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

IRIS 2004-2:1/10

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On 12 December 2003 the European Commission adopted its second evaluation report on the application of the Council Recommendation on the protection of minors and human dignity of 24 September 1998 (see IRIS 1998-10: 5). The Recommendation calls for the establishment, through co-operation between all the parties concerned (industry, public authorities, consumers) of national self-regulatory frameworks aimed at enhancing the protection of minors and human dignity in the broadcasting and Internet sectors, as a supplement to the relevant regulatory frameworks.

The first evaluation report, adopted by the Commission in 2001, showed that the Recommendation was already being implemented quite successfully (see IRIS 2001-5: 4). The second report now looks at what progress has been made since 2000, based on the replies given by the Member States and the accession countries to a questionnaire prepared by the Commission.

Despite the fact that the application of the Recommendation by the Member States and the accession countries is still heterogeneous, the report indicates that the developments are on the whole, positive. There has been a significant increase in the number of codes of conduct and hotlines and in most Member States campaigns have been launched to encourage safer use of the Internet. The report notes, however, that the measures concerning the protection of minors in the accession countries appear to be "less far reaching" than in the Member States. Also, measures relating to UMTS and chat groups are "still quite abstract or left to self-regulation" in the majority of Member States and accession countries.

As regards broadcasting, the report notes that although self- or co-regulation is still less developed in this sector than for the Internet, existing systems appear to be working well. The involvement of consumer associations and other interested parties in the elaboration of codes of conduct and other self-regulatory initiatives should however be improved.

In light of the new challenges brought by technological developments and on the basis of the input received during the public consultation concerning the Television without Frontiers Directive (see IRIS 2004-1: 6), the Commission intends to propose an update of the Recommendation during the first quarter of

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2004. The update could cover the following issues: the right of reply (as a first step towards a right of reply applicable to all media); media literacy; measures against discrimination on the grounds of race, sex or nationality in all on-line media; and harmonisation of descriptive symbols for the purposes of rating (although the rating of programmes should continue to be carried out at Member State level)

Second 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 (2003) 776 final, Brussels, 12 December 2003

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