

Independent Expert Commission on the Safety of Children and Young People in Digital Environments

Hearing 4: International perspectives and EU developments

– Deadline for submitting written comments: 10 March 2026 –

Introduction

After internal consideration, the **Belgian Institute for Postal Services and Telecommunications (BIPT)** has decided to limit its contribution to **Part II (National regulation and implementation)** of the questionnaire.

This choice reflects the institutional competences of BIPT. While the broader questionnaire addresses policy choices, youth participation and political initiatives, these matters fall primarily within the remit of other Belgian authorities (e.g. governments, youth policy actors, education authorities). BIPT is an **independent regulatory authority**, and its contribution is therefore focused on the **legal and supervisory framework currently in place in Belgium**.

Given Belgium's federal structure, competences related to the protection of minors in media and online environments are **distributed among several authorities**. Where relevant, references to the competent supervisory authorities and to the applicable legislation are provided below.

II National regulation and implementation

1. Legal framework

Which areas of youth media protection are regulated in your country beyond the DSA?

2. Institutional structure

Which authorities or supervisory structures are responsible – and how are responsibilities divided between the state, self-regulation and independent bodies?

3. Law enforcement

How do you assess practical enforcement:

Do reporting and remedial processes work?

Are sanctions effective?

Are there structural enforcement deficits?

Is the age of users reliably verified?

4. Implementation experiences

Where are the biggest challenges in practice (e.g. technical feasibility, resources, international platform structures)?

II. National regulation and implementation

1. Legal framework

Youth protection in digital and media environments in Belgium is governed through several complementary legal frameworks at **federal and community level**.

Digital platform regulation

In Belgium, the enforcement of the DSA is shared between four competent authorities, namely:

- **BIPT – Belgian Institute for Postal Services and Telecommunications** - Digital Services Coordinator (DSC) and media regulator for audiovisual media services and the video-sharing platform services in the bilingual Brussels-Capital Region
<https://www.bipt.be>
- **Vlaamse Regulator voor de Media (VRM)** – media regulator of the Flemish Community
<https://www.vlaamseregulatormedia.be>
- **Conseil supérieur de l’audiovisuel (CSA)** – media regulator of the French Community
<https://www.csa.be>
- **Medienrat der Deutschsprachigen Gemeinschaft** – media regulator of the German-speaking Community
<https://medienrat.be>

Within the DSA framework, BIPT acts as DSC, coordinating enforcement and cooperation with the European Commission and other Member States.

Audiovisual media regulation

Rules on the protection of minors in audiovisual media services and video-sharing platform services derive from the Audiovisual Media Services Directive (Directive 2010/13/EU, as amended by Directive (EU) 2018/1808).

In Belgium, the Directive has been transposed into community-level legislation:

- Flemish Community:
[*Flemish Media Act \(Mediadecreet\)*](#)¹
Supervised by **VRM**
- French Community:
[*Decree of 4 February 2021 on audiovisual media services and video-sharing platforms*](#)²
Supervised by **CSA**

¹ Consolidated version available in French and Dutch at:

https://www.ejustice.just.fgov.be/cgi_wet/article.pl?language=nl&dt=DECREET+VLAAMSE+RAAD&ddd=2009-03-27&fr=f&nl=n&choix1=en&trier=afkondiging&lg_txt=n&type=&sort=&numac_search=2009035356&cn_search=&caller=list&&view_numac=2009035356dx2009035356nx2009035356fx2021020568fx2021201177f

² Consolidated version available in French and Dutch at:

https://www.ejustice.just.fgov.be/cgi_wet/article.pl?language=nl&sum_date=&pd_search=2021-03-

- German-speaking Community:
[Decree of 1 March 2021 on media services and cinema screenings](#)³
Supervised by the **Medienrat**

In the bilingual Brussels-Capital Region, audiovisual media services and video-sharing platform services are regulated by the [Act of 5 May 2017 on audiovisual media services](#)⁴, supervised by the **BIPT**.

These legislative frameworks include obligations for media service providers and video-sharing platforms to take appropriate measures to protect minors from harmful content, including pornography and gratuitous violence.

Criminal law

Illegal conduct involving sexual exploitation or abuse of minors in digital environments is primarily governed by the Belgian criminal law.

Relevant provisions include, inter alia:

- **Articles [417/9](#) and [417/10](#)** – non-consensual distribution of sexually explicit content;
- **Articles [417/5](#) and [417/6](#)** – provisions concerning consent in relation to the sexual self-determination right and the limitations on the possibility to consent by minors.

These provisions were modernised through the Act of 21 March 2022 reforming sexual criminal law, which entered into force on 1 June 2022.

In addition, Belgian criminal law contains provisions criminalising sexual exploitation of minors and offences relating to child sexual abuse material, in line with the obligations arising from Directive 2011/93/EU on combating the sexual abuse and sexual exploitation of children and child pornography.

Criminal law enforcement is carried out by the Belgian Federal Public Prosecutor's Office, and (specialised cybercrime units of) the Federal Police.

The supervision and enforcement of criminal law provisions **fall outside the regulatory competences of BIPT**, but these provisions form an essential part of the broader Belgian legal framework for the protection of minors in digital environments.

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³ Consolidated version available in French and Dutch at:

https://www.ejustice.just.fgov.be/cgi_wet/article.pl?language=nl&sum_date=&pd_search=2021-04-12&numac_search=2021201177&page=1&lg_txt=F&caller=list&2021201177=1&trier=afkondiging&dt=DECREET+DUITSTALIGE+GEMEENSCHAP&ddd=2021-03-01&fr=f&nl=n&choix1=en&choix2=en
https://www.ejustice.just.fgov.be/mopdf/2021/04/12_1.pdf

⁴ Consolidated version available in French and Dutch at:

https://www.ejustice.just.fgov.be/cgi_loi/change_lg.pl?language=fr&la=F&cn=2017050503&table_name=loi
https://www.ejustice.just.fgov.be/cgi_loi/article.pl?language=fr&lg_txt=f&type=&sort=&numac_search=&cn_s
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2. Institutional structure

Within the scope of the DSA, enforcement responsibilities on a national level are shared between BIPT, VRM, CSA and Medienrat.

In parallel, the AVMSD is implemented and enforced in Belgium through the country's federal structure, with regulatory competences distributed among the media regulators of the linguistic communities and, for the bilingual Brussels-Capital Region, the BIPT.

Beyond the DSA and AVMSD frameworks, other authorities and non-governmental organisations play key roles in youth protection online, for example:

- **Belgian Data Protection Authority** (Autorité de protection des données / Gegevensbeschermingsautoriteit) – supervision of the General Data Protection Regulation (Regulation (EU) 2016/679)
<https://www.dataprotectionauthority.be>
- **Child Focus** – Foundation for Missing and Sexually Exploited Children – is a trusted flagger under the DSA and operates the Belgian Safer Internet hotline for reporting illegal online content

<https://www.childfocus.be>

3. Law enforcement

Given that the Digital Services Act entered into force still quite recently and that the supervisory framework for platforms and intermediary services is still being consolidated across Member States, BIPT finds it premature to provide a comprehensive assessment of the effectiveness of enforcement mechanisms.

At this stage, practical experience with reporting mechanisms, remedial processes and sanctions under the DSA remains limited, and it is therefore too early to draw robust conclusions about their overall effectiveness. As implementation progresses and supervisory practice develops, further evaluation will be necessary to determine whether structural enforcement challenges arise.

With regard to age verification, Belgium does not currently impose a uniform national age-verification system for online services.

4. Implementation experiences

As the regulatory framework created by the Digital Services Act is still relatively new, practical implementation experience remains limited, and it is therefore too early to identify definitive trends or structural outcomes.

Nevertheless, several general challenges can already be identified at this stage of implementation. These include the technical complexity of platform systems, the global and cross-border nature of major online platforms, the distinction between public and private communication - the latter falling outside the scope of the DSA - and the need for sufficient resources and specialised expertise within supervisory authorities.