European Commission: Evaluation Report on Protection of Minors and Human Dignity

IRIS 2001-5:1/6

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On 27 February 2001, the European Commission adopted an Evaluation Report on the application of Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity (see IRIS 1998-10: 5). The Evaluation Report was compiled and presented to the European Parliament and the Council pursuant to Section III, Paragraph 4 of the Recommendation.

The Council Recommendation favours research into, and the adoption of, voluntary measures by broadcasters in Member States, aimed at protecting minors and informing audiences, "as a supplement to the national and Community regulatory frameworks covering broadcasts." The Recommendation is also attentive to the development, by the Industry and other interested parties, of positive measures for the benefit of minors, which would, inter alia, broaden access to audiovisual services whilst avoiding the risk of encountering potentially harmful material. These and other priorities guide the analysis of audiovisual matters provided by the Evaluation Report, which draws heavily on, inter alia, feed-back received from a specially-drafted Questionnaire addressed to Member States; the Study on Parental Control of Television Broadcasting (March 1999), drawn up by the Oxford University Centre for Socio-Legal Studies for the Commission (IRIS 1999-4: 4); the Commission Communication on this Study (COM (1999) 371 final) and the resultant European Parliament Resolution (A5-0258/2000), as well as the Commission's consultations with the Digital Video Broadcasting Consortium (DVB).

The Report's assessment of the application of the Recommendation to date is positive, notwithstanding the heterogeneous manner in which it has been applied in different Member States. Such differences of approach mirror cultural heterogeneity and different levels of development of new technologies in Member States. The Report is, however, critical of the fact that interested parties (especially consumers) were not more involved in the process of elaborating relevant codes of conduct. It advocates extensive consultations as a means of achieving the objective of greater coherence of approach; an objective determined by trends of ever-increasing convergence.

Although the Recommendation is not directly linked to the "Television without Frontiers" Directive, the importance of the conclusions of the Evaluation Report is their potential to influence the drafting of a possible new directive, which would

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be specifically concerned with the protection of minors and human dignity in the context of electronic communications.

Evaluation Report from the Commission to the Council and the European Parliament on the application of Council Recommendation of 24 September 1998 concerning the protection of minors and human dignity, COM (2001) 106 final, 27 February 2001

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