[FR] Charter on the Participation of Minors in Television Broadcasts

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In April 2007 the *Conseil Supérieur de l'Audiovisuel* (audiovisual regulatory authority - CSA) called for a charter to set the framework for the participation of minors in television broadcasts (see IRIS 2007-6: 11). A charter has now been drawn up, and the CSA published the text on 22 January 2009. It applies to broadcasts other than cinematographic and audiovisual works of fiction, and will be appended to the authorisations signed by those in parental authority.

As the CSA recalls, "in order to take into account the particular sensitivity and vulnerability of minors and to respect the child's person, particular attention must be paid both to the image that is presented of the minor because of his/her participation in a television broadcast and to the conditions in which the minor is received in order to take part in a broadcast". The text and its application are based on respect for the principles of freedom of expression and information as enshrined more particularly in Article 10 of the European Convention on Human Rights and as interpreted by the courts. In this respect it should be recalled that the protection of personal rights, such as rights concerning one's image, may be waived if the need for information so demands.

Concerning the conditions for minors' participation in broadcasts, the charter recalls that those in parental authority and the minor must be aware of the theme of the broadcast, its purpose, and - as far as possible - its title when consenting to the minor's participation. Also, the way the minor's account is presented - while remaining faithful to the concept of the television broadcast or its editorial line as stated in advance to the minor and to those in parental authority - must avoid dramatisation or derision. The child's intervention must not be damaging to his/her future and must preserve his/her prospects of harmonious personal development.

Once filming has ended, those in parental authority may oppose the broadcasting of the child's account. However, in accordance with jurisprudence, such retraction must not be abusive by nature, and in such a case it is for the parents to prove that the channel or the producer has substantially changed the purpose referred to in the authorisation they gave.

Concerning the conditions for receiving the child while the broadcasts are being filmed, the charter requires that the minor be accompanied by at least one of

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those in parental authority or by an adult duly authorised in writing by them for the purpose. In the event of filming lasting several days away from the minor's home, the minor must have normal living conditions and an adult, serving as the minor's reference person, must be present at all times during filming.

Charte relative à la participation des mineurs à des émissions de télévision, Assemblée plénière du CSA du 12 janvier 2009

http://www.csa.fr/infos/textes/textes_detail.php?id=127711

Charter on the participation of minors in television broadcasts, plenary assembly of the CSA meeting on 12 January 2009

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