Council of the European Union: Recommendation on the Protection of Minors and Human Dignity in Audiovisual and Information Services

IRIS 1998-6:1/7

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On 28 May 1998 the Council of the European Union adopted a Recommendation "on the development of the competitiveness of the European audiovisual and information services industry by promoting national frameworks aimed at achieving a comparable and effective level of protection of minors and human dignity". The Recommendation was adopted after a relatively long institutional procedure (see IRIS 1996-10: 4 and IRIS 1997-8: 9). On 13 May the European Parliament adopted a legislative resolution containing the Parliament's opinion on the proposal, while on 29 April the European Economic and Social Committee adopted an opinion on the text by a large majority.

The development of audiovisual services and the information industry in the European Union pre-supposes a certain level of protection for the general interests of the European citizen, including the protection of minors from certain content which, although lawful, might affect their physical and/or moral development, and the protection of human dignity in respect of prohibited unlawful content for society as a whole, whatever the age of the potential audience (eg child pornography and incitement to xenophobia) for all audiovisual and information services whatever their mode of dissemination (television, on-line services). According to the Council's Recommendation, it is important to encourage companies to set up a national framework for self-regulation. Given the diversity of cultures and national and local sensitivities, the principle of subsidiarity should nevertheless be respected. It is recommended that Member States establish a climate of trust by facilitating the voluntary establishment of national frameworks to protect minors and human dignity. The Council invites the Commission to facilitate the pooling of experience and practices among Member States, among self-regulatory bodies, and among the structures responsible for handling complaints, and to facilitate international cooperation. The Commission must submit an evaluation report on its effects to the European Parliament and to the Council two years after adoption of the Recommendation.

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