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

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The European Commission presented its second evaluation report on the application of Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity. Illegal, harmful and undesirable content and conduct on the Internet continues to be a concern for law-makers, industry and parents. There will be new challenges both in quantitative (more "illegal" content) and qualitative terms (new platforms, new products) Taking into account the ever-increasing processing power and storage capacity of computers, and the fact that broadband technologies allow distribution of content such as video on 3G mobile telephones, the need for a safe environment is greater than ever; - the Recommendation is still being applied in different ways by the Member States (as well as the accession countries and the other States which replied to the questionnaire). However, the number of hotlines and codes of conduct has increased significantly, and the fact that two of the accession countries which replied to the questionnaire have established hotlines is also a positive sign. The launch of campaigns in most Member States to encourage safer use of the Internet is a very positive development. However, based on the replies to the questionnaire, the measures concerning the protection of minors in the accession countries do not seem to be as far-reaching as in the Member States. Even though self- or coregulation is still less developed in the broadcasting sector, the relevant systems seem to be working quite well. However, the involvement of consumer associations and other interested parties in the establishment of codes of conduct and other self-regulatory initiatives still leaves a lot be desired; - in most Member States and accession countries the measures or initiatives concerning UMTS and the control of chat-groups are still quite abstract or left to self-regulation; - as far as industry is concerned, ICRA is still working on the development of reliable filter and rating systems for the Internet. The European Parliament further encouraged the DVB consortium to work on the development of reliable filter and rating systems for digital broadcasting. As yet, no further information concerning this issue has been received from the DVB. One of the conclusions of the independent Study on the rating practice used for audiovisual works in the European Union, was that there is no urgent pressure from either industry or the consumer for homogeneity of rating systems. In the light of this supposed absence of pressure for homogeneity in age-rating, the PEGI age-rating system, which replaces most national age rating systems in respect of video games, is indeed an interesting initiative; - the Safer Internet programme provides funding for measures as a coherent response by the European Union to illegal and harmful content on the Internet. The coverage of the Safer Internet Action Plan will extend to new online technologies, including mobile and broadband content, online games, peer-to-peer file transfer, and all forms of real-time communications such as chat-rooms and instant messages, primarily with the aim of improving the protection of children and minors. Action will be taken to ensure that a broader coverage of areas of illegal and harmful content and conduct giving rise to concern, includingracism and violence; - as far as online media are concerned, the right of reply could be enshrined in the Recommendation as a first step towards an effective right of reply applicable to all media, for instance in cases where the allegation has been published in another country. The Commission will also be actively involved in the work of the Council of Europe concerning the right of reply in the online-environment; - the responsibility to protect minors from harmful effects of the media is a commonly shared one. Regulators, the audiovisual industry and parents all have to play their part to achieve the goal. Media-literate children and parents supported by efficient self-regulatory and rating systems are best equipped to prosper in the world of the future. Hence, the idea of including media literacy among the subjects covered by the Recommendation seems very appropriate; - rating or classification of audiovisual content serves an essential role in the protection of minors. Because of the cultural and social diversity among Member States, rating of programmes is carried out at national level. Nevertheless, there could be a "bottom-up" harmonisation through collaboration between self-regulatory and coregulatory

bodies in the Member States, and through the exchange of best practices concerning such issues as a system of common, descriptive symbols which would help viewers to assess the content of programmes. The Commission intends to follow up on the public consultation process concerning the TVWF directive and this evaluation report by proposing an update of the Recommendation during the first half of 2004. This could cover issues relating to media literacy, the right of reply, and measures against discrimination or incitement to hatred on the grounds of race, sex or nationality in all online media.