# [DE] Surgery Broadcasts

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For the first time since the co-regulatory system for the protection of youth in the media was established in Germany (see IRIS 2002-9: 15), the state regulator, the Kommission für Jugendmedienschutz (Commission for Protection of Youth in the Media - KJM), has overturned a decision of the co-regulatory body, Freiwillige Selbstkontrolle Fernsehen (FSF). The FSF had examined various episodes of the MTV cosmetic surgery show " I want a famous face " before they were broadcast and approved them for daytime transmission. Under the provisions of the Jugendmedienschutz-Staatsvertrag (Inter-State Agreement on the protection of youth in the media - JMStV), the KJM may only overturn such approval if the FSF has exceeded its decision-making powers (Art. 20.3.1 JMStV). The KJM believes that this is the case, since it thinks the FSF failed, inter alia, to examine in accordance with the JMStV whether the programmes could harm the development of children or young people. The KJM said it would discuss with the FSF the criteria for assessing entertainment programmes based on cosmetic surgery.

In the case itself, the KJM found that the laws on youth protection in the media had been breached not only in the various episodes of the MTV show, but also in an episode of " Big Brother " (broadcast on RTL2, Premiere and Tele 5). All the programmes dealt with cosmetic surgery. In the programme " I want a famous face ", young adults agree to undergo cosmetic surgery to make them look more like their particular idol. In the " Big Brother " episode, a cosmetic surgeon had given the occupants of the house advice on cosmetic surgery. The KJM thought that all the programmes were likely to harm the development of children or young people. It therefore laid down broadcast time restrictions on any future repeats of these programmes. The episodes containing references to the health risks of cosmetic surgery may only now be broadcast after 10 pm, since young people aged 16 and over should be able to analyse them critically and with a degree of self-awareness. The other episodes may not be shown before 11 pm. The KJM's verdicts were based on its decision of 20 July 2004, under which TV programmes that focus on the theme of cosmetic surgery for entertainment purposes may not, in principle, be broadcast before 11 pm.

### *Pressemitteilung der KJM 9/2004 vom 9. August 2004*

http://www.alm.de/gem_stellen/presse_kjm/pm/090804.htm

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