Audiovisual and information services: protection of minors and human dignity. Green Paper

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The premise underlying the report by Phillip WHITEHEAD (PSE, UK) is the increased risks inherent in the development of new networks and services, such as the Internet, for the protection of minors and human dignity. The report states that it is essential to distinguish clearly between illegal content which compromises human dignity and legal content which may be harmful to the physical, mental and moral development of minors and that these two aspects should be dealt with separately in line with their specific nature. The report proposes a series of practical measures: - a comparative study into the way in which each Member State identifies and regulates the new communication services, in order to define and promote a coherent European approach which prevents distortion between the various media offering programmes with the same content; - given the disparity in national regulations which seek to make certain types of content which compromises human dignity and the protection of minors illegal, international cooperation is needed (exchange of data and support for inquiries, cross-border searches and seizures in order to help deter offenders). Action is needed in international fora beyond the borders of the Union in order to achieve harmonization at worldwide level; - a joint set of basic values and rules needs to be defined on contents which may compromise human dignity; - minimum legal obligations need to be laid down for content providers, together with self-regulatory measures, and consumers need to be encouraged to take responsible decisions. Content and access providers should be required to comply with minimum legal standards which could take three forms: full liability as regards the content they themselves have provided (including criminal liability); liability as regards illegal content made available by them if they have specific knowledge of the content and it is technically feasible and reasonable to prevent dissemination and, finally, as regards decisions on legal content which may possibly compromise the protection of minors and human dignity, content and access providers should lay down standards open to public scrutiny and set up bodies to provide voluntary self-regulation. The codes of conduct drawn up with the industries in question should adopt a wide definition of harmful content in order to ensure that minors and other threatened groups are properly protected; - the crucial role of the individual and the family in exercising their responsibilities and critical faculties, which can only be complemented by intervention on the part of the public authorities. In order to facilitate this control, large-scale testing of filtering and control devices should be carried out with the active involvement of the European Union in order to determine their efficiency, accessibility and cost. On this point, the report welcomed the system of pictograms adopted by a number of national networks to indicate the degree of violence of the programme about to be broadcast in the absence of a more sophisticated filtering system (V-chip).