

[DE] Self-regulation Set up for Multimedia

IRIS 1997-8:1/4

*Valentina Becker
Institute of European Media Law (EMR), Saarbrücken/Brussels*

On 9 July the "Association for Voluntary Self-Regulation of Multimedia service providers" (Freiwillige Selbstkontrolle Multimedia-Diensteanbieter e.V. - FSM) was set up in Bonn. The FSM is to represent organisations and companies in the multimedia sector in their purpose to protect the valid interests of users and the public, particularly as regards racial discrimination and oppression, and to reinforce the protection of young people on a self-responsible basis.

Both the new federal "Multimedia Act" and the "Multimedia Agreement" between the Länder (Information and Communications Services Act (Informations- und Kommunikationsdienstegesetz - IuKDG), and Agreement between the Federal States on Media Services (Mediendienstestaatsvertrag) - see IRIS 1997-2: 10) came into force on 1 August.

This legislation requires commercial providers of tele- and media services to exercise effective protection of young people. This obligation must be observed where the providers become members of a voluntary self-regulation body

- such as the FSM through their respective organisations.

Members undertake to abide by a common code of conduct which lays down rules on content and recognition of authors. The purpose of the FSM is to make service providers comply with the code of conduct and to penalise any failure to comply with the code.

The FSM has decided on a complaints procedure under which, after 1 August, any citizen may apply to the FSM's complaints office to complain about content accessible on the Internet or on other networks or via on-line services. The complaints office is an independent control body of the FSM; complaints may refer to the offerings of either members of the association or other providers.

In the case of an actual infringement of the code, the complaints procedure includes the possibilities of notification with a requirement to take remedial action, disapproval and reprimand, which must be published by FSM members together with their offer for a period of one month.

The association will oblige companies which have become members to submit to decisions reached in the complaints procedure and to abide by them in the future; this makes the decisions legally binding.

Verhaltenskodex und Beschwerdeordnung der FSM

FSM's Code of Conduct and complaints procedure

