Council of Europe: Three New Recommendations in the Media Field

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The meeting of the Committee of Ministers of the Council of Europe of 30 October 1997 saw the adoption of three media-related recommendations. The first resolution is against gratuitous violence, in other words "the dissemination of messages, words and images, the violent content or presentation of which is given a prominence which is not justified in the context". The field of application is very wide-ranging as it concerns the whole of the electronic media field, including radio and television programmes, video upon request, Internet, interactive television and other products such as video games or CD-ROM's. While the Committee of Ministers underlined its attachment to the principles of freedom of speech and media independence, including its right to put out and to receive information of a violent nature, these principles also included a number of inherent responsibilities.

The recommendations target the actual gratuitousness of the violence, which the Committee believes comes down to a question of collective conscience, involving non-state bodies just as much as the Member States themselves. The guidelines have already been drawn up.

The draft text stresses that it is up to electronic media professionals to resolve the problem. Those responsible for programme content are the first in the firing line and they should, as far as possible, draw up sector-by-sector codes of conduct and internal guidelines, set up appropriate consultative and monitoring bodies or adopt a system of self-regulation when contracting with other sectors. Parents and teachers are also reminded of their educational role. Member States also have a subsidiary but relevant role in appointing independent regulatory bodies, in introducing a penalty system for companies failing to comply with broadcasting standards requirements and in setting up a sign-code system (thus splitting the responsibility between the professionals and the public). They also need to ensure that complaints will be properly followed up. The second recommendation concerns the "incitation to hatred" which has an even greater effect when broadcast over the media.

The draft text stresses the need to set up an efficient legal framework that will provide wider scope for civil law action such as the right of reply, the obtention of a retraction or the awarding of damages. The Committee of Ministers also however re-stated its attachment to the principle of freedom of speech and hopes

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that any intervention by public authorities would be restricted to objective criteria and would come under independent judicial control. The third recommendation stresses the fostering of a culture of tolerance within the media, which should not only be reflected in programme content and broadcasting, but which should form part of the actual training programme of media professionals.

Recommendation n° R (97) 20 of the Committee of Ministers to the Member States on "hate speech" of 30 October 1997

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Recommendation n° R (97) 21 of the Committee of Ministers to the Member States on the media and the promotion of a culture of tolerance, 30 October 1997

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Recommendation n° R (97) 19 of the Committee of Ministers to the Member States on the portrayal of violence in the electronic media, 30 October 1997

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