

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

2004/0117(COD) - 18/09/2006 - Council position

The Council adopted its common position with a view to the adoption of a Recommendation of the European Parliament and of the Council on the protection of minors and human dignity and on the right of reply in relation to the European audiovisual and on-line information services. The United Kingdom delegation abstained.

The Council's common position retains the main elements of the Commission's original proposal. The main changes introduced by the Council aim to further refine the scope of the Recommendation. The Council has thus specified that the Recommendation covers "audiovisual and online information services" rather than "audiovisual and information services", and has differentiated the scope of the right of reply, which applies to online media, from the wider scope of the part of the Recommendation dealing with the protection of minors.

The Council has sought in its common position to take account of the European Parliament's concerns and priorities and was able to accept most of Parliament's amendments.

The Council wishes to make the following comments on those amendments where its position slightly diverges from the Commission's modified proposal:

- regarding amendments 23 and 29, the Council has followed the approach taken by the Commission, i.e. some parts of the respective amendments were transferred - in the form of examples of possible actions to be taken in order to achieve the stated aims of the Recommendation - to annexes. It has, however, reinserted some elements considered important by the European Parliament in the body of the Recommendation, in order to further approximate positions with Parliament;
- likewise, whilst trying to avoid the introduction of a burdensome reporting obligation, the Council was able to accept the spirit of the amendments to meet Parliament's concerns that follow-up be ensured;
- the Council was unable to accept a certain part of an amendment replacing the term "indicative guidelines" by "minimum principles" in the section relating to the right of reply, as this term was considered excessive in the context of a recommendation;
- regarding another amendment, the Council took the view that it was preferable not to focus exclusively on the establishment of a single telephone hotline when envisaging the possible means of reporting illegal or suspicious activities on the Internet, and has retained a more open-ended wording.

The Council considers that, as a whole, its common position is fully in line with the objectives of the Commission's amended proposal. The Council also considers that it has taken due account of the objectives pursued by the European Parliament in its amendments to the Commission's proposal and looks forward to an agreement with the Parliament in the near future with a view to the early adoption of the Recommendation.

