

Audiovisual and information industries, competitiveness: protection of minors and human dignity and right of reply

2004/0117(COD) - 20/01/2006 - Modified legislative proposal

In its amendment to the initial proposal, the European Commission accepts, in summary, the following Parliamentary amendments:

- Limiting the scope of the Recommendation to the “European audiovisual and on-line information services industry”.
- A statement adding that nothing in the Recommendation prevents the Member States from applying their constitutional provisions and other legislation and legal practices regarding freedom of speech.
- Allowing Member States to promote a responsible attitude on the part of professional, intermediaries and new communication media through encouraging vigilance and the reporting of illegal content, the drawing up of a code of conduct and to avoid all forms of recognised discrimination.
- Requesting the Member States to prepare annual reports on measures taken in application of this Recommendation, two years after its adoption.

Concerning those amendments accepted by the Commission in part or in principle, most of the changes made are of an editorial nature. For example, the elimination of phrases, which are covered elsewhere either under EU primary or secondary legislation. Many of the changes, therefore, relate to a rewording of the amendments. In summary the amendments accepted, though subject to rewording include:

- Examples of possible actions concerning media literacy (Annex II). This includes, for example, training teachers on how to use the internet securely when teaching minors; introducing specific internet training programmes for children and parents; offering an integrated education approach as part of the school curricula, which emphasises the dangers of the Internet such as chat rooms and forums.
- Provisions, which could include a harmonisation through co-operation between regulatory, self-regulator and co-regulatory bodies of the Member States and through the exchange of best practice. This could be achieved through commonly recognised symbols indicating age and category, to help users to assess the content of on-line information.
- Examples of possible actions by the industries and the parties concerned for the benefit of minors (Annex III). This could include, for example, the systematic provision of easy-to-use filtering system for users; offering access to services specifically intended for children and equipped with an automatic filtering systems operated by access providers and by mobile phone operators; introducing incentives to provide regularly updated descriptions of the available sites; and to post warning banners on all search engines drawing attention to possible dangers and to the availability of telephone hotlines.
- Amendments in which the Commission intends to promote and explore the possibility of introducing a European free phone number or of extending an existing service to assist internet users by directing them to a complaints mechanisms and to provide information for parents about the effectiveness of filtering software.

- Amendments in which the Commission intends to explore the possibility of supporting the establishment of the domain name .KID.eu.
- Amendments in which the Commission intends to facilitate the formation of networks by self-regulatory bodies in order to assess the effectiveness of codes of conduct and self-regulatory approaches.
- Amendments to Annex I, including, amongst others, that the right of reply can be ensured not only through legislation but also through co-regulatory or self-regulatory measures. The reply, should however, be within a reasonable time-frame and that dispute procedures as to the exercise of the right of reply could be subject to review by the courts or similar independent bodies.