, in cooperation with the industry, to explore the merit of developing a 'red button' which can be included on (mobile) consoles or game devices and computers and which disables a certain game or which can control access to a game during certain hours or certain parts of the game. It also calls for additional efforts in this respect, including the possibility of integrating an acoustic warning into the Pan-European Game Information (PEGI) age rating system, and counts on the professional game sector systematically to integrate access models for online games in order to ensure that minors are not exposed to harmful content online.

The committee calls on the video game and console industries further to improve the PEGI and PEGI Online systems and, in particular, to update regularly the criteria for age rating and labelling, to advertise PEGI more actively and to increase the list of signatories. Member States are urged to ensure that any national rating system is not developed in a way that leads to market fragmentation.

Members call on Member States, and the Commission, as appropriate, to do the following:

- work with consumer organisations and other stakeholders to raise awareness among consumers, especially young consumers and their parents, of the classification systems in place and in particular the PEGI system;
- conduct information campaigns for parents and schoolteachers aimed at bridging the technological generation gap and at promoting the PEGI and PEGI Online systems and promoting safer, more aware use of new technologies, including video games;
- facilitate the exchange of best practice among competent national educational authorities in the short-term with a view to integrating gaming literacy within the educational objectives of primary and secondary schools;
- frame specific civil and criminal legislation on the retailing of violent TV, video and computer games. Special attention should be paid to online games aimed primarily at children and young people whose purpose is to generate profit;
- discourage, through specific legislative measures, the misuse of online games for dishonest commercial activities, such as those which dishonestly induce underage users to enter into legal commitments and which send anticompetitive promotional messages;
- work with authorities in other parts of the world to encourage the adoption of international guidelines, labelling systems and codes of conduct to promote global classification systems for video games and online games;

Members underline that currently not all Member States have rules ensuring that retailers restrict the sale of violent games to adults, and calls for internet cafe owners to prevent children playing games which are rated for a higher age level in their cafes. They take the view that a common approach towards severe sanctions for retailers and internet cafe owners is required. Member States are asked to put in place adequate measures to prevent children buying and playing games which are rated for a higher age level, for example through identity checks.

The report holds the view that the industry should be encouraged to further develop and improve self-regulatory systems and that there is currently no need for EU-wide legislation in this field.

Protection of consumers, in particular minors, in respect of the use of video games

The European Parliament adopted by 552 votes to 12 with 6 abstentions

a resolution welcoming the Commission Communication on the protection of consumers, in particular minors, in respect of the use of video games. It notes that it falls within the competence of Member States to decide on measures to restrict the sale of video games or to ban them.

Members emphasise that video games are a great stimulant which in addition to entertainment can also be used for medical and educational purposes, stimulating learning of facts and skills such as strategic thinking, creativity, cooperation and innovative thinking.

They take the view that harmonised labelling rules for video games ensure improved knowledge of the labelling systems and at the same time promote the effective functioning of the internal market, and they welcome the work of the Council and the Commission to promote the adoption of EU-wide labelling rules for video games and create a voluntary code of conduct on interactive games targeted at children.

They note that market conditions have changed significantly from a situation where video games were predominantly bought in shops to the present situation where games can be downloaded from the internet, and played on mobile devices. Current developments increase the need for effective working age verification systems for games and particularly for online games. Parliament notes that, whilst violence in video games does not automatically lead to violent behaviour, some experts are of the opinion that long-term exposure to scenes of brutality in video games may have a negative impact on people playing these games, potentially leading to violent behaviour. It feels that a precautionary approach should be taken when considering the impact of games on behaviour, and especially on that of young children.

Parliament calls on the Commission and Member States, in cooperation with the industry, to explore the merit of developing a 'red button' which can be included on (mobile) consoles or game devices and computers and which disables a certain game or which can control access

to a game during certain hours or certain parts of the game. It also calls for additional efforts in this respect, including the possibility of integrating an acoustic warning into the Pan-European Game Information (PEGI) age rating system, and counts on the professional game sector systematically to integrate access models for online games in order to ensure that minors are not exposed to harmful content online.

Parliament calls on the video game and console industries further to improve the PEGI and PEGI Online systems and, in particular, to update regularly the criteria for age rating and labelling, to advertise PEGI more actively and to increase the list of signatories. Member States are urged to ensure that any national rating system is not developed in a way that leads to market fragmentation.

Members call on Member States, and the Commission, as appropriate, to do the following:

- work with consumer organisations and other stakeholders to raise awareness among consumers, especially young consumers and their parents, of the classification systems in place and in particular the PEGI system;
- conduct information campaigns for parents and schoolteachers aimed at bridging the technological generation gap and at promoting the PEGI and PEGI Online systems and promoting safer, more aware use of new technologies, including video games;
- facilitate the exchange of best practice among competent national educational authorities in the short-term with a view to integrating gaming literacy within the educational objectives of primary and secondary schools;
- frame specific civil and criminal legislation on the retailing of violent TV, video and computer games. Special attention should be paid to online games aimed primarily at children and young people whose purpose is to generate profit;
- discourage, through specific legislative measures, the misuse of online games for dishonest commercial activities, such as those which dishonestly induce underage users to enter into legal commitments and which send anticompetitive promotional messages;
- work with authorities in other parts of the world to encourage the adoption of international guidelines, labelling systems and codes of conduct to promote global classification systems for video games and online games.

Members underline that currently not all Member States have rules ensuring that retailers restrict the sale of violent games to adults, and calls for internet cafe owners to prevent children playing games which are rated for a higher age level in their cafes. They take the view that a common approach towards severe sanctions for retailers and internet cafe owners is required. Member States are asked to put in place adequate measures to prevent children buying and playing games which are rated for a higher age level, for example through identity checks.

Parliament holds the view that the industry should be encouraged to further develop and improve self-regulatory systems and that there is currently no need for EU-wide legislation in this field. The Commission is asked develop guidelines in order to prevent possible conflicts of interest within rating institutions and to safeguard the independence of such organisations from industry-related interest groups.