Basic information

1996/2228(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Audiovisual and information services: protection of minors and human dignity. Green Paper **Subject** 3.30.16 Ethical information policy 4.10.03 Child protection, children's rights	

Key players

European Parliament	**Committee for opinion**	**Rapporteur for opinion**	**Appointed**
	LIBE Civil Liberties and Internal Affairs	LINDHOLM MaLou (V)	17/12/1996

Council of the European Union	**Council configuration**	**Meetings**	**Date**
	Agriculture and Fisheries	1988	1997-02-17
	Culture	2022	1997-06-30
	Culture	1981	1996-12-16

Key events

Date	Event	Reference	Summary
16/10/1996	Non-legislative basic document published	COM(1996)0483	Summary
28/11/1996	Committee referral announced in Parliament		
16/12/1996	Debate in Council		Summary
17/02/1997	Resolution/conclusions adopted by Council		
19/06/1997	Vote in committee		Summary
19/06/1997	Committee report tabled for plenary	A4-0227/1997	
30/06/1997	Debate in Council		
23/10/1997	Debate in Parliament		
24/10/1997	End of procedure in Parliament		
10/11/1997	Final act published in Official Journal		

Technical information

Procedure reference	1996/2228(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	CULT/4/08392

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0227/1997 OJ C 286 22.09.1997, p. 0007	19/06/1997	
Text adopted by Parliament, single reading		T4-0526/1997 OJ C 339 10.11.1997, p. 0408-0420	24/10/1997	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0483	16/10/1996	Summary
Document attached to the procedure	SEC(1997)1203	13/06/1997	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0440/1996 OJ C 215 16.07.1997, p. 0037	12/03/1997	
EESC	Economic and Social Committee: opinion, report	CES0590/1997 OJ C 287 22.09.1997, p. 0011	28/05/1997	Summary

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

1996/2228(COS) - 16/12/1996

The Council took note of the complementarity between the Green Paper and the communication from the Commission concerning messages with an illegal and harmful content transmitted via the Internet, in accordance with the resolution that the Council and the representatives of the Member States, meeting in Council session, adopted on 28 November 1996, which underlined the need for a more detailed examination of the two documents. The Council also acknowledged the timetable that had been proposed by the Commission, which provided for an in-depth consultation with interested parties, based on their observations on the Green Paper, during the course of the first half of 1997. The Council asked the Commission, operating within the area of Community competence, to continue to work on the Green Paper until the next meeting of the Audiovisual/Culture Council and in particular to put forward new initiatives, if these should prove necessary.

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

1996/2228(COS) - 24/10/1997 - Text adopted by Parliament, single reading

In adopting the report by Mr Philip WHITEHEAD (PSE, UK) on the Commission Green Paper on the protection of minors and human dignity in the audiovisual services, the European Parliament notes that all the Member States have legislation enabling them to make illegal certain types of information or programmes but that solutions at national level are not satisfactory. It therefore calls on the Member States as far as possible to make use of the European framework regarding justice and internal affairs so as to establish a joint set of basic values and rules in this area and develop the necessary cooperation between the legal and police authorities concerning the identification, prosecution and penalization of all illegal activity. The Commission should be given the necessary to drawn a minimum set of legislative provisions regarding illegal content. Member States are called on to draw up a legal framework by 31 December 1998 setting out minimum standards regarding illegal content in audiovisual and information services. They are also called upon to ratify international texts for the protection of children and the promotion of international coordination within the United Nations, the WTO, the G7 and the OECD. Member States are also urged to cooperate at administrative level with EUROPOL in order to combat more effectively the dissemination of illegal material. Parliament calls for content and access providers to be required to comply with legal standards and assume full liability as regards the content they themselves have provided, together with liability as regards outside illegal content made available by them if it is technically feasible and reasonable to prevent dissemination. As regards decisions on legal content which may possibly compromise the protection of minors and human dignity the content and access providers must lay down standards open to public scrutiny and bodies to provide voluntary self regulation. The codes of conduct drawn up must have a wide definition of harmful content to protect minors effectively. Finally Parliament stresses the crucial role of individual and the family in exercising their responsibilities and critical faculties ('home filtering') which can only be complemented by the public authorities. It also calls on the Commission to promote at European level measures to increase adults' media awareness and involve them in media education. A European campaign and programme of action financed by the EU budget must be implemented to inform parents about the impact of illegal content on minors.

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

1996/2228(COS) - 28/05/1997 - Economic and Social Committee: opinion, report

The two basic issues which are faced by the new media services are what content is to be permitted and how is this content to be regulated. Of all the mechanisms available to users of the new media services the rating and labelling systems (i.e. classification/codification) appear to offer the most effective means of content control as they will indicate whether a particular site normally contains illegal and/or harmful content and what sort of illegal and/or harmful content it is. Because of the global nature of the new media services all content (including both illegal and harmful content) will need to be rated/labelled because what constitutes illegal content in one country may not constitute illegal content in another country. Where there is a risk that content which is illegal in a certain country will be received and accessed in that country a mechanism such as or similar to a territory statement would help in minimizing that risk. As far as the protection of minors and human dignity is concerned the legislative and regulatory framework for illegal and harmful content on the new media services which is published and distributed by means of the "closed" systems such as VOD should either come under the existing legislative and regulatory principles and a framework of existing media such as television or should be based heavily on such legislative and regulatory principles and framework. Illegal and harmful content on the new media services which is published and distributed by means of the "open" systems such as the Internet should be subject to specific legislation, regulation and sanctions. There will need to be improved international collaboration in the development, coordination and enforcement of legislation, regulation and sanctions. Harmful content is to be dealt with both by improving parents/educators awareness of content and by introducing technologies to exercise control.

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

1996/2228(COS) - 16/10/1996 - Non-legislative basic document

OBJECTIVE: the Green Paper sets out to examine the challenges that society faces in guaranteeing the protection of minors and of human dignity in the audiovisual and information services. It seeks chiefly to raise questions and to set certain general guidelines in order to strengthen debate on this subject. Contributions from the sectors concerned in response to the Green Paper should be addressed to the Commission no later than 28 February 1997. SUBSTANCE: the Commission deals with the subject in three main chapters: - the first deals with the development of new audiovisual services, - the second analyses the existing legal frameworks for the protection of minors and human dignity, - the third analyses the situation at Union level. - Development of new audiovisual and information services relevant to the protection of minors: the Commission considers that solutions have to be designed to take account of the type of content of the proposed services. These solutions must be adapted to the evolution of the services. Thus new television services, such as pay-per-view, provide greater individual choice and are evolving away from the mass media model viewed by everyone (publishing model where the spectator selects his or her programme from a vast choice). On-line services take this evolution further towards the individual communication model. The development of all these systems requires a flexible framework in regulatory terms as each new service has its own risk. The difficulty often resides more in the characteristics of new services than in their content. - Analysis of existing legal arrangements: Europe has a common approach - the principle of freedom of expression recognized in all the Member States (Article 10 of the European Convention on Human Rights) and the test of proportionality (test of conformity of any restrictive measures with the fundamental principles laid down in the Convention). Beyond this common basis the actual regimes in the Member States vary greatly and reflect differences in cultural and moral standards.

In general terms, the new services can create specific new problems with regard to the enforcement of legal provisions (in particular as regards liability when several operators are involved in the communications chain). Solutions must therefore be found to deal with these conflicts of liability. This chapter examines the problems related to the protection of minors against harmful, but not necessarily illegal (e.g. pornography) content. Some states already have strict legislation. However, whether or not the legislation of the states is strict, the implementation of protection measures requires means which ensure that minors do not access such services. In this field recent technological developments can provide new solutions through greater parent control, both in the television (anti-violence or v-chip) and on-line (PICS) environments. These new possibilities offer the advantage that prior censorship is not needed. They also help to increase the effectiveness of self-regulation. - Analysis of the situation at Union level: the freedom to provide services is one of the four basic freedoms guaranteed by the Treaty. However, restrictions are possible for reasons of public interest (such as the protection of minors). In the fight against illegal content cooperation between the Member States is identified as having a fundamental role to play given the international character of the new services. By cooperating and coordinating their initiatives the Member States will be able to counter more effectively illegal use and content. There are various options for improving cooperation between national administrations and with the Commission: systematic exchange of information, joint analysis of national legislative provisions, establishment of a common framework for self-regulation, recommendations for cooperation in the field of justice and home affairs, common orientations for international cooperation. There are also opportunities to encourage cooperation between the relevant industries (codes of conduct, common standards for rating systems, promotion of PICS). Possible user awareness and information measures are also put forward for debate. - Lastly, the document concludes with nine questions, to which all the authorities, industries and associations active in this sector can respond, for further debate by the Commission. Actions will be taken in the light of the responses received.