

BRIEFING NOTE
German Parliament Hearing
17/03/2026

1. About 5Rights Foundation

5Rights Foundation exists to ensure a digital world fit for children and young people, that they can access creatively, knowledgeably and fearlessly. To this end we fight for systemic change that ensures the digital world caters for them by design and default.

5Rights' 5 fundamental considerations:

- **Privacy:** Children have the right to a high level of privacy by design and default. They should be protected from surveillance, profiling and commercial practices that exploit their data and expose them to risk.
- **Safety:** Children have the right to a high level of safety and security by design and default, and to support in case of need. They should be protected from illegal practices as well as harmful content, contacts and conduct. They should benefit from access to support and redress.
- **Development:** Children have the right to explore, play and learn in an environment which allows each and every child to develop to their full potential. They should be empowered to grow and thrive.
- **Agency:** Children have the right to fair, informed and conscious interaction with digital technology. They should be protected from addictive, persuasive, manipulative or deceptive practices that distort their beliefs, behaviours or actions, and empowered to exert their full agency and develop independent and critical thinking.
- **Participation:** Children have the right to participate and be heard in all debates and decisions that affect their experience of the digital environment and the enjoyment of their rights.

2. Position with respect to access restrictions

At 5Rights, we believe that:

- All under 18s have specific rights to protection and enjoyment of age-appropriate experiences, wherever they are. Older children must not be forgotten, and all services where children are in practice must be safe for them.

- Access restrictions should be thoughtfully implemented as part of age-appropriate design and in line with existing law:
 - Personalised services – including social media but also many games and AI chatbots – should by default not be accessible to children under 13.
 - Tiered age-appropriate access restrictions should protect all children, including teenagers, from high-risk features.
- Access restrictions must not be implemented in isolation, but complemented by other measures to protect, support and empower children through age-appropriate design of service.
- Children should not be banned from accessing the digital world, but companies that exploit them should be banned from accessing them. New burdens must not be put on children or parents; instead, regulators must urgently and robustly enforce market access restrictions against tech companies that fail to comply with the law.

3. Resources

https://5rightsfoundation.com/wp-content/uploads/2026/02/5Rights-Position-paper-on-Access-restrictions_Final.pdf