European Commission: Proposal for New Recommendation on Protection of Minors and Human Dignity

IRIS 2004-6:1/6

Sabina Gorini
Institute for Information Law (IViR), University of Amsterdam

On 30 April 2004, the European Commission put forward a proposal for a new Recommendation of the European Parliament and of the Council on the protection of minors and human dignity and the right of reply in the European audiovisual and information services industry.

At the end of 2003, the Commission adopted its second evaluation report on the 1998 Council Recommendation on the protection of minors and human dignity in audiovisual and information services (see IRIS 2004-2: 6). The report came to a generally positive conclusion on the application of the 1998 Recommendation, but also identified areas where further action would be appropriate. The new Recommendation follows up on the report (and on the public consultation on the Television without Frontiers Directive see IRIS 2004-1: 6) and is intended to complement the 1998 Recommendation (which remains valid), in particular in order to take account of the new challenges brought about by technological developments. Like its predecessor, the new Recommendation concerns the content of audiovisual and information services whatever their form of delivery (from broadcasting to Internet).

The proposed Recommendation calls for:

The promotion of media literacy and media education programmes so as to "enable minors to make responsible use of on-line audiovisual and information services". This should be achieved notably by improving the level of awareness among parents, educators and teachers of the potential of new services and of how they can be made safe for minors;

Action by Member States, industries and all parties concerned to avoid and combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation in all media, with the aim of establishing an appropriate balance between the principles of protection of human dignity and free speech. The promotion of a diversified and realistic picture of the skills and potential of women and men in society is also encouraged;

Co-operation and exchange of best practices between self- and co-regulatory bodies dealing with the rating or classification of audiovisual content. This could

© European Audiovisual Observatory (Council of Europe) 2026

lead to a "bottom up" harmonisation of the systems used in the Member States. The development of a system of common descriptive symbols is encouraged, as this would help viewers assess the content of programmes;

Consideration by Member States to introducing into their national laws and practices measures to ensure the right of reply across all media, "without prejudice to the possibility of adapting the manner in which it is exercised to take into account the particularities of each type of medium". Indicative guidelines are given on how the right could be implemented.

Proposal for a Recommendation of the European Parliament and of the Council on the protection of minors and human dignity and the right of reply in relation to the competitiveness of the European audiovisual and information services industry, Brussels 30 April 2004, COM (2004) 341 final

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52004PC0341:EN:HTML

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026