

# Estonian Code of Conduct for Safer Mobile Use by Children and Youth

## 1. Introduction

1.1. This Code of Conduct has been adopted by the Estonian mobile telecommunication operators (hereinafter mobile providers) who are signatories to the European Framework for Safer Mobile Use by Younger Teenagers and Children (see *European Framework for Safer Mobile Use by Younger Teenagers and Children*, February 2007). The Code of Conduct is a public document which can be signed by any Estonian mobile provider.

1.2. The Code of Conduct has a focus on the initiatives to be organised in the Estonian mobile communications industry and it urges all stakeholders to contribute to a continued growth of safer mobile use by children and teenagers.

1.3. The Code of Conduct implements the European framework in Estonia in accordance with clause 17 of the framework. Amendments and additions to the Code of Conduct can be made by agreement between the companies that are signatories to it.

1.4. The Code of Conduct, which has been developed in harmony with the current regulations in Estonia and the customs and practices developed in the mobile communications industry upon rendering of services, incorporates general activity guidelines which the mobile providers undertake to observe in order to protect children upon the use of mobile communications. The Code of Conduct does not prohibit mobile providers from independently taking any additional safety measures to achieve the goals of the Code of Conduct, unless such measures contradict the Code of Conduct.

1.5. In connection with the adoption and further development of this Code of Conduct the signatories maintain the following positions.

- Mobile providers shall control the content they produce themselves.
- They shall exert indirect and retrospective control over commercial mobile content in case they intermediate the services under contracts entered into with professional third parties.
- Mobile providers have no control over the content which is freely accessible on the Internet, unless they have contractual relationships with the mobile content providers. As responsible companies, mobile providers consider it highly important to cooperate with the

customers, parents and other stakeholders, including child protection organisations, in order to make mobile services safer for children and teenagers.

- Mobile providers shall offer content services on the basis of prepayment, invoicing or combined settlement methods. The goal of the framework is to promote a safer mobile use by children and teenagers through various settlement methods as appropriate.

## **2. Access Control Mechanisms**

2.1. Mobile providers shall refrain from offering own-brand commercial content services which in equivalent media could be classified as only suitable for adults, without providing appropriate means for parents to control access to such content.

2.2. Access control should also be ensured in equivalent media if possible where content which is considered only suitable for adults is supplied through a contractual content provider.

2.3. When providing means for access control, mobile providers shall adhere to the current regulations in Estonia and the customs and practices developed in the mobile communications industry as regards call services, messaging services (text messages, picture messages and multimedia messages) and data communications offered through the local loop.

2.4. Additionally, each mobile provider must offer advice and instructions to parents about the offered measures that enable them to control and restrict the child's mobile use. These could include *inter alia* corresponding special services, special telephones, an option to set restrictions on the use of services or filtering and/or balance control.

## **3. Raising Awareness and Education**

3.1. Mobile providers shall provide information and access to information about the use of mobile communications services and the measures that parents can use for making the use of mobiles by their children safer.

3.2. Mobile providers shall make their best efforts to raise the awareness of customers who are parents about the dangers involved in the services accessible by mobile communications, encourage them to talk about them with their children as well as to teach children how to use mobile communications services and provide them with instructions for conduct in case of problems arising from the use of mobile communications services.

3.3. Mobile providers shall provide the customers with an opportunity to report security issues.

3.4. Mobile providers shall, in co-operation with state and local government bodies, companies and non-profit associations, support publicity campaigns which are aimed at raising the awareness of customers.

3.5. Upon ensuring efficient functioning of the measures, officials have a role in raising the awareness of children through making updated educational materials and methods available. This should include *inter alia* information for children and parents about safer use of mobile phone and mobile Internet.

#### **4. Classification of Commercial Content**

4.1. Mobile providers and content providers shall support a framework of classification of commercial content that would be based on the current norms and practices of Estonia and would correspond to the approaches used in equivalent media. The classification of content, regardless of whether it is used through telecommunications or not, shall comply with the current norms of decency, appropriateness and legislation in Estonia. The classification shall include at least two categories: content suitable for adults and other content.

4.2. Mobile providers shall ensure that their own-brand commercial content would be classified in accordance with the current classification requirements in Estonia.

#### **5. Illegal Content**

5.1. Mobile providers shall co-operate with law enforcement authorities with regard to restricting illegal content.

5.2. Mobile providers shall continually support state and local government authorities that are engaged in child protection, including in fight against child pornography.

5.3. Mobile providers shall support the initiatives of state and local government authorities in connection with development and introduction of such procedures which provide lawful measures for restricting the distribution of illegal content.

5.4. For these measures to function efficiently there should be legal clarity on the content which is illegal on the one hand and the capability of law enforcement authorities (or authorised authorities)

to prove the illegality of specific items of content on the other hand. This presumes definition of the law enforcement priority and allocation of the required resources.

## **6. Other Provisions**

6.1. Mobile providers shall enforce the Code of Conduct as of the moment of signing it. This Code imposes no obligation on the mobile providers to control the content of the services used by the customers and/or users or the content sent or received by them.

6.2. The signatories to this Code of Conduct shall review it regularly in the light of social and technical changes and in line with development of mobile communications. This shall be done in co-operation with the European Union and domestic stakeholders.

6.3. Mobile providers undertake to implement and organise adherence to this Code of Conduct.