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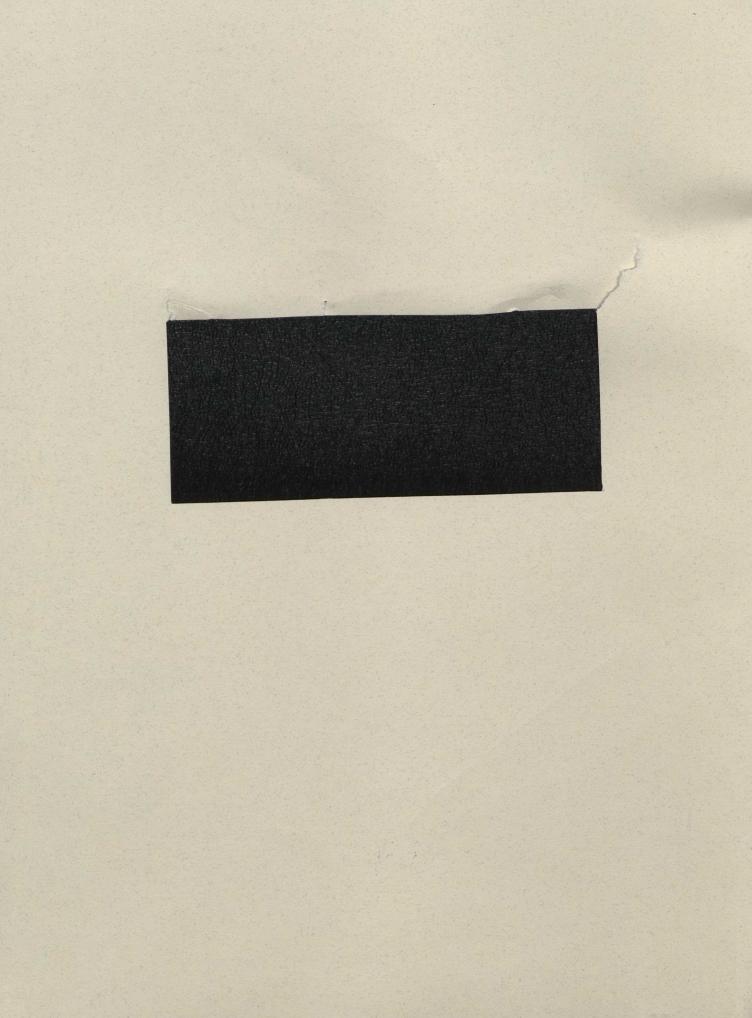
CHILDREN'S FILM AND TELEVISION IN CENTRAL AND EASTERN EUROPE

Joan Irving and Connie Tadros International Centre of Films for Children and Young People

1997

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CREATING A SPACE FOR CHILDREN: CHILDREN'S FILM AND TELEVISION IN CENTRAL AND EASTERN EUROPE

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GREATING A SPACE FOR GHIDREN Children's Film and Television in EU Countries

by Joan Irving and Connie Tadros

for

THE INTERNATIONAL CENTRE OF FILMS FOR CHILDREN AND YOUNG PEOPLE CENTRE INTERNATIONAL DU FILM POUR L'ENFANCE ET LA JEUNESSE





FOR CHILDERN

Joan Irving and Connie Tedros

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PART I: GREATING A SPACE FOR GHILD

Creating a Space for Children: Children's Film and Television in EU Countries. Copyright © CIFEJ, February 1996.

Appendix D: Canadian Television, Film and Video Regulations Concerning Children. Copyright © Groupe de recherche sur les jeunes et les médias, February 1996.

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PART I: CREATING A SPACE FOR CHILDREN

BACKGROUND

A look at the various European Union (EU) programmes meant to stimulate the audio-visual industry in Europe reveals a curious blind spot; nowhere is there mention of media for children. At the same time, adults throughout Europe and, in fact, the entire world are growing increasingly concerned with the issues of what children watch and how they may be affected by the media.

All those who work in media for children are aware of specific challenges: to create age-appropriate material, to find financial support for clients (children) who do not spend money nor deal in the free market, to find outlets in that market so that children can watch productions made for them.

A cursory analysis of the Media Programme over its first five years revealed that of the more than 200 projects financed, less than a dozen were geared specifically for children. There would seem, therefore, to be a significant imbalance.

Audio-visual production for children presents a special situation. Yet the measures in place to stimulate production make no special allowance for the particularity of producing for children. Therefore, either the Media Programme is little called upon to assist in the development of these productions, or the requests made to it for activities surrounding media for children do not survive the selection process. Either way, children are the losers.

THE CURRENT STUDY

This is the situation that prompted the concern of Luciana Castellina, president of the Commission on Culture, Youth, Education and Media of the European Union. She asked The International Centre of Films for Children and Young People (CIFEJ) to make a presentation to the Commission on the importance of media, especially television, for children.

In preparation, CIFEJ undertook to establish in the various countries of the EU the current situation concerning legislation dealing with children and visual media, and regulation, both formal and informal, in this area. Curiously, we found no single source that documented this — a confirmation of the blind spot mentioned above.

The goals of the study are modest, limited both by the time and the resources available. Information came to us through the network of CIFEJ members, from official governmental sources and from other sources referred to us — as listed for each country.

The information is organized by country; it covers first laws and policies on children and film, and then policies and issues related to television. In some cases, film on video is also covered. At the outset, we meant to deal only with laws and official regulations, but it became clear that the concern over children and media was oftimes expressed through internal guidelines, e.g. the published code of standards called "The BBC Producer's Guide" which orients the Children's Department at the BBC in its work. Consequently, these sources have also been included.

In the case of some countries — Norway and Sweden come to mind — context is given more importance because the way in which various organizations work together constitutes a milieu which nourishes material for children. (While we are aware that Norway stands outside of the EU it has been included here because of the strength of its commitment to media for children.) In other cases, such as in France and in Italy, more attention is paid to the history of the regulatory process. The content has been verified by one or more of the sources and we believe it is accurate. Nevertheless, we caution readers against straight comparisons of information. Normally, statistics on quantity of productions or broadcast material would be subject to comparative analysis and independent verification of the sort we have not endeavoured to undertake. Therefore, when one reads that Austrian television provides six hours daily of programmes for children and youth against a Danish space of only 100 minutes, one cannot presume our sources were using similar definitions. Does each country, for example, include "family programming" in its definition of material for children? We know that Denmark does not. In a similar vein, the fact that France ran 4,450 hours for children on all national channels in 1990 and that the U.K.'s BBC ran only 1,250 hours in 1995 does not allow us to presume anything about the impact or quality of each nation's programming for children.

What this study does do, however, beyond establishing the parameters of the current situation, is to point in the direction more rigorous research might take. Content analysis of programmes is one large field: acquisition or national production, animation or live action, genres studies (drama, comedy, informational programming, educational uses, etc.), age-appropriate material —all of these constitute a rich research lode. In Europe, the question of how audio-visual material affects the national identification of the child must surely be pertinent, even urgent. And one could go on.

For the moment, we will use the information gathered to ponder the following questions:

- 1. What do the various countries have in place in terms of laws and regulations?
- 2. What is the goal for a media environment for children?

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- 3. What models exist in Europe which bridge the distance between current situation and goal?
- 4. What means could the EU establish to set countries in the direction of change where necessary?

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WHAT DO THE VARIOUS COUNTRIES HAVE IN PLACE IN TERMS OF LAWS AND REGULATIONS?

All nations surveyed have some form of film classification system protecting children and young people from violence and pornography in films. Most, but not all, apply their classification system to films on video. Interestingly, while some nations (such as Germany and the United Kingdom) set their upper age prohibition at "under 18," others (such as France, Belgium and the Netherlands) protect minors "under 16," and one nation (Spain), though it has a classification system (and a category "under 18"), cannot deny persons younger than the classified age entry into cinemas.

Among the EU nations, only Denmark and Sweden (and non-member Norway) set goals for children's film production and reserve for children's film a set portion of the public monies dedicated to their national film subsidy programmes. Some other nations, notably the United Kingdom, produce feature films for children, but the pendulum has definitely swung over to television production.

None of the nations surveyed have legislated quotas for the production of children's television programmes. Nonetheless, most public broadcasters have informal internal policies on children's broadcasts (number of hours weekly/annually) and production, as well as children's departments. Private broadcasters often must indicate in their licence applications the hours they will devote to children's broadcasts, in other words, must agree to indirect quotas for children's broadcasts. Because of this, interestingly, in France private broadcasters carry more hours daily of children's programmes than do public broadcasters.

The advent of children's cable television and satellite stations in some nations has also meant an increase in the availability of children's programming, if not always strict control over quality.

The general trend in the television industry, however, has been to self-regulation. This applies not only at the level of production but also at the level of youth protection. During the 1980s the industry experienced rapid growth as the number of private broadcasters increased and cable and satellite networks went on air. Broadcasters were hard-pressed to find enough programming to fill their schedules, and some shows inappropriate to children were broadcast during timeslots when children made up a large portion of the viewing audience. There were outcries against this, as well as to advertising deemed inappropriate to children, first among parents and then at the broader, community level, as shown by the EU Directive Television without Frontiers.

While the response rates differed in each nation, the nature of the response has been surprisingly consistent. Public and private broadcasters, the latter often working through associations, devised self-regulatory codes in respect to content and scheduling suitable for children.

CHILDREN'S VIEWING HOURS

Periods during which children can normally be expected to be watching television. During these hours (the definition varies, but generally seems to apply to the 16:00 to 20:00 week-day time period, Saturday mornings and Sunday evening), programming and advertising appropriate to children will be shown.

Ad al the items in the Children's Charter had been anticipated in the Bratislave Resolution, which a fined the teasons mativating the variate objectives proposed. Not content to drait a fust of goals, CIFL has a calculation means by which this goals could be reacted. The means included bracket support for pro-

PARENTAL RESPONSIBILITY

While broadcasters are willing to take steps to protect children from inappropriate programmes, they do not assume responsibility for children but, rather, support a principle of parental responsibility—parents have ultimate responsibility for what their children watch on television.

SEVERAL KEY NOTIONS ARE TAKING HOLD:

WATERSHED PROGRAMMING

After 20:00 in some broadcast jurisdictions and 21:00 in others, there will be a gradual changeover to adult programming, with material considered appropriate to adult audiences only being reserved for the period 22:30 to 06:00.

SIGNALS AND WARNINGS

A system of signals, usually based on colour, to warn parents/viewers of the nature of upcoming programmes in peak viewing hours, that is, at the start of the watershed. Broadcasters thus acknowledge that many children watch TV during hours other than those set aside for children—during the (highly competitive and, for broadcasters who rely on advertising, profitable) prime-time hours.

ADVERTISING BLOCKS

Television shows for children should not be interrupted by advertising; advertising is, instead, carried in blocks before and after shows.

These notions grew out of the document Television without Frontiers (Directive of 3 October 1989, adopted in October 1991 by the Council of Ministers of the European Community). The Directive allows audiovisual programmes to circulate throughout the EC [now EU] providing that the programmes comply with national legislation of the broadcasting member state. It specifies minimum rules of conduct including in the areas of advertising and the protection of minors, that is, "the physical, mental and moral development of minors in programmes and in television advertising."

In chapter five, article 5 of the Directive, member states are directed to:

take appropriate measures to ensure that television broadcasts by broadcasters under their jurisdiction do not include programmes which might seriously impair the physical, mental or moral development of minors in particular those that involve pornography or gratuitous violence. This provision shall extend to other programmes which are likely to impair the physical, mental or moral development of minors, except where it is ensured, by selecting the time of the broadcast or by any technical measure, that minors in the area of transmission will normally hear or see such broadcasts.

GOAL FOR A MEDIA ENVIRONMENT FOR CHILDREN

On November 28, 1989, the United Nations adopted the Convention on the Rights of the Child. This was in response to a generalized situation in which the children of the world were not being adequately provided for. All the countries of the European Union have now signed this Convention and it has the authority of a binding international treaty.

In general, the Convention states that children have a place of privilege, that they have rights because they are people, and that the adults who care for them have an obligation to inform children of these rights. If children are to be protected, they are also to be encouraged. They have a right to be consulted, and to play a part in decisions which will affect them. The tone of the Convention is not the tone of paternalism, in which adults dominate the life of the child; it is the tone of empowerment wherein adult and child work together toward the child's increasing maturity, well-being and fulfilment.

Certain articles of the Convention speak in general about the rights of each child: the right to a name, to a nationality, to a family, to health care, etc. Other articles speak more specifically. There are several articles in all touching on media.

Children everywhere have a right to freedom of expression, and to see their ideas circulated (article 13). The Convention underlines the importance of media and insists that children have access to information from both national and international sources (article 17). The same article encourages international production, exchange, and distribution of cultural material for children. Finally, it assures the right of children to leisure and to full participation in cultural and artistic activities (article 31). (See appendix A for the texts of articles of the Convention dealing with the rights of children and media issues.)

In light of the Convention, the countries of Europe have done a good job in legislating the protection of the child faced with the potentially damaging effects of the media.

There is no consensus, however, about the responsibility of each country to inform the child through an audio-visual output adapted to its needs, nor to allow it full participation in the cultural and artistic media of films and television.

At the World Summit on Children and Television held last March in Melbourne, Australia, people gathered from all over to articulate a Children's Charter. This Charter took the spirit of the U.N. Convention and drafted specific objectives for the use of television as a conveyer of programmes to children. These objectives, when put into effect, will begin to define an enriched television milieu for children.

In brief, the Charter champions programmes of quality, made specifically for children to promote their development, their culture, language and sense of self. It asks that children be exposed to other cultures, and that programmes range across the genres and be made available when children can watch them. It asks that funds be available to aid in the development of these programmes, that governments recognize the vulnerability of indigenous production for children and that they act to protect it. (See appendix B for full text of the Charter.)

Previous to the Melbourne Summit, members of CIFEJ had gathered in Bratislava, Slovak Republic, in November of 1994 with the heads of children's television production from ten countries from Eastern Europe. The matter at hand was the crisis in production for children, and the objective was to articulate ways to meet this crisis. The upshot of this three-day discussion was the drafting of the Bratislava Resolution, adopted by CIFEJ members and others from 30 countries, mostly European.

All of the items in the Children's Charter had been anticipated in the Bratislava Resolution, which also outlined the reasons motivating the various objectives proposed. Not content to draft a list of goals, CIFEJ had also articulated means by which these goals could be reached. The means included broader support for production and distribution, encouraging public screenings and school use of such material, and stimulating research, and helping professional organizations to meet the challenge of working for children. (See appendix C for full text of the Resolution.)

Together, the three documents — the Convention, the Children's Charter and the Bratislava Resolution — provide a rationale and a strategy for meeting the needs of children who are confronted with the onslaught of media. But certain nations in Europe have already developed well-conceived strategies for children's film and television production on which others could model their initiatives.

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The countries of Europe differ in the amount of authority the central governments exercise. In Italy and France, for instance, the capitals dictate the rules for all regions. In Germany and Austria, the laender or provinces have authority, while in Belgium, the three language communities are sovereign as to cultural matters. It is not easy, therefore, to take a single model and imagine it as a solution in every instance.

The four following models are simple, original, and efficient models for advancing the media milieu for children in the countries where they originated. Each country has a responsibility to find its own methods, but all countries who have signed the Convention on the Rights of the Child are obligated, by this international treaty, to find appropriate measures and to apply them (see Article 4, appendix A).

I. DENMARK AND FILM PRODUCTION

Danish legislation is simple and the most meaningful in Europe where films for children are concerned. One phrase in the Danish Film Act stipulates that "25% of the total funds allocated for films be earmarked for the production, import and distribution of features and short films for children and young people."

Two children's film consultants are hired for a six-year, non-renewable contract and asked to be as creative as possible about production for children. One, working out of the Danish Film Institute, is responsible for features; the second, working in the National Film Board of Denmark, oversees short film production.

Experience has shown that once the money and the consultants are in place, talent will follow. Any analysis of the European film situation for children will show that Denmark occupies a primary position in the number of prizes awarded its productions at festivals and competitions. Certainly, its success in supporting production for children has made it the envy of all those who work in the domain.

2. THE UNITED KINGDOM AND CHILDREN'S TELEVISION

The experience of the BBC Children's Department is proof that legislation is not the only motor, and that the will to accomplish something, coupled with an institutional commitment, can have substantial impact for children's media.

Last year BBC-Children's had a budget of over \$100 million to produce original programmes for children. This represented 16% of the total original programming made at the BBC. This programming, ranging through all genres, is every bit as diverse as the programming made for adults.

In deference to children, no programming which is inappropriate for them is shown before 21:00 in the U.K. This idea of a "watershed" has been important in emphasizing respect for young people. All programmes, even the visuals on the evening news, are adapted for children during the hours they are expected to be watching.

The Broadcasting Standards Council, though only an advisory body, operates as a moral pilot and has published a code concerning the portrayal of violence, sexual conduct, and matters of taste and decency. The BBC and the BSC have emphasized the importance of special consideration for children, and a commitment to provide space for children in the broadcast grid is a condition of license for private television stations.

Again, the primacy of BBC Children's Television production is quantifiable via the prizes and awards it continues to amass.

3. GERMANY: VIDEO CONTROL.

Most countries have not yet found ways to control the material available through the rapidly expanding video market, yet this market is currently overwhelming the theatrical film market. (In Canada, for instance, the theatrical market for film has a box office of \$800 million per year. The video market, however, reaps over \$3 billion each year and 75% of this is aimed at children and young people).

Germany, despite the fact that its 11 provinces exercise control over cultural matters, is in the forefront on this matter. Youth protection authorities from all the provinces form a voluntary board to self-regulate in areas of film and video. This body, the FSK, classifies films, prohibiting material which threatens the physical, moral, or spiritual well-being of children and youth. This classification must be clearly indicated on video cassette jackets. Films that have not been classified, or which have been classified as appropriate only for 18 years and older, may not be advertised, rented, or sold in shops accessible to juveniles.

4. SWEDEN: MEDIA EDUCATION

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Despite the general agreement that children need to learn about images, and the fact that children spend most of their waking hours in schools, media education has generally had a difficult time penetrating the bastions of the formal educational systems. Not so in Sweden.

In 1988 the Minister of Culture set aside 6 million Swedish crowns — an amount which has been increased regularly — to finance cultural film activities for school children. This has resulted in the School Cinema Project, which takes students into the theatres during school hours to watch movies.

The availability of financial support has encouraged distributors to specialize in children's films, has generated a film magazine for children, and has helped revitalize commercial theatre space. It has created an awareness among children of cinema through a variety of activities, thus preparing an audience for tomorrow. Knowledgeable children are also better protected against the effects of images which might otherwise been harmful to them. In a pro-active stance, film consultants in Sweden work in each province to encourage schools to be active in the project.

These four models, each addressing a different aspect of the media milieu for children and young people, have one thing in common. They have originated in countries that publicly acknowledge that the best interest of the child must take precedence over certain privileges of adults. The models acknowledge the particular situation that arises when children meet media, and they mobilize resources — through law or regulation, and even voluntary self-regulation — to create a new context in which media is used well and children are respected.

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STRUCTURE IS THE PROBLEM

The principal efforts of the EU to alter the audio-visual scene in Europe have come through the Media Programme. According to the Guide to Media I (1990-1995), the programme "sought to encourage the establishment of cross-border networks to exploit the effects that the new economic area would have. This is a response to the structural problem of the European audio-visual industry which lies in the fragmentation of the market and the dispersion of national industries."

TIME FOR ACTI

In Strasbourg, this structural difficulty had also been recognized. In one of the rare initiatives to shore up cinema for children and adolescents, the European Council had voted Recommendation No 10 in April, 1990. This initiative was abandoned quickly, in early October 1990. The reasons for its abandonment were stated as follows in a working document: "...some countries do not have specific regulations on films for children whereas others, especially the Nordic countries, have had regulations for many years. In addition, although some countries are set up and ready to implement the recommendations of the Counsel of Europe, others are not structurally equipped to undertake activities of this nature" (editor's translation and emphasis).

Back in Brussels, the EU is readying the Media II programme (1996-2000), which directly addresses itself the problems of training, development, and distribution. The EU also considers measures to create a Fonds de garantie européen to stimulate the financing of audio-visual productions, weighs the impact of Multimedia, and revisits the Television without Borders policy. (Counsel of the European Union "Audio-Visual" 21 June 1995). All of these policies have the eventual goal of "creating a large audio-visual Market in the Union..." (p.8).

CHILDREN ARE THE SOLUTION

To date, the impediment to a vigorous a-v industry has been seen as "the structural problem," one of national differences in audio-visual infrastructure: legislative and regulatory differences, and varying strengths of the companies operating in this milieu. Some countries are strong with a long history of production; others are just beginning to take their own place.

The blind spot is all this activity is the recognition that to create a market, one needs clients — people who want to see what is being offered. And that to create market demand among adults, one must begin with the children. People cannot want what they do not know.

The way to create an European audio-visual market tomorrow is to be sure that children watch European audio-visual productions today. The way to create a citizen of Europe is also to provide that citizen, as a child, with productions which introduce him to the European reality.

To argue in this way is mildly offensive, putting as it does the cart before the horse. Talking about a "market" makes it seem that economic reasons are more important than social, political, and psychological reasons for attending to productions for children. Those of us who work for the children would prefer to put the argument differently.

A child today grows up in front of the mirror that is film and television and looks for his own reflection: scenes of neighbourhoods like his, people who dress as he does and who speak in his language of situations with which he is familiar. In this way, he builds a sense of identity, develops individual tastes, and becomes accustomed to the pace and feel of a narrative addressed to him by adults who live in his country. This experience is primordial in the creation of a well-adapted citizen.

Most everyone is familiar with — and a bit apprehensive about — the influence that foreign images are having on children today. The critical issue is not that kids watch foreign material; it is in fact good that

they are exposed to the world. The issue is that they should also have alternatives, and that one alternative must be a vigorous, indigenous national production to bolster their particular, cultural, and social identity.

By introducing children to productions made specifically for them, one accomplishes several things. In the words of those who work at NRK in Oslo, "it gives children roots and wings," something to ground them and something to make them dream. It also promotes the creation of taste and style, and primes them to be receptive to national production as adults. Hence, it promotes the creation of the audio-visual market which is the objective of the EU programmes in place.

WHAT ACTION IS NECESSARY IN EUROPE?

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The original complaint of lack of harmonious structures in Europe is still valid, as this study shows. Yet there is great harmony of purpose among the various non-governmental organisations and companies who are active with children and media, as there is a shared understanding of the types of activity that develop excellent media for children. The problem is to adapt the current Media programme to better assist those groups.

Encouraging the advocacy of these groups will allow them to work, each in their own country, to effect the changes necessary to create a more receptive milieu for children and media. Movie theatres can be encouraged to make time for children, schools can be prompted to open up to media education, adults can insist on more and better television programming. Eventually, as has already happened in the Nordic countries, a certain harmony will result which will allow regional and, eventually, pan-European initiatives.

Culture is the business of each nation and, although legislation is appropriate for the protection of children, it is less useful as a tool to promote increased activity in favour of children. Our study has shown that most of the policies that currently define the television space for children come by way of internal regulations within television networks, now often bolstered by the regulatory agencies in the various countries.

The EU must demonstrate the political will to adapt its current programmes, making them more receptive to the initiatives that groups are ready to realize. This could be accomplished by adding one short sentence as a preface to the entire programme:

> "Within each section of Media II, the best interest of children will be a consideration in the attribution of the sums available."

This would open the doors for advocates of children and media to use the Programme, as well as orient those who decide on the attribution of the financing. It would correct the imbalance between those projects that address children and youth, on the one hand, and those that address adults, on the other.

The objection to this will be that preference should not be given to one group over another — women over men, for instance, or to the handicapped over the able-bodied. But "children" do not constitute a separate group. All adults were once children, and all children become grown citizens of Europe. This is simply a measure to remember to serve all citizens all the time, regardless of their age.

If such a step were taken, then groups advocating for children would have the impetus to deal in greater detail with the possibilities within the EU programmes. They would recognize the political will and double their efforts. In two-years' time, when Media II is up for review, they would be ready to offer more concrete proposals. Each group, from its own vantage point but working through pan-European advocacy groups such as ECFA, CIFEJ, EBU, etc. could contribute to this context-building.

The simple knowledge that there is a new receptivity on the part of the European Commission would act as a catalyst, and there is no doubt but that a great degree of harmonization would result. This harmonization would be reflected not only in the building of concrete structures within the industry but also in the minds of adults everywhere, as respect for children increases and their access to media made especially for them becomes a reality.

The rating of films is volucienty in Author, but occess to unroted time is searched to those 18 and ever. The arge-rating categories are "of egen," "6," "10, "12," "14 "The Mennel and "17" (or '18") in the other eight provinces. Distribution seeking to attract primape outleaces must therefore apply for a rating. Each province has its own laws and republicans, and the seconder time, but they cosmoly adopt the same factores, documentaries, shorts, heaters and newsraels) accuring their eating, but they cosmolly adopt the same making as the European and Columnia Artimes). Vienes correctly has a film rating commission of the Austrian Ministry for Education and Columnia the body may seen decayse, leaving responsibility to one backed, the rederal board. If a film they not page the rating commission, the decayse provide they be a tested backed, the rederal board. If a film they not page the rating commission, the decay page opping a second the rederal board. If a film they not page the rating commission, the decay but they apply a second time has a rating but has to show a pre-ad-test may seen a film.

The legislation of the provinces regarding yoush protection opplies only to fains in theorem, not to hims on video and films somened on TV. Provincial lows prohibit children and young persons from "buying, accessing and using objects which can enclarger their normal development, have the dignity of man or glo nly acts of war or which are recially or secondly discriminating" (Samondo 1995). Thus, video dore owners are not allowed to sell videos of this nature to young persons or objects, nor to publicly display these prodacts in areas where young persons have access. "In practice, however, such (rental) restrictions are not effective to our country, which previous ether competitive conditions via a vis film theorem, libid.

Legislation is being similared at the national level as enforce orininal low in respect of pornography with children. The main garpone of this legislation was and is, however, to protect the actors in such time where any children' (libid).

THEVISION

The public broadcaster is Cate restriction Runchink (Austrian Broadcasting Corporation), or Okt. a test an quotes for children's programming but does set aside specific periods to broadcast children's programming. 6.0 hours daily, from Manday to Priday, and 5.20 hours an both Statistical and Sunday. Units are no protos for content of national origin, although some programmes exercise "homematic elements" (Careatachlancer).

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PART II: A POLICY REVIEW

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WHAT ACTION IS NECESSARY IN EUROPE?

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AUSTR

FILM

Legislation on film production and distribution is embodied in the Law for the Promotion of Austrian Films. There is no special mention in the law of children's films, and there are no quotas in Austria on the production and distribution of children's films.

Legislation on youth protection dates back to 1916 and a provincial decree that stipulated rules for admission of children and young persons to film theatres. The nine provinces still legislate matters relating to youth protection. The federal government regulates video (in issues relating to violence, pornography and trade).

The rating of films is voluntary in Austria, but access to unrated films is restricted to those 18 and over. The age-rating categories are "all ages," "6," "10," "12," "14," "16" (in Vienna) and "17" (or "18") in the other eight provinces. Distributors seeking to attract younger audiences must therefore apply for a rating. Each province has its own laws and regulations, and the separate states may require that films (including features, documentaries, shorts, trailers and newsreels) acquire their rating, but they normally adopt the same rating as the Bundesministerium für Unterricht und Kulturelle Angelegenheiten (Youth Commission of the Austrian Ministry for Education and Cultural Affairs). Vienna currently has a film rating commission of its own, the Vienna Youth Commission, although this body may soon dissolve, leaving responsibility to one board, the federal board. If a film does not pass the rating commission, the distributor may apply a second time for a rating, but has to show a re-edited version of the film.

The legislation of the provinces regarding youth protection applies only to films in theatres, not to films on video and films screened on TV. Provincial laws prohibit children and young persons from "buying, possessing and using objects which can endanger their normal development...harm the dignity of man or glorify acts of war or which are racially or sexually discriminating" (Schwanda 1995). Thus, video store owners are not allowed to sell videos of this nature to young persons or children, nor to publicly display these products in areas where young persons have access. "In practice, however, such [rental] restrictions^{*} are not effective in our country, which produces unfair competitive conditions vis-a-vis film theatres" (ibid).

Legislation is being drafted at the national level to enforce criminal law in respect of pornography with children. "The main purpose of this legislation was and is, however, to protect the actors in such films who are children" (ibid).

TELEVISION

The public broadcaster is Österreichischer Rundfunk (Austrian Broadcasting Corporation), or ORF. It has no quotas for children's programming but does set aside specific periods to broadcast children's programming: 6.0 hours daily, from Monday to Friday, and 5.20 hours on both Saturday and Sunday. There are no quotas for content of national origin, although some programmes contain "homemade elements" (Geretschlaeger).

ORF is self-regulating in the area of suitability of programming for young audiences. It applies restrictions on the broadcasting of certain films during the early evening and provides printed television guides with advice for parents on the suitability of programmes for young viewers.

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CIFEJ would like to thank Dr. Ingrid Geretschlaeger, Dr. Michael Roth (Aktion Film Österreich), Dr. Herbert Schwanda (Bundesministerium für Unterricht und Kulturelle Angelegenheiten) and Andreas Vana (Österreichischer Rundfunk) for their help in compiling the information referred to in this section.

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FILM

Sovereignty over culture lies with the three linguistic communities of Belgium (French, Flemish and German), which are also in charge of film classification. The basis for a common film classification, administered by a Commission de contrôle (Control Board), is a law passed in 1920 prohibiting persons under 16 from attending film screenings. On 27 December 1990, a new law was signed creating the classification categories: all ages (sans réserve); suitable for persons under 16 but older than 12 and who must be accompanied by an adult; over 16.

Films on video must also be submitted to the Commission for classification (based on the same categories as for films). Subsequently, the distributor must clearly show the classification of the film on the jacket of the video cassette. A system of fines is in place for those who violate the provisions (Loi Gol, 23, 10, 89).

TELEVISION

The following pertains to the efforts of the French-speaking Community. Radio-Télévision belge de la Communauté française (RTBF) was created by decree in 1977 and given responsibility for French-language radio and television services.

In 1987, the Conseil supérieur de l'audiovisuel (Higher Audiovisual Council), or CSA, was created. While the CSA has no regulatory authority, it emits opinions that are "mandatory and must be given prior to the authorization or recognition of private radio and television services, pay TV services, cable networks...and any other service..." (Turcotte 1993). The Ministère de la Communauté française de Belgique asked the CSA to examine the possibility of developing a voluntary code of ethics regarding violence in television programmes. In 1990 the CSA made the following recommendations: (1) educate viewers, especially teachers, children and adolescents, and (2) establish a code of ethics pertaining to the portrayal of violence.

The following year, the legal provision (Article 24 of the 1987 decree) was amended to prohibit the broadcast of programmes that attack human dignity or promote hatred based on race, sex, religion or nationality; and programmes likely to have a negative impact on the physical, mental, or moral development of minors, particularly programmes (including their promos) containing pornographic scenes or gratuitous violence, unless steps are taken to ensure that minors do not normally watch these programmes. The amendment also required broadcasters to take into account the content of a programme in deciding when to schedule it, and issue warning signals to inform the public if the content of programmes warrants reservations (ibid).

In response the French-speaking Community's television broadcasters (RTBF, RTL-TV1, Canal Plus TVCF, and local and community television stations) adopted in 1991 a code of ethics regarding the broadcasting of television programmes containing scenes of violence. While the code puts the emphasis on parental responsibility and the need to educate the critical faculty of viewers, it proposes that broadcasters provide warnings to viewers before the airing of programmes containing violence and that promotions for these shows not include violent scenes.

The warning signals adopted are:

•implicit reservations. Warning message must inform the public of content susceptible of shocking the viewer such as violent or erotic images or situations, the use of rough language, particularly pessimistic treatment of given subjects, etc.

•explicit reservations. Message is of the same nature as above, although emphasis is placed on concerns if the content of the program can be justified by its artistic or informative nature. A signal is used to emphasize explicit reservations (ibid).

The public broadcaster for the Flemish-speaking community in Belgium is BRTN. Its Department of Children's Programs is currently preparing a self-regulating code on the content of programmes it broadcasts.

In general, in the Flemish-speaking community, the situation regarding television for children is quite liberal. There are no quotas for children's programming and no regulations setting aside specific timeslots for children's programming. Pornography is, through the self-regulation of broadcasters, not shown at times when children normally watch TV. The one existing prohibition is in the area of advertising: no commercials may be broadcast five minutes before or after or during a children's show (Verboven 1995).

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CIFEJ would like to thank Marie-France Martinot (CBFEJ) and Hilda Verboven (BRTN) for their help in compiling the information referred to in this section.

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DENMA

FILM

In April, 1989, the Danish Film Act came into effect. Its primary aim is to "promote film art and film culture in Denmark."

The Act stipulates that Det Danske Filminstitut (Danish Film Institute), or DFI, shall "subsidize the production of Danish feature films for children and young people, as well as the import, distribution and showing of films of artistic value and films which are judged to be particularly suitable for children and young people" (Articles 2.1, 2.5).

The production activities of the DFI are financed through the collection of a 15% tax on the price of a movie ticket and through broadcast licence fees (Voogd 1979).

The Statens Filmcentral (National Film Board of Denmark), among its other activities, promotes information, education and artistic and cultural activities by producing short films in Danish for children and young people. It also purchases and distributes short children's films to schools, public libraries and other institutions, societies and individuals (Article 9.1).

1982 was a watershed year for filmmaking for children in Denmark. That year Parliament passed a revision of the Danish Film Act that led to a consolidation of the professional, artistic and child-centred attitudes to filmmaking for children. One chapter of the Act, entitled "Films for Children and Young People," stipulates that "at least 25% of the total funds allocated for films be earmarked for the production, import and distribution of features and short films for children and young people."

Overseeing the allocation of these funds are children's film consultants, one each appointed by the Danish Film Institute and the National Film Board of Denmark. These consultants, who are appointed for a six-year, non-renewable term, provide personal artistic evaluations of film proposals that they submit to their executive committees. They also act as initiators in the area of children's films.

Film censorship was abolished in 1969 in Denmark, except with respect to protection of minors. Distributors wishing to get a "for all" designation must submit their films to a three-member commission, appointed by the Minister of Cultural Affairs, which decides if films are appropriate for adolescents under 16 and for children under 12.

TELEVISION

Forty percent of Danish households use the regular TV service, which gives them a choice of 12 TV channels, only four of which are Danish in origin. The other 60% of households receive satellite stations, mostly via cable, enabling them to choose from an average of more than 20 channels.

The Danish Broadcasting Act (The Ministry of Culture's Consolidation Act No. 13, Jan. 1994) outlines the licence terms and responsibilities of television, cable and satellite broadcasters in Denmark; no specific mention is made in the Act of children's programming.

The public broadcasting network, Danmarks Radio, or DR, was founded in 1925. Its Children and Youth Department was created in 1968.

Mogens Vemmer, its current head, stated that "Out of 3700 broadcasting hours a year, approximately 400 hours are dedicated to children 4 to 7 and 8 to 12. (Family shows such as those produced by Disney are not included in these totals.) The daily slot dedicated to children's programming is 16:50 to 18:30; Saturday mornings children's shows run from 8:00 to 12:00."

More then 50% of all drama production at DR-TV is made for children/youth by the Children and Youth Department.

No advertising is carried in DR broadcasts. The network is financed through fees payable for the use of television sets (and radios) and from income from the sale of programmes and other services, sponsorship, etc.

There are no regulations concerning violence on Danish television; however, the suitability of material for young viewers is taken into consideration by all departments of DR, including the news department, for programmes aired before 21:00.

TV 2/Danmark, the Danish commercial station founded in 1988, has a Children's and Youth Department that is currently responsible for approximately 900 hours of children and youth programming per year. Of this, approximately 25% is produced in Denmark by local, independent producers. (By law, TV 2 can produce only sports, news and current affairs programmes in-house.) The timeslots devoted to children's programming are weekdays 17:00 to 18:00 and weekends 07:00 to 12:00. Additional hours are scheduled on occasions such as Christmas and Easter (Vridstoft 1995).

TV 2 may broadcast advertising and sponsored programmes, and the Danish Broadcasting Act specifies standards for advertising placement and content (ibid).

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Det Danske Filminstitut Per Nielsen Children's Film Advisor Store Sondervoldstraede 4 1419 Copenhagen K Denmark Statens Filmcentral Charlotte Giese Commissioning Editor, Children's Films Vestergade 27 DK-1456 Copenhagen K Denmark

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CIFEJ would like to thank Charlotte Giese (Statens Filmcentral), Mogens Vemmer (Danmarks Radio) and Preben Vridstoft (TV 2) for their help in compiling the information referred to in this section.

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FILM

Feature films are regulated and their production is subsidized by the Suomen Elokuvasäätiö (Finnish Film Foundation), or SE, which receives funding from, among other sources, the Ministry of Education and Culture. One of SE's activities is to provide support for the dubbing of children's films into Finnish.

In addition, documentary and short films are supported by Audiovisuaalisen Viestinnän Edistämiskeskus (Promotion Centre for Audiovisual Culture), or AVEK, which is funded through the Blank Tape Levy (AV-EUREKA Center 1993).

TELEVISION

The state-owned Oy Yleisradio Ab (Finnish Broadcasting Company), or YLE, has two channels broadcasting over the entire nation. The third channel is operated by MTV3, while a fourth channel in Finland picks up Swedish television. In 1993, over one-third of Finnish household had cable TV.

YLE is the dominant producer in Finnish television with a 70-80% share of overall production. Of this, children's programming accounts for 7% and 9% of the TV1 and TV2 budgets, respectively (ibid).

YLE finances its activities mostly from fees charged on individual TV sets; these fees cover about 80% of its income. Approximately 90% of households in Finland own a TV. YLE may not broadcast commercials, except by special permit issued separately for programmes, for example, sports programmes.

Programmes unsuitable for children are not broadcast before 21:00. And care is taken at all times not to show violent behavioral models.

The commercial television channel is MTV3. Of its total production, 3% is devoted to children's programming.

Activities of MTV3 are financed through fees on TV sets and advertising. MTV pays to YLE a socalled public service fee and rent for the use of the broadcasting network. (These payments cover 16% of YLE's income.) Children's programmes lasting less than one hour may not be interrupted by commercials. Commercials on MTV must conform to its Television Advertising Terms and Conditions. Section 5 relates to children and advertising. It states:

Children as viewers

When designing commercials, special attention should be given to the fact that children comprise a considerable portion of the viewing audience. In terms of content and the manner of presentation commercials must not have detrimental influence on children through their example. Particular care must be taken with regard to:

a) Commercials must not present situations which if imitated by children might cause injury to themselves or others.

b) Commercials for products intended for children may not include expressions regarding price such as only, just, for mere pocket money etc. or direct appeals to children such as buy, try, you will get or you will experience etc.

c) Commercials advertising toys and hobby items may not use presentations or special effects which might give children a misleading impression of the product or its use. In principle the product must be present in the form in which it is available commercially. If the product must be assembled, painted, moulded, etc. the result shown in the commercial must be what a child can achieve with reasonable effort. The commercial must not give an exaggerated impression of the ease of the work involved.

Children As Performers

The unnecessary use of children in commercials should be avoided. There are nevertheless situations in which the use of children serves a purpose in the advertising of products... Children may not speak about the product in a commercial. Children may appear only in a passive role in sweets commercials (MTV3-Finland).

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MTV3-Finland Fin-00033 MTV 3 Helskinki Finland Oy Yleisradio Ab Fin-00024 Yleisradio Helsinki Finland

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CIFEJ would like to thank Virve Indrén (Ministry of Education) for help in compiling the information referred to in this section.

FRANCE

FILM

Production support for feature film and television production in France is provided in part by the Centre National de la Cinématographie (National Cinematography Centre), or CNC. This public body is financed by TV channels that pay it 5.5% of their yearly turnover (A TV World Guide to France, 1991) It does not set quotas for children's films.

All films shown in cinemas must be examined by the Commission de contrôle des films cinématographiques (Commission for the control of cinematographic films), a "consultative" body set up in 1945 and authorized by the Ministère de la culture et de la francophonie (Ministry of Culture and Francophone Affairs). The Commission grants certification to films (feature films and shorts as well as trailers) on the basis of restrictions to specific audiences: "all ages," "12 and under," and "16 and under." Other films are restricted to adult audiences, and anyone over 16 years of age may attend public screenings of them. Except in the cases of films that incite to violence or pornographic films (the equivalent of hard core), the Commission does not, per se, classify films; it certifies them as appropriate for certain audiences. Films that are certified as inciting violence or as pornographic must be screened in special cinemas.

Films on video are not subject to the above.

TELEVISION

The production fund the Compte de soutien à l'industrie des programmes audiovisuels, or COSIP, provided financial support to 1,310 hours of television programming in 1994, including 237 hours of animation ("La production audiovisuelle"). The bulk of French production aimed at children is animation series.

Broadcasts of children's television increased after the deregulation of the public system and advent of private television after 1986. The children's satellite channel, Canal J, began broadcasting in 1987. In 1990, there were more than 4,450 hours of programming devoted to children on national channels (public and private) and 5,000 hours of programming devoted to children 3 to 15 on cable (Canal J) (Conseil supérieur de l'audiovisuel, 1993).

The proliferation of channels and increase in broadcasting led to concern about the increased availability of films deemed either violent or erotic in timeslots when children made up a large portion of the viewing audience. Pressure in France for controls on the content and timing of broadcasts mounted. This pressure corresponded to growing concern about youth protection at the EC level.

The Broadcasting Act of 1986 provided for the establishment of a Commission nationale pour la communication et les libertés (National Board for Communication and Liberty), or CNCL, to ensure that principals governing the protection of children and adolescents are respected.

The CNCL established a code prohibiting the broadcast of violent or erotic programmes (for example, films categorized as "adult") before 22:30. Hefty fines were imposed on broadcasters who failed to respect the prohibition. The CNCL's system, however, failed to stop the broadcasting of adult shows in early time periods. Broadcasters then worked together on a set of guidelines to prohibit the broadcast of violent or erotic shows. Published in 1989, these guidelines "were not followed by private broadcasters and were not endorsed by the various television stations" (Turcotte 1993).

"In response to the level of violence on television, and the CNCL's limited ability to impose standards, the 1986 Broadcasting Act was modified in 1989 to create an independent body, the Conseil supérieur de l'audiovisuel (CSA) and to amend existing guidelines governing freedom of expression in television and radio programming. The CSA's guidelines include provisions for the protection of children and adolescents, under the age of 13, in the broadcasting of programmes by all public and private services" (ibid).

In May 1989 the CSA published the "Directive Concerning the Protection of Children and Young People in the Scheduling of Programs Broadcast by Public and Private Television Services." The philosophy underpinning the Directive is the recognition of television as an activity used in a "family context" which obligates broadcasters to ensure that programmes transmitted before 22:30 are suitable for family viewing. Specifically, the guidelines stipulate that erotic or violent films are not to be broadcast between 6:00 and 22:30, and promotions for these films must not be broadcast prior to 20:30. In addition, in the event of the portrayal of violent content that would affect the sensibilities of young people during peak viewing hours, broadcasters are required to provide appropriate signals to warn viewers. A visual symbol whose colour indicates a CSA rating must precede such a programme: green is used to flag programming considered suitable for all audiences, orange is used to caution audiences, and a red is used to indicate adult-only programming (ibid).

All private and public broadcasters are required to establish a viewing committee within their organizations to ensure that their programmes comply with CSA guidelines. The CSA has the power to enforce its guidelines by serving written notice of any transgressions to broadcasters, by the imposition of fines or by demanding the broadcast of announcements for which the CSA sets the terms and conditions. It cannot, however, impose fines on public broadcasters, only on private broadcasters (ibid).

While broadcasters are required by law to broadcast 50% European programming, they are not required to fulfil quotas for children's programming. However, public television channels must comply to general provisions requiring that they broadcast "on days and during time periods when this audience is available" programmes aimed at children and adapted to each age group. Programmes aimed at adolescents "must help facilitate their entry in active life." Private broadcasters are required when applying for a licence to commit to broadcast a minimum number of hours of children's programming. Paradoxically, the conditions imposed on them exceed those imposed on public broadcasters (Conseil supérieur de l'audiovisuel).

The Law of 1989 brought France 2 and France 3 together under one presidency. In 1991, a common Service Jeunesse was established by the two channels, as well as a Conférence Jeunesse that grouped specialists, associations and public broadcasters. In 1994, la Cinquième, the educational channel, began broadcasting a daily schedule of programming aimed at children and young people.

Also in 1994, France 2 and France 3 split the Service Jeunesse into two groups (one at each channel), each with the aim of broadcasting about 2000 hours of youth programming annually.

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GERMANY

FILM

In Germany, the Freiwillige Selbstkontrolle der Filmwirtschaft (Voluntary Board of Film Self-Regulation), or FSK, views nearly all films and videos meant for the open market. Films are evaluated for their potential to harm children and juveniles, in accordance with Articles 6 and 7 of the Jugendschutzgesetz (Law for the Protection of Youth in the Public Domain), and are subsequently granted an age-related certificate. All media are also subject to the Penal Law Articles 131 (prohibiting all media that promote violence) and 184 (prohibiting pornography that involves children, animals or violence).

The classifications of the Jugendschutzgesetz for films and trailers shown in theatres and for videos rented or sold are: "all ages," "6 and over," "12 and over," "16 and over," and "18 and over." Persons under the age of 18 are not allowed to attend public screenings, except those films that have been classified by the FSK and received the appropriate certificate. Children under 6 may attend screenings only when accompanied by an adult. Children between the ages of 6 and 12 may attend a film without being accompanied by an adult if the screening finishes by 20:00. Young people 16 and under may attend films shown before 22:00. Young people 18 and under may attend a film screening if it finishes before midnight.

The FSK brings together youth protection authorities for the separate German states and evaluates films according to principles laid out in Freiwilligen Selbstkontrolle der Filmwirtschaft, which prohibits film and visual materials that impinge on the physical, moral and spiritual well-being of children and juveniles.

Video cassettes, CD-ROMs and other audiovisual materials must also comply to the above classification system for public use. For articles for sale or rent, the classification must be clearly indicated on the cassette jacket as well as on the object itself. Items (visual materials) that have not been classified or have been classified as "18 and over" may not be offered to children and young people in any way (Article 7).

Films or videos that are classified "18" can be put on the index by the Bundesprüfstelle für jugendgefährdende Schriften (Federal Board of Examination of Media Liable to Corrupt the Young), or BPjS. Films on the index cannot be advertised, and videos on the index must not be advertised, rented or sold*in shops accessible to juveniles (Steiger 1995).

TELEVISION

In matters of youth protection, television is subject to the Rundfunkstaatsvertrag (State Treaty on Broadcasting, August 31, 1991; updated August 1994) as well as to the Penal Code.

Programmes are prohibited if they "incite to race hatred or depict cruel or otherwise inhuman acts of violence against human beings in a way which glorifies or makes appear harmless such acts... (Article 131, Penal Code); glorify war; are pornographic (Article 184, Penal Code); are likely to seriously endanger the morals of children or juveniles."

Programmes "likely to impinge on the physical, mental or spiritual well-being of children or juveniles may not be disseminated unless provision is made through the choice of broadcast time or in some other way to ensure that children or juveniles of the age groups concerned do not normally have access to the broad-casts; this may be assumed for broadcasts between 23:00 and 6:00. Films which under the law to protect youth in public are not to be accessible to juveniles under the age of 16 may be disseminated only between 22:00 and 6:00, and films not to be made accessible to juveniles under the age of 18 may be disseminated only between 23:00 and 6:00" (Metgger 1995).

Every broadcaster appoints a representative of youth protection. Public broadcasters (ARD and ZDF) are self-regulating on issues of youth protection. Private broadcasters are controlled by the

Landesmedienanstalten. They have created a body known as the Friewillige Selbstkontrolle Fernsehen e.V. (Voluntary Board of Television Self-Regulation) (FSF; similar to the FSK).

In February 1995, the FSF organized a meeting of European specialists on youth protection. The regulatory environments in the various participating nations were discussed, and the findings were summarized in a paper entitled Handling of the Protection of Juveniles in the Media in the Westeuropean Countries by Thomas Steiger of the FSF.

On ARD and ZDF, advertising may not be broadcast during children's programmes. In addition, the content of commercials aimed at children (and broadcast in blocks between shows) may not be harmful to them or exploit their inexperience.

ZDF screens about 383 hours a year of children's programmes, devoting 45 million DM to children's programming (Michaelis 1995).

Films classified "16 and over" by the FSK may not be broadcast earlier than 22:00, while those classified "18 and over" may not be broadcast before 23:00.

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Freiwillige Selbstkontrolle der Filmwirtschaft Mr. Folker Hönge Kreuzberger Ring 56 D-65205 Wiesbaden Germany

Freiwillige Selbstkontrolle Fernsehen e. V. Mr. Joachim von Gottberg, Executive Director Rauchsrt. 18 D-10787 Berlin Germany Kinder- und Jugendfilmzentrum in der Bundesrepublik Deutschland Kueppelstein 34 D-42857 Remscheid Germany

ZDF

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CIFEJ would like to thank Beate Hanspach (Kinder- und Jugendfilmzentrum in der Bundesrepublik Deutschland) and Francesca Toso (UNICEF-Geneva) for their help in compiling the information referred to in this section.

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CREE

FILM

Film is regulated by the Commission Responsible for the Supervision and Control of Publications Destined to Children and Adolescents, under the authority of the Minister of Justice.

Law No. 49-656 on publications destined for young persons, passed in July 1949, embodies principles for the protection of youth.

Article 2 states: "Publications...must not contain any illustration, article, story, title or insert presenting in a favourable light banditry, lying, thievery, laziness, cowardice, hate, any criminal act, or act that demoralizes children or juveniles" or (Law No. 1190 of 29 November 1954) "inspires or instills ethnic prejudice." They must not contain any advertisements or promotions for the publication that demoralize children or juveniles.

TELEVISION

Law No. 2328, Article 3 of 3 August 1995 states that: "Television advertising should not harm minors morally or physically, and so should adhere to the following criteria for their protection. Advertising must (a) not exhort minors to buy products or services taking advantage of the inexperience and credulity (b) not incite minors directly to pressure their parents or others to buy the advertised products or services (c) not take advantage of the trust minors have toward their parents, teachers, or other persons (d) not gratuitously show minors in dangerous situations.

Television commercials for alcoholic beverages should neither be addressed to minors nor show minors consuming such products."

Sources

Law No. 2328, Article 3, 3 August 1995. Translated by Athina Rikaki.

Addresses

European Children's Television Centre Athina Rikaki, Director 20, Analipseos Str. Athens 152 35 Greece

CIFEJ would like to thank Athina Rikaki (European Children's Television Centre) for her help in compiling the information referred to in this section.

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The legislation covering the censorship of film and video in Ireland is the Censorship of Films Act, 1923 (with subsequent amendments) and the Video Recording Act, 1989. Every film or video shown to the public must be certified by the Official Censor. A film does not receive certification if the Official Censor deems it "unfit for general exhibition in public by reason of its being indecent, obscene or blasphemous or because the exhibition thereof in public would tend to inculcate principles contrary to public morality or would otherwise be subversive of public morality."

The categories of classification for theatrical films are: "general," "parental guidance," "over 12," "over 15," and "over 18." The categories are the same for films on video, except there is no classification "over 12."

TELEVISION

Ireland has two public television stations (Radio Telefis Élreann 1 and 2, or RTÉ) and no private ones. Matters relating to youth protection are covered by the Broadcasting Act. Films classified "over 15" must not be broadcast before 21:00.

The Minister for Arts, Culture and the Gaeltacht issued in May 1995 a document entitled Codes of Standards, Practice and Prohibitions in Advertising, Sponsorship and Other forms of Commercial Promotion in Broadcasting Services. Article 14, "Advertising and Children's Programmes" states that

•Advertisers must exercise the utmost care and discrimnination with regard to the content and presentation of advertisements transmitted during breaks within or near or adjacent to programmes designed for children.

•Advertisements shall not exhort children to buy a product or service by exploiting their inexperience or credulity.

•Advertising shall not exploit the special trust minors place in parents, teachers or other persons.

•Advertisements shall not directly encourage minors to persuade their parents or others to purchase or make enquiries about the goods or services being advertised.

•Advertisements shall not unreasonably show children in dangerous situations.

Partly in response to the above document, in November 1995 RTE adopted a policy whereby

•no commercial break will be permitted immediately before, during or immediately after any programme directed at pre-school children

•sponsorship will be withdrawn from all children's programming and elements of such programmes

•the incidence of commercial breaks in children's programming will be reduced to a mazimum of two in any clock hour with a minimum of 20 minutes between such breaks.

These measures will sharply reduce the incidence of commercial messages and, in addition, the clearest distinction between programmes and commercial messages will be preserved.

To help children to learn how to "read" television and to distinguish between the different kinds of messages addressed to them, RTE will commission short information messages which are supportive of the relationship between parents and children and which will be scheduled in commercial breaks. These "infomercials," which will be made to the same professional standards as commercial advertisements, will deal with issues such as the fact that we do not always get everything we want and that our enjoyment does not depend on our ability to buy everything we see advertised (Molloy 1995).

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Radio Telefis Élreann Kevin Linehan Head of Young People's Programmes Dublin 4 Ireland

CIFEJ would like to thank Kevin Linehan (Radio Telefis Élreann) for his help in compiling the information in this section.

The Law on Cinema contained an article specifying production quotas for children's films. But this article was dropped in the 1995 decree that streamlined procedures for distribution of state-aided funds for cinematographic production (Law No. 203 of 30 May 1995).

Articles 2, 3, 21, 31, and 41 of the Constitution of Italy make reference to human rights and the rights of minors. The rights of minors are also recognized in the Penal Code.

A commission working under the authority of the Ministry of Tourism and Entertainment is charged with the interpretation of these laws as they relate to films. The commission evaluates and rates films for their potential to harm young people.

TELEVISION

There is growing recognition in Italy of the needs of young television viewers, and steps are being taken to ensure that minors do not have access to violent or pornographic broadcasts. Some observers feel, however, that there is still much progress to be made in this area.

The Ministry of Tourism and Entertainment held responsibility for matters of youth protection until the 1993 national referendum and the subsequent dissolution of the Ministry. As of 30 May 1995, censorship is the responsibility of the regions, under government supervision and control. There are now eight Boards of Censorship to evaluate television broadcasts to be shown between 7:00 and 23:00.

Article 15.13, Law 6 August 1990 No. 223 (or Legge Mammi, taken from the name of the Minister) prohibits the broadcast between 7:00 and 23:00 of films restricted to children 14 and under.

Compliance with the law was a problem, as the Consiglio degli Utenti (Viewers' Council), a body established in 1990 by the above-mentioned Law and made up of representatives of broadcasters, groups concerned with children and experts on children, noted in its 1993 report entitled "Rapporto Agli Utenti". The report analyzed the state of children's broadcasting in Italy during the past decade and recommended a number of measures to improve standards of children's broadcasting.

In May of 1993, broadcaster members of the Federazione radio televisioni (Federation of Radio and Television), or FRT, and associations that work with children came together to formulate and sign a self-regulatory code on television and children (Codice di Autoregolamentazione). The signatories agreed to:

1. respect the 1990 Law No. 223

2. avoid anything that prejudices the development of minors in programmes devoted to them and in advertising broadcast at any time. Programmes, especially those shown between 16:00 and 19:00, will not contravene point 1

3. not broadcast promotional trailers that might upset minors either 15 minutes before or after programmes aimed at them

4. not insert in programmes aimed at minors and especially in programmes broadcast from 16:00 to 22:00, trailers or other promotions for television shows or films that are inappropriate for minors

5. try to show programmes for minors in timeslots and in formats that are appropriate to them, taking into consideration their needs as outlined by educators, family associations and experts in the field

6. try to eliminate advertising for alcoholic beverages, drugs, or medicines during programmes devoted to minors

7. communicate the information as to appropriate programmes for minors to newspapers and magazines so that parents can select programmes for their children

8. respect the timetable of programmes published in the press

9. try to influence TV producers to respect the values expressed herein to create quality shows for children

10. respect and enforcement of this code are entrusted to the community

Public television broadcasters were not signatories to this agreement. RAI is still considering endorsing the document.

At least one network, Channel 5, published its own position paper, or self-regulating code, on this subject ("Segnaletica" in onda su tutta la fiction di canale 5). As stated on the opening page, Channel 5 aims to provide excellent children's programmes during the 16:00 to 19:00 block of children's programmes. The paper also outlines the network's measures for warning children and parents of the contents of fiction programmes: a green signal indicates the show is considered appropriate for children; a yellow signal indicates parental guidance; red indicates the show is not suitable for children. These signals are published in TV listings, carried in trailers and are broadcast prior to the shows and, during the show, after commercial breaks. Preliminary feedback from consumers and from the Comitato per 'attuazione del codice (Implementation Committee) about Channel 5's initiative has been positive.

The Codice de Autodisiplica Pubblicitaria (Advertising Self-Disciplinary Code) was first published in 1966. Its 20th edition, of April 1994, compiled by broadcasters, both commercial and public, as well as representatives of the press, advertising agencies and all the media operators, addressed the needs of children and adolescents in Articles 11 and 28. The former states:

"Particular care must be given to messages which are aimed at children and" adolescents or which my be received by them. These messages must not contain • anything which would damage them psychologically, morally or physically and, in addition, such messages must not abuse their natural credulity or inexperience, or their sense of fairness. In particular, advertising must not induce them to:

- violate generally accepted norms of social behaviour
- carry out dangerous actions or expose themselves to dangerous situations

• believe that not owning the advertised product signifies inferiority or the failure of parents to fulfil their duties

• urge other persons to buy the advertised product

The criteria for the application of the code, published in February 1994 "limit or ban [the advertising of] several product categories in specific timeslots and according to three protection levels, which are determined on the basis of audience research figures. The product list comprises: all types of alcohol, value-added telephone services, pharmaceutical products (not including over-the-counter products), talismans, tarots and services related to astrology, diet products and contraceptives (ban not applicable to public-health actions by competent national authorities). In addition, as a general protection measure, teleshopping cannot be addressed to minors in any timeslot " (Lorenzon 1995).

All television and radio broadcasters are subject to the above-mentioned Legge Mammi (Mammi's Law), which came into effect in 24 August 1991. Article 8.1 relates to standards for advertising aimed at adults and minors. On the subject of minors, it states: "Advertising must not morally or physically barm

minors and must not be inserted in animation programmes." The official decree, the Decreto Vizzini of 30 November 1991, expanded on Mammi's Law in Article 3, saying: "Television commercials must respect minors and not (a) exhort minors to buy products or services by exploiting their inexperience and natural credulity (b) exhort minors to pressure their parents to buy products or services (c) exploit the special confidence and trust minors have for parents, teachers and other adult persons (d) show minors in dangerous situations."

Article 26 of Mammi's Law requires all broadcasters to fulfil quotas in the broadcasting of European programming, in accordance with the EC Directives of 3 October 1989, and stipulates that in the time devoted to broadcasting European programmes, 50% of those programmes must be Italian, and of the latter, one-fifth must have been produced in the last five years. No special mention is made in the law of programmes for children.

The clause in Mammi's Law prohibiting the insertion of commercials in animation programmes (cartoon shows) was contested and upheld in 1992 an official inquiry presided over by a Garante (warrantor). In his decision, the Garante reiterated that commercials should not be inserted in cartoons; however, he allowed the insertion of commercials in shows which were less than 50% cartoons or animation.

The prime source of television programmes for children and young people shown in Italy is the United States. The second largest source is Europe, followed by Japan and Korea, which contribute mainly animation series.

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Consiglio Degli Utenti Presso Ufficio del Garante Via Santa Maria in via 12 Rome Italy

Federazione radio televisioni Comitato per l'attuazione della regolamentazione su tv e minoripresso Viale Regina Margherita 286 Rome Italy Radiotelevisione Italiana (RAI) Viale Mazzini I-14-00195 Roma Italy

RegioneLombardia Eva Schwarzwald Settore Trasparanza e Culture Piazza IV Novembre, 5 I-20124 Milano Italy

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Reti televisive italiane (RTI) - MEDIASET Channel 5 Gabriella Ballabio, Market Research, International Television Viale Europa, 48 I-20093 Cologno Monzese, Milan Italy

CIFEJ would like to thank Gabriella Ballabio (Rete Televisive Italiane), Bruno Busetti (Instituto Italiano di cultura Montréal), Carolina Lorenzon (Fininvest) and Eva Schwarzwald (Regione Lombardia) for their assistance in compiling the information referred to in this section.

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A public fund, the Fonds national de soutien à la production audiovisuelle, was created to promote audiovisual and film production through the subsidization of production, co-production and distribution. A five-member commission appointed by the Grand Duke decides on a case by case basis whether a work is eligible for financial support. The Fund does not make specific recommendations on materials aimed at children and young people (Bram 1995).

In 1988 a national law was introduced to create a special tax regime for audiovisual productions made in Luxembourg. The law excludes from funding certain types of productions (pornographic and those deemed violent and contrary to public order and public policy). The statute does not contain specific regulations on productions aimed at children and young people.

In the realm of youth protection, a law prohibiting young people (under 17) access to movie houses, except to those showing classified films, has been on the books since June 13, 1922. The film classification categories are: "for all," "14 and over," and "17 and over." Films that do not go through the classification process are automatically classed as "17 and over," a classification normally reserved for very violent films. A bill updating this law has been proposed but not yet adopted.

There is no classification system for films on video. However, through self-regulatory measures, video distributors in Luxembourg generally restrict access to pornographic materials to persons over 18. A bill regulating video production, the distribution of imported videos and the rental of videos has been drafted but not yet adopted (ibid).

TELEVISION

Most of the television channels available in Luxembourg are broadcast from foreign countries. The national broadcaster is CLT Multi-media. It broadcasts seven programmes aimed at an international public, and one programme broadcast in the language of Luxembourg and aimed, therefore, specifically at a national audience.

Broadcasters in Luxembourg must apply to the government for a broadcast licence, which is granted only upon compliance with regulations set out in the July 1991 Law on Electronic Media, which was adopted in accordance with the EC directives on Broadcasting without Frontiers.

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Addresses

Ministère d'État Service des Médias et de l'Audiovisuel Michèle Bram, Attaché Maison de Cassal 5, rue Large L-1917 Luxembourg

CIFEJ would like to thank Michèle Bram, Attaché de Gouvernement, for her help in compiling the information referred to in this section.

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Steiger, Thomas, Handling of the Protection of Jeveniles in the Media is the Wastevesdean Countries. Freivilline Selastkonrolis Fastasaten e.V.; Barlin, 1995.

The Film-release Act of 1977 provides a film classification system based on age range, with the classifications: "all ages," "12 and over," and "16 and over."

RETHERLA

Submission of films to the Board of Censors is voluntary; however, any film that has not applied to the Board of Censors for a rating is automatically deemed unsuited for persons under 16. The Board is made up of "ordinary citizens"—20 men and 20 women.

In 1983 the Film-release Act was amended to prohibit "preventive censorship" except in the case of films destined for children under the age of 16 (Article 7) who are protected for common decency (Crans 1995).

FILMS ON VIDEO

The government concluded a "gentlemen's agreement" with video distributors and video importers. Under this agreement, the video companies are self-regulating and classify films according to three categories: "for all", "12 and over", "16 and over" (Klokman 1995).

The classification has to be clearly visible on video cassette jackets.

TELEVISION

Broadcasting is regulated by the Commissariaat voor de media (Media Authority) through the Media Act of 21 April 1987. This Act was amended to permit commercial broadcasting and to strengthen the public broadcasting system by a bill approved in Parliament in 1991.

The Media Authority is an independent regulatory body with statutory powers. Financed by an allocation from the Minister of Welfare, Health and Cultural Affairs, its responsibilities fall into three main areas: (1) the allocation and distribution of broadcasting time to broadcasting organizations at the national, regional and local levels, and the granting of permits for subscription television; (2) supervision of the observance of the Media Act and associated decrees; (3) apportionment of financial resources to the national and regional broadcasting organizations, the management of broadcasting reserves and the exercise of financial supervision, regulations governing the production of radio and television programmes, radio and television licence fees, etc.

Broadcasting associations that apply for and receive a licence to broadcast must, among other conditions, offer a full programme—a varied package, consisting of information programmes (25%) educational programmes (5%), cultural programmes (20%) and entertainment (25%). They must represent a certain social, cultural, religious or philosophical movement and must aim to satisfy people's cultural, religious or ideological needs, and their activities must not be geared to making profits (Ministry of Health, Welfare and Culture Affairs).

In 1995, there were nine broadcasting associations in operation in the Netherlands, including the Nederlandse Omroepprogramma Stichting (NOS), an umbrella organization that promotes cooperation between the broadcasting associations.

The Media Act does not stipulate quotas for children's production or programming. However, it does provide for the above "complete programming prescription" and the broadcasting of at least 50% in-house productions made by the broadcasting organizations.

The Act attempts to protect children with respect to advertising and the screening of appropriate programming. Article 52a prohibits advertising in programmes destined to minors under age 12. Article 53 states, "The broadcast as part of a television programme of films or parts of films which, after censorship under the Film Censorship Act, were not deemed as suitable for viewing by persons under the age of 12 or 16 shall not begin until 20:00 or 21:00, respectively. The broadcast of films or parts of films which have not been submitted to the Netherlands Board of Film Censors and of other programmes which the institution in question considers unsuitable for viewing by persons under 12 or 16, shall not begin until 20:00 or 21:00, respectively. The rating given by film censors or the unsuitability of the programme, as the case may be, shall be announced immediately prior to the start of the film or programme" (Molendijk 1995).

CABLE TELEVISION

Subscriber television, cable newspaper and cabletext are some of the newer services offered on cable networks.

Satellite services are offered usually in conjunction with a cable network.

ADDITIONAL INFORMATION

The Kinderkast (Dutch Children's Television Information Center), a non-government organization, was set up to help children make good use of television, spread information and knowledge about children and television, improve the quality of Dutch children's television, and act as a representative for parents and teachers towards broadcasting organizations. Kinderkast publishes newsletters and training materials for children, parents and educators; gives lectures and workshops; and engages in research on media usage by children in cooperation with Leiden University and Dutch Broadcasting-Research Department. It also acts as a watchdog body, monitoring public and commercial television. Its studies have concluded that while public and commercial stations spend about 15% of their time on children's programmes, the percentage of 'self-made programmes has declined to only 40% (public TV) and less than 20% (commercial TV) respectively. Less than 10% of time on public TV was directed to children's programming. Entertainment, drama, and non-violent animation accounted for 62%. On commercial stations, 90% of children's programmes are classified as entertainment (de Kinderkast 1995).

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Addresses

Commissariaat voor de Media (Media Authority) Joke Molendijk Information Officer Postbus 1426 1200 BK Hilversum The Netherlands

De Kinderkast Postbus 1206 3800 BE Amersfoort The Netherlands

MB Television Consultancy Ben Klokman Rogakker 12 6741 ER Lunteren The Netherlands

Nederlandse Omroepprogramma Stichting Postbus 444 1200 JJ Hilversum The Netherlands

CIFEJ would like to thank Ben Klokman (MBTelevisionConsultancy) for his help in compiling the information referred to in this section.

Det Norske Filminstitutt (The Norwegian Film Institute), or DNFI, authorized by the Ministry of Culture, is mandated to support, initiate production, promote and screen feature and short films for children, among other activities. In short, the DNFI engages in a variety of activities for children as well as for adults interested in children's films.

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These activities are often coordinated with other public bodies, notably, the Norsk Kino-og Filmfond (Norwegian Cinema and Film Foundation), or NKFF, and the State Centre for Film Studies, as well as with private industry and film clubs for young people. In 1996, when it moves into Filmens Hus, its new headquarters, the DNFI will operate a children's cinematheque.

The production of children's films is a priority for the DNFI, so much so that it sometimes exceeds its own goals. For the period 1990-95, its goal was to see produced five children's feature films; in fact, nine were produced. Children's films constitute about 20% of the total volume of films produced with DNFI aid. As well as production support, the DNFI provides box office support through a programme by which any Norwegian feature film premiered in Norwegian cinemas is entitled to a ticket subsidy of 55% of the box office gross. Films for children, however, are entitled to 100%. Of the DNFI's production grants to short fiction, animation and documentary films in 1995, a minimum of 38% will be spent on short films for children.

The DNFI also purchases foreign films for children and dubs Norwegian soundtracks, before distributing the films in 16 mm and video formats to schools, libraries, film clubs and other non-commercial markets. These distribution activities are supported and enhanced by a sizeable publication and promotional programme.

Among its other educational activities, the DNFI offers courses to adults who work with children and film, runs the children's film club Grevlingen (which means, "badger"), and holds an annual film and video competition for 10- to 19-year olds. The improvement of scripts for children's films is the aim of a competition called Slyngelfilm and of a two-year script-writing course offered by the DNFI in cooperation with the State Centre for Film Studies. Six scripts that originated through Slyngelfilm have been produced in the last two years.

The DNFI supports the importation of children's films in cooperation with private companies and the NKFF. The latter was founded in 1970 by the National Association of Municipal Cinemas. Since 1987 it has employed a children's film advisor and stepped up its activities in support of the importation and distribution of children's films.

The Statens Filmtilsyn (Norwegian Board of Film Classification) is responsible for evaluating the content of films and films on video meant to be shown commercially in public. Statens Filmtilsy applies the following age classifications: "universal" (for all ages); "7 years" (for children seven and up and children from the age of 4 who are accompanied by an adult); "11 years" (for children 11 and up and children from age 8 accompanied by an adult); "15 years" (juveniles 15 and up, and children from age 12 accompanied by an adult); "18 years" (restricted to persons 18 and over) (Act Concerning Film and Video).

The Penal Code governs the sale and rental of films on video in the home market and broadcast on television by Norwegian companies. It stipulates fines and imprisonment for those who "issue or offer for sale or rental or otherwise intends to distribute, or with the intention to undertake such distribution, imports indecent or pornographic papers, pictures, films, videos, or the like" (Article 211(1)(b)) and for those who "commercially distribute or offer for sale or rental films or videos in which use out of proportion of rough descriptions of violence is made with the aim of entertainment. The same applies to the one who makes such use of rough descriptions of violence in television or in the distribution of such broadcasts in this country (Article 382 (1)).

All those engaged in the sale, rental, or showing of films and films on video must pay a duty of 2.5% of the gross income to the NKFF. The income from this duty is used to finance various activities in the film and video sector. The main activities of the NKFF are to support Bygdekinoen (ambulatory cinema), import arthouse films and children's films, educate cinema managers and video dealers, and assume editorial responsibility for the Norwegian International Film Festival.

TELEVISION

The public television broadcaster, NRK, has been producing and broadcasting shows for children for 35 years. There are no rules or regulations governing children's television broadcasts; NRK has evolved its own, unwritten rules. Shows devoted to children up to the age of 7 are shown daily between 18:00 and 18:30 and on Saturday and Sunday mornings. Shows for the age group 7 to 10 are run four days a week from 18:30 to 18:45. Programmes for 10- to 14-year-olds are run Fridays from 16:00 to 18:00, Saturdays 18:30 to 19:25, and Sundays 18:30 to 19:00. Young people over 14 are the prime target of a weekly 30-minute show.

Of the total youth programming, 50% is normally locally produced, with 50% purchased from foreign sources.

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CIFEJ would like the thank Eva Faerevaag (Det Norske Filminstitutt), Renate Svardal (Flora Komm. Kino), Ove Watne (Norske Kino- Og Filmfond), and Ada Haug (Norsk Rikspringkasting) for their help in compiling the information referred to in this section.

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The Portuguese Institute for Cinematographic and Audiovisual Art (IPACA), established in 1994, is the public body that supports and funds Portuguese film and audiovisual production.

In January, 1995, new regulations on funding for cinematographic works came into effect. These new regulations aim to increase the number of Portuguese productions of high artistic and aesthetic qualities and increase public support for Portuguese films (Law No. 45-C/95).

This law makes no reference to films for children, which is a reflection of the actual state of filmmaking for children in Portugal. "Feature films for children are rarely produced, although some animation shorts for children are sometimes produced" (Paixão 1995).

For purposes of youth protection, feature films and films on video are viewed by the Board for the Classification of Public Events and classified according to the categories: "4," "6," "12," "16," and "18." Pornographic films are classified as either "hard core" or "soft core."

Films on video are subject to the above classifications.

TELEVISION

There are currently two public television broadcasters in Portugal and two commercial/private broadcasters. They are not bound by law to produce children's programming. There are informal regulations requiring that public broadcasters "show educational and quality programmes aimed especially at children and young people" (Paixão).

Public Television airs children's programmes throughout the summer and in specified timeslots during the winter. For example, one channel devotes two hours a day Monday to Friday to children's programming (17:30 to 19:30); of this, one hour is aimed at children 3 to 7 years old and the other hour at children 8 to 12. On Saturday and Sunday, children's programming occupies four hours of the broadcast day.

Only about 10% of national production is created for children. Most of the children's programming broadcast in Portugal is purchased, largely from European sources.

Advertising is allowed during children's programming on both public and private networks.

The Public Television network has a Children's and Youth Department that provides research and guidance to programming schedulers.

Private broadcasters also show children's programmes, especially on weekends.

In the area of youth protection, individual broadcasters are self-regulating, although the Alta Autoridade para a Communicacia Social, a national TV Supervisory Board, does provide guidance based on reference to the guidelines in the 1989 EC Directive Television without Frontiers. The Portuguese TV Law prohibits the broadcast of pornography, the depiction of explicit violence, and the promotion of racism. Article 17 reads: "Broadcasting of programmes which can incur the negative development of the character of children or juveniles or exploit vulnerable viewers, namely by showing very violent or shocking scenes, shall be preceded by a clear warning and broadcast only during the night broadcasting period."

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There is no state-subsidized film production in Spain and, thus, no public bodies dedicated to children's film production. However, there is some recognition of the importance of children's films. Law 17 of 8 June 1994 on the protection and promotion of cinema states that "Films for children originating from member nations of the European Union do not have to obtain permission to be dubbed" (Article 7.4).

Feature films shown in theatres are evaluated for their potential to harm children and juveniles by the Comisión de Calificación de Peliculas Cinematográficas (Board of Film Classification). This body works under the authority of the Instituto de la Cinematografia y de las Artes Audiovisuales (Institute for Cinema and Audiovisual Arts), or ICAA, which is part of the Ministry of Culture. Feature films are classified as: "specifically for children," "for all," "not recommended for persons younger than 7 years," "not recommended for persons younger than 18 years." These classifications are merely recommendations and consequently cannot be used to deny persons younger than the classified age entry into cinemas (Article 4. Seventh Ordinance on Film Classification).

Law 1/24 February 1982 created a category "X" for films depicting pornography or extreme violence and required X-rated films to be screened only in X-rated cinemas. Minors below the age of 18 are not allowed into these cinemas. The "X" classification is valid for films on video as well. The use of explicit pictures from an X-rated film on cassette packaging or other promotional materials is prohibited.

A previous ordinance (4 April 1978) created a separate category "S," or "over 18," for films considered to be appropriate for adults only. Minors below the age of 18 are not allowed into cinemas showing S-rated films.

In the early 1980s concern about pornography began to increase. This concern was reflected in the Royal Decree 1189/4 June 1982 on Regulating Activities Deemed Morally Detrimental or Harmful to Children and Young People (BOF 10 June 1982). It refers specifically to "new [media] activities" and the detrimental effect on society of pornography on children and young people. It then calls on the government to extend and harmonize existing norms for youth protection. The following year, the Seventh Ordinance was enacted.

In 1995, Law 6/28 March 1995 was passed enumerating guarantees of rights of children and juveniles in Madrid. Article 33 prohibits the sale or rent to minors and public screenings of films on video where minors might be present, video games and other audiovisual materials that contain messages contravening rights recognized in the Constitution, or containing violence, delinquency, or pornography.

TELEVISION

As of July 1995 and the entry into force of Act No. 25/1994 of 12 July implementing the provisions of the EC Directive on Television without Frontiers, Spanish television broadcasters are required to follow EU regulations on advertising breaks during the broadcast of feature films as well as information programmes, documentaries and children's programmes.

Programmes which might inhibit the development of children, including X-rated films, are to be broadcast between 22:00 and 6:00.

The protection of children with regard to advertising is addressed in Article 3 of the General Advertising Law 34/88 of November 1988. Subsequently, in April 1990, the board of directors of Radiotelevisión Española approved the Advertising Rules, which establishes general criteria for the protection of children. In addition, the Spanish Education Ministry and both public and private TV channels have an agreement on self-regulation concerning programmes and advertising messages aimed at children and young people.

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Addresses

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CIFEJ would like to thank Rosario Alburquerque Pérez (ICAA) and Sefa Ponsati Brancós (Cinètic) for their help in compiling the information referred to in this section.

SWEDISH FILM INSTITUTE

Svenska Filminstitutet (Swedish Film Institute), or SFI, created in 1963, is a foundation whose operations are regulated by an agreement between the Swedish state on the one hand and the film and video industries as well as Sveriges Television AB (Swedish Television) and Nordisk Television AB (TV4) on the other. SFI is the central organization in Swedish cinema. Among its responsibilities is the support of production of Swedish films of high merit, including films for children. "The Board of Governors is responsible for meeting the need for production of quality Swedish films...It shall also keep in mind the need for documentary films and films aimed at children and young people" (Financing Agreement, Article 23).

Since 1993 the SFI has allocated its production support through five film consultants. One consultant is responsible for allocations to children's films (both feature films and short films). The children's film consultant has at her disposal about 1/5 of the SFI's production budget. The SFI policy document entitled Filmen i det framtida kulturlandskapet (Film in the Cultural Landscape of the Future) states that "Films for children and young people should have the same position as films for adults." The Financing Agreement, Article 3, states that the definition of a feature film may be more flexible for children's films. A feature film for children may be shorter than the average feature, to enable it to qualify for subsidies.

The production grants of the SFI are financed by a levy on cinema tickets and video films, enhanced by grants from television and the state. The funding agreement is based on the principle that those who exhibit films — at cinemas, on videotape or on television— should contribute to the financing of new Swedish films (Svenska Filminstitutet Presents).

In addition to its production activities, the SFI provides subsidies to import and promote children's films, publishes a film-education magazine and provides support to programs for children and schools at cinemas throughout Sweden. Grants are provided, as well, for regional media workshops and local video projects for children and teenagers.

FILM AND VIDEO - CENSORSHIP

In the area of youth protection and censorship, the Statens Biografbyrå Filmcensuren (National Board of Film Censors) views all films and trailers and classifies them according to the categories: "no limitation," "from 7," "from 11," "adult only," and "prohibited from public showing" (because of extreme violence, violence in connection with sex, or pornography with children). Film on video destined for public screenings must also be submitted for classification. Video films intended for private use are submitted on a voluntary basis. Classification protects dealers from being liable for charges. (Inspectors monitor compliance to the regulations.)

Youth protection measures were first proposed in 1910 when the Office of the Governor of Stockholm issued the provision that "...[film] exhibitions that are open to children shall not include pictures depicting events or situations that are liable to arouse emotions of terror or horror in the audience or for other reasons be considered unsuitable for children to look at." The 1911 Cinema Ordinance created the Statens Biografbyrå and prohibited children under the age of 15 from attending performances "liable perversely to excite [them]" (Svenska Filminstitutet 1995). In the early 1990s provisions were drafted making the possession of films with child pornography a criminal offence. They were not enacted, however, so the possession of such films is legal in Sweden, although the distribution of them is illegal. Concerns in the early 1980s about the potential harmful effect of films on video among young viewers led to the following legislation: (1) voluntary advance examination of video films intended for sale or hire to the public. This option is used as a precaution against the risk of prosecution, since charges can be brought against films that have not been examined. Advance examination is only compulsory in the case of video films shown at public entertainments; (2) compulsory registration by the National Board of Film Censors of distributors of video films for private use; (3) a copy of every film (of which at least 10 copies are distributed) must be sent to the National Archive of Recorded Sound and Moving Images; (4) a regional supervisory organization that reports to the National Board of Film Censors monitors compliance with these rules and ensures that unlawful representations of violence disappear from the market (ibid).

In audiences over the age of 15, the only scenes that must be banned are those where "the events are depicted in such a manner and in such a context as to have a brutalizing effect. The assessment shall take particular account of whether the film or videogram contains explicit or protracted scenes of severe violence to people or animals or depicts sexual violence or coercion or presents children in pornographic situations." Films must not be approved for children under the age of 15 if they are liable to cause children in the relevant age group emotional shock. Children under the age of 7 who are accompanied by an adult can see films that have been passed for children from the age of 7, and children over the age of 7 but under 11 accompanied by an adult can see films that have been passed for children from the age of 11 (ibid).

Cable and satellite broadcasts, films and films on video shown at trade fairs, exhibitions and sporting events, documentary films shown at museums, and commercials are exempt from censorship regulations. In addition, exemptions to examination requirements may be granted to film festivals and other artistic or nonprofit events. In such cases the minimum age is 15.

TELEVISION

The average household in Sweden receives nine TV channels, three of which are Swedish in origin, while one is Scandinavian. Sixty percent of families with children have access to satellite.

Public television is made up of Swedish Television 1 and Swedish Television 2, which are financed by fees paid on television sets. Although neither broadcaster has quotas for children's television, their support for children's programmes is comparatively strong, with a variety of types of shows being produced for a daily (Monday to Friday) evening block of children's and adolescent's programmes from 18:15 to 20:00. Saturday mornings and Sunday evenings are reserved for children's and family viewing, respectively.

The private Swedish broadcaster is TV 4, which is financed by advertising revenues. It broadcasts mostly purchased programming aimed at older children and families.

The Reglerna on reklam i radiolagen (Radio Law) addresses the issue of children and advertising in Article 11, which states, "a commercial transmitted during the advertising block on TV may not be aimed at children below the age of 12. Persons or characters who play lead roles in television programmes aimed at children below age 12 may not appear in commercial advertisements" (Laws and Agreements, 1994).

ADDITIONAL INFORMATION

In 1988 the Minister of Culture made an important announcement regarding film support in a Government Proposition. The Minister stated he thought it important that children and young people get an opportunity to see films of good quality in the cinema, and that their knowledge of moving images be deepened. "Knowledge about how film and moving images are created develops the ability to distinguish between fantasy and reality, which creates better conditions to meet an output of, for example speculative violence." As a result, the Minister set aside 6 million Swedish crowns to finance "filmcultural activities for children and young people." That sum has since been raised several times and is still the major source for the development in Sweden of school cinema projects.

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CIFEJ would like to thank Elisabeth Lysander (Svenska Filminstitutet) and Helena Sandblad (STV) for their help in compiling the information referred to in this section.

UNITED KINGDOM

FILM

Feature films for children are not dealt with at the policy or regulatory level in Britain. There are, nevertheless, a few private companies producing and distributing children's films. The Children's Film and Television Foundation, established in the 1940s as the Children's Film Foundation, funds mainly script development. The Children's Film Unit produces one feature each year with Channel 4 funding and all stages of production handled by children.

In 1993 the British Film Institute reviewed its activities for children and issued an internal report on the subject. In 1995 the Research and Education division held discussions with Channel 4 with a view to holding a joint international event to discuss children and the moving image.

The British Board of Film Classification (BBFC), set up by the film industry in 1912, is responsible for evaluating the content of feature films and films on video. The BBFC's official mandate to protect children goes back to 1952, and passage of the new Cinematograph Act (consolidated in the Cinemas Act 1985), which required local authorities to prohibit the admission of children to films classified as unsuitable for them. The mandate to protect children was extended to films on video offered for sale or rent commercially in 1984 with the Video Recordings Act. The UK's voluntary classification system comprises the following categories.

Films classified as "U" are suitable for all ages, and "no theme, scene, action, or dialogue could be construed as disturbing, harmful, or offensive." A separate category "Ue" exists for films on video and denotes "particular suitability for younger children." "Parental Guidance" or "PG" films are appropriate for a general viewing audience, but some scenes may be unsuitable for younger children as a result of 'mild violence, some nudity...and language.' The BBFC also applies age-bar classifications (at the cinema box office and at the counters of video shops) at "12," "15," and "18" denoting unsuitability for persons below that age.

• 12: Films containing use of strong language, implications of sex within a relationship and realistic images of violence. These films are considered appropriate for persons 12 years of age and over.

•15: Films containing themes requiring a mature understanding due to the presence of impressionistic sex, mildly graphic violence and horror. These films are considered appropriate for persons 15 years of age and over.

•18: Films requiring adult understanding as a result of explicit sex scenes, nudity in a sexual context and graphic violence. These films are considered appropriate for persons 18 years of age and over.

• 18-R: Films containing sexual explicitness. For restricted distribution only, through specially licensed cinemas or sex shops to which no one under 18 is admitted.

TELEVISION

British television broadcasting consists of a public-service sector, which includes the British Broadcasting Corporation (BBC) and Channel 4, and a commercially funded sector, regulated since 1991 by the Independent Television Commission (ITC). Standards for programming aimed at children are addressed in the 1990 Broadcasting Act.

The 1990 Act established the Broadcasting Standards Council (BSC), an advisory body of eight members appointed by the Secretary of State for National Heritage. Although it has limited regulatory authority, the BSC produces a code of practice on the portrayal of violence, sexual conduct and matters of taste and decency. The BSC also monitors programmes, considers complaints, and commissions research. The 1990 Act also requires that broadcasters take account of the BSC code in preparing their own codes and guidelines (Turcotte 1993).

Article 6(1)(a) of the 1990 Broadcasting Act requires that the ITC do all it can to secure that every licensed service includes nothing in its programmes which offends against good taste or decency or is likely to encourage or incite to crime or lead to disorder or be offensive to public feeling. Article 7(1)(a) provides guidance on the rules to be observed with respect to the showing of violence in programmes, particularly when large numbers of children and young persons may be expected to be watching the programmes. Briefly, material unsuitable for children must not be broadcast at times when large numbers of children may be expected to be watching. (The BBC, in an annex to its licence, specifies the measures it undertakes in this area.)

Specific guidelines related to evening viewing are outlined in the ITC's Family Viewing Policy. Its code of programme standards sets family viewing hours, between 6:00 and 21:00, eliminating the broadcast of material unsuitable for children during times when the largest numbers of children are expected to be watching television. Trailers promoting "adult" films transmitted later in the evening must ensure that the trailer is suitable for family viewing. After 21:00 a "gradual and progressive move towards adult programming" considered less suitable for children is permitted.

The guidelines established by the ITC for terrestrial broadcasters apply equally to cable and satellite operators, with one exception. The watershed hour for programmes considered unsuitable for children during the "family viewing hours" is 20:00 as opposed to 21:00 (ibid).

The ITC has a mandate to impose penalties, including hefty fines and cancellation of a broadcast licence, on broadcasters who do not fulfil their responsibilities in these areas.

The ITC requires that broadcasters it licenses observe its rules on the amount, distribution and presentation of advertising, as outlined in the document entitled ITC Rules on Advertising Breaks. Standards for the content of television advertising and rules on sponsorship are presented in ITC Code on Advertising Standards and Practice and ITC Code of Programme Sponsorship.

The content, suitability and transmission times and placement of advertisements directed to children is strictly regulated to avoid harm to children physically, mentally or morally, and no method of advertising may be employed which takes advantage of the natural credulity and sense of loyalty of children. For instance, advertising on medical products and foods directed at children is carefully regulated, if not prohibited. Children are defined as those aged 15 years and under.

Anna Home, Head of Children's Programmes TV, at the BBC stated in a letter that "... there is nothing in legislation about the number of hours broadcast for children, but there has been a traditional commitment to a full range of children's services. At present we transmit 1250 hours of children's programming per year in every genre."

The BBC does not broadcast programmes unsuitable for viewing by children before 21:00. After that time, parents are deemed responsible for their children's viewing. "In the financial year ending in May 1995, of original programming within BBC Television, 16% of the total hours produced came from Children's for 10% of the total cost. This [figure] is for origination and does not include repeats or acquisitions" (ibid).

The BBC produces and transmits children's programming in all genres: news, documentary, factual, natural history, pre-school, light entertainment, and drama. Its code of standards includes the following statement on violence in programmes for children: "There is evidence that violence in circumstances resembling real life is more upsetting than violence in a fantasy setting. The distress felt by some adults when violence

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occurs in a familiar setting or between familiar figures is likely to be increased in the case of children. Violence in situations (for instance, in the home between characters resembling their parents) or towards characters (for example, pets) with which the children can sympathize should, therefore, be avoided. Although it is morally satisfying, especially to children, to witness the success of good over evil, the means employed by 'good' characters should be carefully chosen in order to avoid confusion with the 'bad' characters. The dangers of imitation are particularly real among children, from whom it is important not to conceal the consequences of real-life violence. For example, a blow to the head must not, in a realistic setting, be seen as a trivial matter without serious consequences" (BBC).

Both Channel 5 and Channel 3 regional licensees are commercially funded broadcasters regulated by the ITC. In its invitation to licence, the ITC addresses matters relating to the amount of children's programming to be shown in any week.

The Channel 5 licence holder must within the first five years of its mandate produce and broadcast at least three hours and 30 minutes a week, averaged over a year, of programmes made specially for children, including a range of entertainment, drama and information programmes. From the start of year six of the licence, the required minimum amount increases to seven hours a week [approximately 182 hours a year] averaged over the year. Children are defined as those aged 15 and under. Provision of programming categorized as children's is a statutory requirement. School broadcasts are addressed as a separate item. (ITC 1991)

The Channel 3 licence holders must provide at least 10 hours a week of programmes intended for children of different ages, with a range of entertainment, drama and information programmes. These should include provision for children of pre-school age. For the London region, applications should offer at least seven hours of children's programmes in the week and three hours at weekends. These amounts exclude any children's material which is to be provided to meet the requirement for regional programmes (ibid).

ADDITIONAL INFORMATION

For a more complete discussion of these issues, see the study entitled The Future of Children's Television in Britain: An Enquiry for the Broadcasting Standards Council released in December 1992. It recommended:

- scheduling considerations
- the creation of a system-wide set of standards for children's programming

• the creation of a joint BBC-ITV advisory Children's Television Council and a voluntary body with public support

•a study to profile the viewing habits of children in Britain and identify problems categorizing children's programmes.

See also Obscenity and Film Censorship by Bernard Williams (Cambridge University) and Screen Violence and Film Censorship by Stephen Brody (H.M.S.O.).

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Children's Film and Television Foundation Ltd. Stanley T. Taylor, Chief Executive Elstree Studios, Borehamwood Hertfordshire WD6 1JG United Kingdom

Independent Television Commission 33 Foley street London W1P 7LB England

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CIFEI would like to thank Sorah Dawbarn (British Council), Nonmeal), remarkane tamus provadanting Corporation), Calin Show (Eroadcating Stewlards Council), Starney Toylar (Children's Film & Television Foundation Ltd.) and Cary Bassignine (British Film Institute) for their help in compling the information referred to in this section.

APPENDIX A: CONVENTION ON THE RIGHTS OF THE CHILD

THE PREAMBLE

In the preamble to the Convention, it is stated that States Parties to the Convention consider that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." Children thus have dignity and equal and inalienable rights, as do adults. It stated that "childhood is entitled to special care and assistance" and that "the child should be fully prepared to live an individual life in society..."

THE ARTICLES

The following articles address themselves to issues concerning children, film and television.

Article 3, 1.

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration."

Articles 4.

"States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."

Article 13, 1.

"The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice."

Article 17

"States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29; (art. 29 addresses education)

b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

c) Encourage the production and dissemination of children's books;

d) Encourage the mass media to have particular regard to the linguistic needs of the children who belongs to a minority group or who is indigenous;

e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18." (art. 18 addresses parental responsibility)

Article 31

"1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in culture and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity."

Adopted by the United Nations on 20 November 1989

"States Parties shall undertake all appropriate legislarive, administrative, and other measures for the impler mentation of the rights recognized in the present Convention. With regard to accomic, social and extural rights, States Parties shall undertake such measures to the maximum extent of their available resources and where needed, within the framework of international co-operation.

F.E.F. slainA

"The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and imitant followingtion and ideas of all hinds, removeless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice."

XI olsihA

"States Pontes recognize the important hubble performed by the mass nuclic and shak ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spinicial and moral well-being and physical and mental health. To this and States Parties shall:

> a) Encourage the mass mention to disseminate information and material at social and cultural benefit to the child and in accordance with the spirit of article 29; (art. 29 addresses education)

b) Everyoge international consperation in the production, exchange and disemination of just information and material from a diversity of cultural, national and international sources;

di Encourage the production and dissentination of children's books

d) Encourage the mass media to have paniarlar regard to the linguistic mean of the dilaten who belongs to a minority group or who is indigenous;

APPENDIX B: CHILDREN'S CHARTER

I. Children should have programmes of high quality which are made specifically for them, and which do not exploit them. These programmes, in addition to entertaining, should allow children to develop physically, mentally and socially to their fullest potential.

2. Children should hear, see and express themselves, their culture, their languages and their life experiences, through television programmes which affirm their sense of self, community and place.

3. Children's programmes should promote an awareness and appreciation of other cultures in parallel with the child's own cultural background.

4. Children's programmes should be wide-ranging in genre and content, but should not include gratuitous scenes of violence and sex.

5. Children's programmes should be aired in regular slots at times when children are available to view, and/or distributed via other widely accessible media or technologies.

6. Sufficient funds must be made available to make these programmes to the highest possible standards.

7. Governments, production, distribution and funding organisations should recognise both the importance and vulnerability of indigenous children's television and take steps to support and protect it.

Good quality differents films can also travel across borders, playing a leading role in the building the world of tomorrow, helping to define the place in which our deficer will live.

For all these reasons, we think that the governments, the parliaments, the national and international operations and support at production and distribution of distribution and distribution of distribution films, a duty to the twore of each more and of the entity world.

There are several ways to achieve such goals:

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-building a upport system for wider and better distribution of those divident's hims whose artistic and advantance values are more important than their commercial acaette

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-Brianaing and davalaping the advection and training of specialists - scriptoritors, directors and -

stimulating and brancing utentific research about the reaction of children to the media, and about he way they use media for their spacific needs

helping notional and international protessional organizations and associations dealing with the

PPENDIX C: BRATISLAVA RESOLUTION

Soon, Mankind will enter the Third Millennium. The cinema will celebrate its 100th anniversary. Television is a little bit younger.

As we reach the crossroads of the year 2000, the importance of children's film continues to grow, as does the need for children to see these films. We can know that.

We live and will live, people from North and South, East and West, in a changing and dynamic world. Mankind will reach new heights in knowledge and in achievement. Children, who are our hope for the future, have the right to benefit from these general developments.

As specialists in children's cinema and television, we appreciate that the increasing impact of film, television and other media on our children demands more specific care and action with an aim to achieving better quality in the lives of the young people.

Good quality films and television programmes for children can and must carry positive fundamental human values. These will help and support the development of a personal conscience in young people, and add new dimensions to their basic social behaviour and to their knowledge of the world.

Good quality children's films and television programmes can and must encourage the process of creative thinking, of deciding and of acting in full liberty in order that children can build their own personalities and their future.

Good quality children's films and television programmes can and must reveal and stress the basic values of each people and of each nation, according to their traditions, the social and cultural backgrounds upon which they are founded, and the national identity of each country. At the same time, these nations must share these values with others in a general harvest of human spirituality.

Good quality children's films can also travel across borders, playing a leading role in the building of the world of tomorrow, helping to define the place in which our children will live.

For all these reasons, we think that the governments, the parliaments, the national and international agencies and organizations around the world must recognize, through support of production and distribution of children's films, a duty to the future of each nation and of the entire world.

There are several ways to achieve such goals:

-stimulating increased production of children's films and television, on a national level, by raising and investing more funds

-building a support system for wider and better distribution of those children's films whose artistic and educational values are more important than their commercial aspects

-encouraging the use on a large scale of production for children in schools and in other educational institutions and activities

-supporting the spread of quality children's screenings in all social areas

-financing and developing the education and training of specialists — scriptwriters, directors and others — of children's production

-stimulating and financing scientific research about the reaction of children to the media, and about the way they use media for their specific needs

-helping national and international professional organizations and associations dealing with the issues surrounding children's film and television to achieve and develop their activities.

We are sure that the governments, the parliaments, the national and international agencies and organizations are aware that supporting children's film and television production will serve the interests of each people, of each country, and will contribute to the building of a better world, one in which we would like to live in at the threshold of the Third Millennium. Never forget that any little thing done for children now is an investment in the future.

The above resolution was adopted by the assembly, on the occasion of a gathering of producers, broadcasters and others interested in production for children, and in sharing experiences, East and West. Over 70 participants came from 30 countries. The meeting was called by CIFEJ, hosted by the Biennale of Animation, and held in Bratislava from 23-25 November 1994.

APPENDIX D: THE GANADIAN CONTEXT

While preparing the current study, CIFEJ spoke with André Caron at the Centre for Youth and Media Studies at the department of Communications, Université de Montréal. The Centre decided to undertake it own in-depth study of the Canadian context, and a publication of some 60-odd pages will soon be available. The following is a summary of that study and is included here because, with its selfregulatory emphasis, it presents a national alternative to legislative activity. This summary was prepared by André H. Caron Ed. D. and Annie E. Jolicoeur M. Sc.

CANADIAN TELEVISION, FILM AND VIDEO REGULATIONS CONCERNING CHILDREN

Most Canadian homes (99 %) have at least one television set while two thirds (59 %) own more than one. On average, Canadians watch more than 22 hours of television per week. Canadian children between two and eleven years of age watch approximately 18 hours per week. Three out of four (76 %) of Canadian homes subscribe to cable. Finally, a similar percentage (78 %) own a video cassette recorder (Statistics Canada and BBM Bureau of Measurement).

For the past few years, the French-language Montreal television stations, both public and private stations have offered children, two to eleven years of age, some 50 hours per week of French children's programmes while their English counterpart in Montreal have offered some 25 hours of English children's programmes. Homes that subscribe to cable would in addition also have access to more than 60 hours per week of French children's programming with Canal Famille and an equivalent number of hours of English children's programming on the Youth Television (YTV) specialty channel. In English Canadian markets such as Toronto, the number of hours of children's programming by regular broadcasters was in 1992 in the range of 90 hours per week. In very general terms, whether French or English markets, approximately 50 % of the programmes are animation with these being in greater proportion with private broadcasters than with public broadcasters. Canadian content of children's programming, depending on station and market, vary from a low of 15 % to over 90 %. However, generally one finds that children's programmes are between 50 % and 75 % Canadian content.

THE CRIC'S ROLE

The Canadian Radio-television and Telecommunications Commission (CRTC) was created in 1968. It is an independant federal agency whose mission is to implement Canadian radio-television policies. Among its responsabilities, the CRTC sees that broadcasters abide by Canadian programming standards, offer quality and diversified programming, and produce and broadcast Canadian programmes. Broadcasters must offer at least 60 % Canadian programmes. At least 50 % of these programmes must to be broadcast during prime time. The CRTC has the power to grant, renew and approve changes to the licences of television stations, networks, pay television and speciality services.

CHILDREN'S PROGRAMMING

The Canadian parliament revised its Broadcasting Act in 1991. This law specifies that some television programming must be intended for children. It is with this requirement in mind that the CRTC evaluates each broadcaster's request for licence renewal. Although broadcasters know of the CRTC's expectations, their performance and commitments in this area are not always to the satisfaction of the CRTC. In those cases, the CRTC specifies licence conditions to enforce the law.

For example, in 1994, the CRTC imposed a licence condition to the Canadian Broadcasting Corporation (CBC), the English-language public television, that they increase immediately the number of hours of children's programming. The network had not respected its commitment to some 20 hours per week of children's programming. By the end of the current licence term, the CBC would therefore have to add five hours of children's programming per week. The CRTC was also dissatisfied with the children's programming at Télé-Métropole (T.M.), a private French-language television station. The CRTC ordered T.M. to broadcast more Canadian children's programmes during its next licence term. It should be noted that if broadcasters do not conform to their licence conditions, they could endanger the renewal of their licence.

In 1988, the Canadian Association of Broadcasters (CAB) wrote a code referred to as Code of Ethics. This code contains general provisions concerning broadcasters responsabilities in programming.

SEXUAL STEREOTYPES

In the seventies, the CRTC created a Task Force to elaborate guidelines which would help eliminate sexual stereotypes on radio and television.

In 1986, the CRTC announced its intention to impose a licence condition which required that broadcasters conform to the CAB's self-regulatory guidelines. The most recent version of the CAB's code, called Sex-Role Portrayal Code for Television and Radio Programming dates from 1990. It includes guidelines against children's exploitation and sexualization. The Canadian Broadcast Standards Council (CBSC) is in charge of the implementation of this code.

An exception is made for the CBC, both English-language and French-language public television, which has its own code on sexual stereotypes. This code contains more strict standards than those of the CAB's.

The Canadian Advertising Foundation (CAF), which manages the self-regulation of the advertising industry, created its own code on sexual stereotypes which also includes guidelines on exploitation. For example, children under sixteen years old of age should not portray adult sexual roles.

VIOLENKE

In 1977, the Royal Commission on Violence in the Communications Industry published one of the first reports that looked at the causal relationship between violence in the communications industry and the frequency of crimes in our society. Then, in the late eighties and early nineties, major social events forced the industry to mobilize itself.

In 1992, the CRTC launched a program to reduce violence on television. With this program, the CRTC hoped to make television violence unacceptable. It had four objectives : to set real conduct codes, to better inform the viewer by creating programme classification, to see that television sets be equipped with the Vchip (V stands for "antiviolence") and to introduce public media information programmes. The CRTC then expected all broadcasters to elaborate their own voluntary measures and the cable television industry to conceive their own "antiviolence" strategy.

An Action Group on Violence in Television (AGVT) which includes various representatives of the industry was created in 1993 to consider these issues and provide a strategy to pursue these objectives.

The CAB was the first organization to submit a code to the CRTC. This code, called the Voluntary Code Regarding Violence in Television Programming, was accepted in October 1993 under the condition that a classification system be articulated and included to the code. The code has been enforced since January 1, 1994 and becomes a licence condition when broadcasters renew their licence. It is applied by the CBSC. This code contains special provisions concerning children's programming. For example, the code forbids the broadcasting of children's programmes where violence is the main theme, when it is portrayed as the best way or the only way to solve conflicts and where the consequences of violent acts are not displayed. Also, the

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code prohibits the broadcasting of violent programmes before 21:00. Warnings are required when these programmes are broadcast in order to inform viewers about their content.

The public television CBC has implemented policies so that programmes containing violence are only shown during adult viewing hours. Warnings to inform viewers about violent content are also present.

Regarding the cable industry, the Canadian Cable Television Association (CCTA) submitted a code project to the CRTC in 1995. The CRTC has not yet approved this code. At the same time, pay television and pay-per-view services decided to write a common code on violence. This code, called Pay Television and Pay-Per-View Industry Code of Programming Standards and Practices, was approved in 1994 by the CRTC. These licensees have had to conform to the code since January 1, 1995.

ADVERTISING

In 1971, the CAB elaborated a code in regards to advertising for children (children meaning every viewer under twelve years old). This code, revised in 1993 by the CAB and entitled Broadcast Code for Advertising to Children, was approved by the CRTC. It is applied by the children's advertising section of the CAF. It contains directives about truthful presentation in the areas of products, prices and modes of purchase, comparison, safety and social value, etc.

The CRTC enforces this code as a licence condition to broadcasters. Specialty services generally follow the CAB's code like most broadcasters. Pay television services for their part are not allowed to broadcast commercials during programming.

It should be noted that the Canadian advertising industry adopted its own self-regulating code on advertising entitled Canadian Code of Advertising Standards in 1963. It is applied by the Advertising Standards Council (ASC), le Conseil des normes de la publicité and by the regional councils. This code contains only three articles regarding advertising in children programming. The reason for that is that the Broadcast Code for Advertising to Children is more detailed on that subject.

The CBC has had since 1975 a programme policy that forbids broadcasting commercials during provincial or national school programmes and during all children's programmes (children being viewers under thirteen years of age). The only commercials allowed are sponsored advertisement billboards (sponsors can't be manufacturers of children's products).

In 1980, the Quebec legislature adopted the Consumer Protection Act in which two articles prohibit advertising during children programming. Although it was challenged in court, the Supreme Court of Canada in 1989 delivered a verdict in favour of the province of Quebec, allowing it to regulate advertising during children's programming. Although it recognized that this could violate freedom-of-expression guarantees in the federal Charter of Rights and Freedoms, it concluded that children need special protection and that the government therefore has a right to adopt such a law.

The Quebec Consumer Protection Bureau assures that the law is applied. The articles 248 and 249 prohibit television commercials in Quebec during children's programming. However, the Application Rule of the Consumer Protection Act includes a few exceptions. For example, it is possible, under specific conditions, to advertise a children's show during children programming.

On the other hand, the Consumer Protection Act forbids broadcasting advertisements on products like toys, some type of foods or on certain services unless the products are of no interest for children. This type of advertising is permitted during other programmes under the condition that the commercials are not intended for children under thirteen years old. Educational advertising is allowed under specific conditions.

Film regulations are of provincial jurisdiction in Canada. Out of ten provinces and two territories, nine provinces (Newfoundland is the exception) have a film classification system. Seven of these provinces (British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec and Nova Scotia) have set up a film classification board that rates films. Prince Edward Island and New Brunswick use Nova Scotia's classification and have been part of the same regulation body called Maritime Film Classification Board since 1995. The Northwest Territories requires a film classification but has not created a classification board. Finally, the Yukon having no film classification system, has adapted British Colombia's film classification system.

All seven film classification boards have different rating systems. Each classification system is based on age and judges criteria like violence, nudity, sexuality and language. Some of these classification boards have adopted policies which allow them to reject films. All provinces in addition to their classification categories have measures to put warning captions during the presentation of films on television.

VIDEO

Video regulations are also of provincial jurisdiction. Seven provinces (Saskatchewan, Manitoba, Ontario, Quebec, Nova Scotia, New Brunswick and Prince Edward Island) are required to have a video classification. The same regulation board serves both film and video in the provinces of New Brunswick, Prince Edward Island and Nova Scotia. They also use the same type of classification system. Amongst the seven provinces who classify videos, only five have a labelling system (Ontario and Alberta do not.

Source:

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Tel: 1 514 343 7739 Fax: 1 514 343 2298

WHY IS CIFEJ NECESSARY

service of children. Secouse no one protections are the part of th

WHAT IS CIFEJ?

The International Centre of Films for Children and Young People is a 40-year-old international nongovernmental organization (INGO) whose goal is to promote quality films, television programmes and videos for children and young people around the world. With its General Secretariat in Montreal, CIFEJ is the only INGO with consultative status at both UNICEF and UNESCO to be headquartered in Canada.

E: INFORMATION ON CEF

WHO IS CIFEJ?

Today, CIFEJ boasts 149 members in 53 countries, spanning all the continents of the world. The vast majority of members are institutions and organizations: broadcasters, film and television producers, children's festivals, media education groups and specialized cultural groups which work directly with children and the media. They range from FR3 in France to street workers in Colombia, and from China's largest production studio to Sweden's smallest distributor. Canada has the largest number of members (12), provides the threeperson staff, and is home to both the Secretary General and the Treasurer of the Board of Directors.

WHAT DOES CIFEJ DO?

To accomplish its goals, CIFEJ undertakes a variety of activities. A monthly newsletter links members and non-members to hard news about the milieu, and lists current prizes and publications dealing with production for children. A yearly compendium of such productions, published in French and English, fills over 200 pages with information on the professionals who work with the titles listed. CIFEJ undertakes specific projects to increase media literacy; the current Teen Video Stories allows children at risk in Poland, Peru, Mozambique, the Philippines and Taloyoak, Canada to create their own 3-minutes stories. It exposes children to material of high quality; the Latin American Tour brought feature films from Canada, Denmark, Germany, India, Iran and Sweden to children in Argentina, Brazil, Colombia, Uruguay and Venezuela. The distribution of the CIFEJ Prize to exceptional productions cements relations with festivals around the world: France, India, Slovakia, Finland... CIFEJ provokes international discussions on urgent questions; the 1994 Bratislava seminar where people from 31 countries talked about the future of production in Eastern Europe. The CIFEJ staff undertakes research ("Quantifying Children's Production", department of Communications, Canada, 1991) and acts as a lobby and spokesperson for children confronted by media.

WHY IS CIFEJ NECESSARY?

CIFEJ is the network which draws on the varied strengths of its diverse members and puts them in the service of children. Because no one profession predominates, the focus on the needs of children remains sharp. That the international community needs the services and information which CIFEJ offers is reflected in the phenomenal growth of its membership. Over the past four years membership has grown by 755% and the number of countries represented by 294% (from 18 members in 18 countries in 1990). In the past five months alone, membership grew another 20%. CIFEJ offers the place where North and South meet, where every child carries the same weight, where financial preoccupations do not yet set the agenda. It is also a modern organization, restructured in 1990 to deal with current realities, be they economic, political or ethical.

CREATING A SPACE FOR CHILDREN

POLICY GUIDELINES, FOR CHILDREN AND YOUNG PEOPLE'S, AUDIO-VISUAL MEDIA



Maria De Rosa



Creating a Space for Children

Policy Guidelines for Children and Young People's Audio-Visual Media

Maria De Rosa



International Centre of Films for Children and Young People Centre international du film pour l'enfance et la jeunesse

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Introduction

... supporting children's film and television production will serve the interests of each people, of each country and will contribute to the building of a better world, one in which we would like to live at the threshold of the Third Millennium. Never forget that any little thing done for children now is an investment in the future.

- The Bratislava Resolution, November 23–25, 1994

It has long been recognized that audio-visual media (film, television and new media) have both the power and potential to enrich the lives of children and young people. Canada's audio-visual media production industry (in particular, television) has been described by countries around the world as successful. The basis for this success can be attributed, to a large extent, to policy, regulatory and financial measures which, as a whole, have created a positive media environment for children and young people.

Canada's experience, in this regard, can serve as one useful model for other countries interested in creating a similar environment for children and young people. With this in mind, the following document outlines Policy Guidelines for Children and Young People's Audio-Visual Media. These Guidelines identify the measures adopted by Canada and propose the policy principles necessary for other countries to consider in creating a space for children and young people.

In an arding and renewing attackersing literates and CRTC requires the nuble nur deserter and some provate broadcasters (based on size and subund reach to spend a specified amount on producing and sequining Canadian children's programming. In most cases, the funds required to be spent to determined as a percentage based on the broadcaster's pross annual revenues. It is important to some that the CRTC requires broadcasters to athere to a point scale, by which a production is determed acceptable.

Policy principle to adopt

A comprehensive regulatory approach above a several sector to a children and oung people have denote to programs and from our containing Regulations. In support he production and exhibition of high quickly programs by environment young poorly hould be propresented. The above tree shaked be to measure her should be programs are a affection to represented on administra fractions to active exclusive resonance represents are to brondeneous, exclusion regulatories to and the doministra of sectories and exclusive house successes.

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A clear legislative mandate: children as a special audience to be served by audio-visual media

Background

In Canada, children are accorded a special legislative place in broadcasting policy. Canada's *Broadcasting Act* which guides all aspects of the Canadian broadcasting system contains reference to children as a distinct and separate constituency to be served by the Canadian broadcasting system. In particular, the Act states that the Canadian broadcasting system "should, through its programming, serve the needs and interests, and reflect the circumstances and aspirations of Canadian children."

The Act also goes on to state that this programming "be varied and comprehensive, providing a

Policy principle to adopt

balance of information, enlightenment and entertainment... for children of all ages, interests and tastes." This particular reference highlights the importance of providing children and young people with a range of television programs and films which inform, educate and entertain children and young people.

This reference attributes to children and young people the right to be served by the communications environment and provides a clear objective to be embraced by the regulator, producers, distributors, broadcasters and other stakeholders.

Children and young people should be recognized as a special and distinct constituency to be served by the audio-visual media. As a distinct constituency, children have the right to television programs, films and new media products which are reflective of their interests, and which provide them with a balanced fare of information, entertainment and enlightenment.

A comprehensive regulatory approach

Background

The Canadian Radio-television and Telecommunications Commission (CRTC) is an independent regulatory body which regulates and supervises all aspects of the Canadian broadcasting system and implements the broadcasting policy contained in the *Broadcasting Act*. In order to meet its mandate, the CRTC has adopted special regulations which support the development, production and distribution of high quality audio-visual media for children and young people. These regulations include the following:

a) Children's programming defined as an underrepresented category

The CRTC has identified children's programming as a category of programming that is under-represented on Canadian television screens. This means that the CRTC is obligated to implement special provisions to increase the quantity of programs for children and young people.

b) Expenditures by public and private broadcasters on children's programming

In awarding and renewing broadcasting licences, the CRTC requires the public broadcaster and some private broadcasters (based on size and national reach) to spend a specified amount on producing and acquiring Canadian children's programming. In most cases, the funds required to be spent is determined as a percentage based on the broadcaster's gross annual revenues. It is important to note that the CRTC requires broadcasters to adhere to a point scale, by which a production is deemed acceptable.

Policy principle to adopt

This point scale is used as an incentive for producer to use domestic creative and technical talent in making the production. This applies to all programs made for television. The CRTC also examines the number of hours produced and scheduled as a measure of performance.

c) Requirements to air children's programming on television when children are watching

It is an accepted fact that children's peak viewing time in television is not the same as that for adults. Thus, broadcasters are required to schedule television programming when children and young people are likely to watch such programming. In the case of children's programming, peak viewing hours are defined as being when the largest target audiences c children are available. In the case of youth programming in Canada, peak viewing hours are between 4:00 p.m.-11:00 p.m.

d) The licensing of specialty channels for children, youth, and family

Because of the importance of providing children and young people with programming made specifically for them, a number of channels have been licensed which air 100% programming targeted to children and young people. Television channels have been licensed in the category of family programming which provide programs of interest to children and young people.

A comprehensive regulatory approach should be adopted to ensure that children and young people have access to programs and films on television. Regulations to support the production and exhibition of high quality programs for children and young people should be implemented. The objective should be to ensure that children's programs are sufficiently represented on television. Measures to adopt include spending requirements for broadcasters, exhibition requirements and the licensing of specialized television channels which contain 100% content targeted to children and young people.

Government funding assistance

Background

The success of Canada's audio-visual production sector for children can be partly attributed to the recognition by the federal government of the importance of providing financing support for the development and production of television programs and films for children and young people. Presently, Canada provides public support through the Canada Television and Cable Production Fund (CTCPF) which makes funding available to private producers of television and feature films.

The funds of the CTCPF come from the federal government and from cable, satellite and wireless companies which distribute television services to Canadians. Contribution from these companies is based on the policy principle that all those that benefit from the Canadian broadcasting system must contribute to creating domestic content which furthers domestic cultural objectives. One of the most important objectives is to ensure that audio-visual media content contribute to reflecting and reinforcing Canadian identity. The belief is that audio-visual media have a pervasive influence on the culture of a country.

One of the priority areas for financing of the CTCPF is children's programming because it is an under-represented category of programming. Children's programming is defined as programs targeted primarily to children 12 years of age and under which are designed and produced according to their needs and expectations. Further, such programs reflect reality from a child's point of view and usually have a major protagonist who is a child, youth under the age of fifteen, puppet, animated character, creature of the animal kingdom, comic book character or folk/super/classical/historical hero. Also, children's programs are defined as engaging the creativity of children, and providing them with both an entertaining and a learning experience. Programs which receive funding must contain a minimum level of domestic content. This is important in that it encourages the use of Canadian writers, directors and other creative and technical personnel in the making of a production.

In terms of the production and distribution of feature films, Telefilm Canada, a public crown corporation mandated to assist in the development of a private production sector, provides financing support to producers and distributors of feature films.

In order to stimulate private investment in the production of children's programs, the federal government has also implemented a national refundable tax program so that private producers receive production tax credits when they invest in productions. Private producers are eligible for this tax credit as a percentage of what has been spent on labour costs (salaries and wages) in a production.

In terms of public financing, the National Film Board (NFB), funded by the federal government, is a partner in the development and production of Canadian films, videos and new media productions with private producers. The NFB plays an essential role in producing Canadian animation and new media productions for children and young people. Additionally, our public broadcaster (CBC) and educational broadcasters play a prominent role in producing children's programming.

In addition to these public support mechanisms, there are also privately-initiated funds which augment development and production financing for children's audio-visual media. Financial institutions also provide investment financing. But, it is important to stress that it is public funding which is necessary to trigger private financing and financial commitments from other partners such as foreign markets.

-9-

Policy principle to adopt

Government funding assistance should be considered as a measure to be adopted in order to support the production and distribution of television programs and films for children and young people. Producing television programs and films for children and young people is as expensive as producing programs and films made for adults. Government financing can leverage private sources of financing. Public-private partnerships are essential in order to increase the production and distribution of high quality television programs and films for children and young people. Consideration should also be given to the potential adoption of financial incentives such as a tax credit which may have the added benefit of fostering domestic creative and technical talent.

- 10 -

Director (2 points) Director (2 points) Betternwriter (2 points) Load Performer (1 point) Seenad Lead Parlormer (1 point) Director at Photography (1 point) Picture Editor (1 point) Music Composes (1 point) An Director (3 north)

A strong private audio-visual production sector

Background

In Canada, private producers of children's programming are well-established and have achieved an international reputation for producing high quality children's television programs and films. In most cases, these producers have been successful in transforming programs for children, once considered a "duty" genre, into a commercially attractive genre. From an organizational stance, private producers are well-represented by industry associations which lobby government officials on an ongoing basis about the need for or modifications to existing policies and programs. It should be noted that government policy has long encouraged and nurtured the creation of a vibrant private production sector in Canada. Canada's *Broadcasting Act* states that the Canadian broadcasting system must "include a significant contribution from the independent (private) production sector. This policy has been supported with government initiatives which provide direct financial assistance to private producers. From the government's perspective, support for private producers is a major stimulus for the creation of both direct and indirect jobs for Canadians because the audio-visual sector is a highly labour intensive industry.

Policy principle to adopt

A strong private production sector should be encouraged and financial incentives be implemented which support the development, production and distribution of high quality television programs and films for children and young people. One of the benefits is the creation of jobs because the audio-visual sector is a highly labour intensive industry.

Domestic content requirements which foster cultural identity and domestic talent

Background

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The production and distribution of television programs and films which reflect Canadian culture has been integral to the federal government's policy on audio-visual media. The principal policy objective has been to ensure the availability and prominence of Canadian television programs and films on television and cinema screens. At the heart of this objective is the belief that audio-visual media transmit values, ideas and experiences which can reinforce the identity of a country.

It is this belief which has the led to the establishment by the federal government of a method to certify all Canadian television programs and films which receive financial assistance from government programs. Domestic audio-visual production which is aired on television or seen at cinemas and which is eligible for direct financing assistance or a tax credit must meet criteria for key creative personnel and project costs. The key criteria is that the producer must be Canadian and at least 60% of the key creative positions must be filled by Canadians.* The cost criterion states that not less than 75% of the costs (to persons or services) be paid to Canadians.

It is also important to note that either the position of screenwriter or director must be filled by a Canadian and that either the highest or second highest paid actor/actress be a Canadian. In the case of animated productions, there are some changes which conform to the practices of animation production.

Policy principle to adopt

The content transmitted via television programs and other audio-visual media should reflect domestic cultural identity and values. Mechanisms should be implemented which reinforce domestic identity and values, and, at the same time foster domestic talent.

* The key creative personnel include the following: Director (2 points)
Screenwriter (2 points)
Lead Performer (1 point)
Second Lead Performer (1 point)
Director of Photography (1 point)
Picture Editor (I point)
Music Composer (1 point)
Art Director (1 point)

International partnerships and a window on the world

Background

Canadian film and television producers have long recognized the importance of international partnerships as a tool to increase the number of productions for children and young people. In the case of Canada, official co-productions have become increasingly popular for the production of television.* Canada has co-production agreements with 44 countries. These agreements are binding international accords between governments which describe in specific terms the financial and creative participation of each producer. These international agreements allow Canadian producers to access foreign sources of financing and international audiences for their productions.

Canadian producers also participate in "twinning" which involves the production of two distinct works of a similar genre and budget, one Canadian and the other foreign.

International collabouration can also take the form of co-ventures which are defined as being different than co-productions because they are not governed by an official agreement between governments as are co-productions.

It is important to note that while co-productions, twinning and co-ventures are tools which enable Canadian producers to make films and television programs that are impossible to finance in the domestic market, at the same time, the challenge for Canadian producers is to maintain an appropriate balance between productions made specifically for the domestic market which reflect domestic cultural values and those which appeal to a more general international audience.

Policy principle to adopt

Children and young people should be exposed both to films and television programs which reflect their own cultural values and to productions that also expose them to other cultural traditions and viewpoints. The challenge is to maintain an appropriate balance between the two. International partnerships such as co-productions, twinning and co-ventures are tools which can assist in financing productions that would otherwise be impossible to finance in the domestic market.

A co-production can be a film or television program of any length, format or narrative style which is produced by at least two producers from different countries. A coproduction allows producers to complete the financing of a project which would otherwise be impossible to finance in the domestic market. Canadian producers and their foreign counterparts pool their creative, artistic,

technical and financial resources. Co-productions are considered to be "national products" in all participating countries. As such, they are entitled to legislative and regulatory benefits in their respective countries. The copyright of a co-production is shared, and, in principle, the domestic use is owned by the respective national producer.

Guidelines to protect children from inappropriate content

Background

Programming which is aired on television in Canada is not subject to classification before being broadcast. Instead, Canadian broadcasters are required by the regulator to adhere to guidelines and codes which are aimed at protecting children and young people from inappropriate content in advertising, gender portrayal and violence. These guidelines must be taken into account in the production and scheduling of children's programs.

In the case of violent programming, the CRTC adopted a V-chip (anti-violence chip) based on a classification system.* Canadian distributors and cable companies are also required to ensure that foreign signals they distribute are encoded. Pay television and pay-per-view services use ratings of provincial classification boards for the feature films they broadcast. These guidelines have been developed in consultation with all those involved in the production of audio-visual media for children and young people. It is important to note that adherence to these guidelines is often a condition of receiving a broadcasting licence.

In terms of feature films shown at cinemas, film classification systems have been adopted by numerous provinces in Canada. These systems are not uniform but do classify films according to categories which are suitable for children and young people. There are also classification systems which have been adopted for the rental of videos. Of all the provinces in Canada, Quebec is the only one which has a regulatory organization responsible for controlling and monitoring film and video material.

Policy principle to adopt

Children and young people have the right to be protected from inappropriate audiovisual content which is shown on television, at cinemas and available in video rental stores. Audio-visual media should reflect the highest professional standards, and fair and equitable representation of all persons. In the case of television, one of the ways to accomplish this is for broadcasters to adopt guidelines which can assist in program development, production, acquisition and scheduling of material. In the case of the atrical films and videos, exhibitors should be required to use classification systems to ensure that children and young people are protected from inappropriate content.

 V-chip technology allows parents to block entry into the home of selected programs.

Advocacy groups and a voice for children

Background

There are various advocacy groups in Canada working to improve the state of audio-visual media for children and young people. In particular, these groups encourage non-violent content, media literacy, advertising standards and increasing access to high quality programming for children and young people.

These groups also lobby government policy- makers to ensure that legislation and regulations are adopted which enhance the quality and quantity of audio-visual media content for children and young people. In some cases, there are groups which present awards for the best children's programming produced in Canada and festivals are held to showcase new children's and animated productions.

It should be noted that these groups also work actively with teachers, parents and producers to promote audio-visual media which serves children and young people. Media literacy has taken on important significance in this regard since it is essential that parents, teachers, children and young people develop a critical awareness of the creative, social and cultural dimensions of media.* This knowledge enables children and young people to be more discriminating users of media.

Policy principle to adopt

Independent addocacy groups should be formed so as to monitor the state of policies and programs amed at children and young people's audio-visual media. Children have the right to be eariched by television programs, films and other audio-visual media educationally, culturally and socially. The teaching of media education so as to increase the critical awareness of children, young people and adults of audio-visual media should be made a priority.

 Media literacy is defined as a and content of the media. wareness of the form

The embracing of new technologies

Background

There is little doubt that technological innovation is having a significant impact on the audio-visual production and distribution sector. The Canadian children's audio-visual production sector is considered to be particularly knowledgeable about new media internationally.* In fact, this sector is positioning itself to play a lead role in the use of new technologies to produce innovative new media (CD-ROM) versions of programs. Canadian producers recognize the importance of the Internet and of educational applications which can expand the learning opportunities of children and young people.

For the federal government, the development, production and distribution of new media products is a priority. The government's Information Highway Advisory Council recently recommended that policies should be implemented which stimulate the creation and production of new content adapted to the Information Highway as well as the creation, production and implementation of navigational and menuing systems. Children and young people are audiences to be served by these objectives because of the importance of educational opportunities which are being made available through the new technologies. In this regard, Telefilm Canada will be administering a financal program to assist Canadian producers to develop, produce and distribute Canadian new media works.

Policy principle to adopt

Creators of children and young people's audio-visual media should embrace new technologies. New educational applications and other developments are providing children and young people with opportunities to learn and be entertained. Children and young people are expected to be significant users of new media products. Initiatives should be developed which benefit children and young people's media environment.

New media refers to entertainment and information delivered in digital form and incorporating audio-visual material. New media have been described as including the following:

• CD-ROM titles or software which run on CD-ROM drives connected to computers;

• consumer playback devices such as the Philips CD-I and 3DO;

- cartridge-based game players such as Sega and Nintendo home entertainment devices;
- virtual reality or three-dimensional environments; and
- the information highway, a two-way high speed wide area network delivering a range of services to homes and businesses including video-on-demand and interactive multimedia services.

Human resource development

Background

Both the federal government and the private sector have made training and professional development of creative and technical people in the audio-visual production sector a priority. In the case of the federal government, funding is provided to institutions and initiatives which support professional development. These institutions provide programs in all areas of audio-visual media including writing, directing, and producing. Public agencies such as Telefilm Canada and the National Film Board (NFB) also support these activities through various initiatives. In the case of the NFB, aiding first films by talented direc-

tors and writers is integral to the Board's mandate.

In terms of the private sector, industry associations have set up mentorship programs in the film and television industry which provide individuals with hands-on production expertise. Trainees work with mentors (professionals in the industry), are paid for their work and receive the appropriate screen credit — seen as a calling card for entry into the industry. Associations have also created a national database of professional development and educational programs, workshops, and seminars.

Policy principle to adopt

The development of a highly professional talent pool of audio-visual specialists is a priority. Children and young people are sophisticated in their tastes and demand high production values. High quality television programs, films and other media can only be created if there are qualified professionals. Consideration should be given to programs which focus on human resource development for the audio-visual sector.

Conclusion

The United Nations Convention on the Rights of the Child recognizes the rights of children to "receive... information and ideas" through audio-visual media which are of "social and cultural benefit." As the Canadian experience demonstrates, the establishment of a positive media environment for children and young people is contingent on the development of legislation, policies, regulations and financial measures which support the development, production and distribution of high quality television programs and films. These measures have fostered both a supply of and a demand for Canadian made television programs and films in Canada and in the international marketplace.

The role of both the public and private sector is essential in that the cost of production and distribution of material for children and young people is high. Private and public partnerships have been encouraged by government policy. Canadian policy recognizes that Canada suffers from a small domestic market and thus must rely on a combination of financial measures including public and private funding, tax credit programs and also on foreign markets to meet funding shortfalls.

Canadian policy has acknowledged that government financial assistance to private production is crucial if television programs and films are to be made which reflect Canadian identity. The production and distribution of television programs and films which have a high Canadian content contribute to increasing the range of choices available to Canadians. At the same time, Canadian content has

abie in video renter stores. A udio-visual media should refirst the hynest professional standards, and fair and equitable representation of all persons in the case of telk vision, one of the ways to accomplian this is fin broadcasters to adopt guidelines which can assist in program development production, acquisition and adreauling of material. In the case of thestrical films and videos, exhibitors should be required to use dassification systems to ensurethat duliation and young people are protected from the duliation and young people are protected from economic benefits and creates employment for professionals in the audio-visual sector.

The private production sector in Canada has, in more than a decade, become a key player in the production of programs and films for children and young people. Financial assistance programs and other programs have contributed to this growth. The result has been especially positive in terms of television programs and films for children and young people. There is demand for Canadian made programs for children from other countries.

It is important to note that policies and programs aimed at creating a meaningful space for children and young people in audio-visual media also requires the active presence of independent advocacy groups who are committed to lobbying the government and the private sector on behalf of children and young people. Such groups play a useful, ongoing role in monitoring the issues which affect audio-visual media for children and young people, such as the need for media education.

Given the immense potential of media to influence the attitudes, opinions, tastes, goals and personality of children, there is little doubt that they should be designated a special audience to be served by audiovisual media. In Canada, the designation of children and young people's programming as a priority category has ensured that funding is targeted to this audience and that regulations are developed to address their under-representation in audio-visual media.

financing can levelage provate securities of financing. Public-provate partmenisips are estential in order to increase the production and distribution of high quality television programs and films for children and young people. Consideration strated also be given to the potential adaption of financial incentives such as a tax casets which may have the added benefit of fostering demender creative and recipical taient.

Summary of policy principles to adopt

A clear legislative mandate: children as a special audience to be served by audio-visual media Children and young people should be recognized as a special and distinct constituency to be served by the audio-visual media. As a distinct constituency, children have the right to television programs, films and new media products which are reflective of their interests, and which provide them with a balanced fare of information, entertainment and enlightenment.

A comprehensive regulatory approach

A comprehensive regulatory approach should be adopted to ensure that children and young people have access to programs and films on television. Regulations to support the production and exhibition of high quality programs for children and young people should be implemented. The objective should be to ensure that children's programs are sufficiently represented on television. Measures to adopt include spending requirements for broadcasters, exhibition requirements and the licensing of specialized television channels which contain 100% content targeted to children and young people.

Government funding assistance

Government funding assistance should be considered as a measure to be adopted in order to support the production and distribution of television programs and films for children and young people. Producing television programs and films for children and young people is as expensive as producing programs and films made for adults. Government financing can leverage private sources of financing. Public-private partnerships are essential in order to increase the production and distribution of high quality television programs and films for children and young people. Consideration should also be given to the potential adoption of financial incentives such as a tax credit which may have the added benefit of fostering domestic creative and technical talent.

Domestic content requirements which foster cultural identity and domestic talent

The content transmitted via television programs and other audio-visual media should reflect domestic cultural identity and values. Mechanisms should be implemented which reinforce domestic identity and values, and, at the same time foster domestic talent.

A strong private audio-visual production sector

A strong private production sector should be encouraged and financial incentives be implemented which support the development, production and distribution of high quality television programs and films for children and young people. One of the benefits is the creation of jobs because the audio-visual sector is a highly labour intensive industry.

International partnerships and a window on the world

Children and young people should be exposed both to films and television programs which reflect their own cultural values and to productions that also expose them to other cultural traditions and viewpoints. The challenge is to maintain an appropriate balance between the two. International partnerships such as co-productions, twinning and co-ventures are tools which can assist in financing productions which would otherwise be impossible to finance in the domestic market.

Guidelines to protect children from inappropriate content

Children and young people have the right to be protected from inappropriate audio-visual content which is shown on television, at cinemas and available in video rental stores. Audio-visual media should reflect the highest professional standards, and fair and equitable representation of all persons. In the case of television, one of the ways to accomplish this is for broadcasters to adopt guidelines which can assist in program development, production, acquisition and scheduling of material. In the case of theatrical films and videos, exhibitors should be required to use classification systems to ensure that children and young people are protected from inappropriate content.

Advocacy groups and a voice for children

Independent advocacy groups should be formed so as to monitor the state of policies and programs aimed at children and young people's audio-visual media. Children have the right to be enriched by television programs, films and other audio-visual media educationally, culturally and socially. The teaching of media education so as to increase the critical awareness of children, young people and adults of audio-visual media should be made a priority.

The embracing of new technologies

Creators of children and young people's audio-visual media should embrace new technologies. New educational applications and other developments are providing children and young people with opportunities to learn and be entertained. Children and young people are expected to be significant users of new media products. Initiatives should be developed which benefit children and young people's media environment.

"States Parties recognize the important function per formed by the mass media and shall ensure that the child has access to information and material from a diversity or national and international sources, espe cally those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall: a) Encourage the mass media to disseminate mion the child and in accordance with the spirit of Article 29.1 Art. 20 addresses admentioned

b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, cattonal and international sources;

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d) libroratege the mass media to have particular rugard to the linguistic needs of the children who belongs to a minority group or who is indigenous;

surdennes for the protection of the child from anformation and material injurious to his or her wellbeing, tearing in mind the pravisions of Articles 13 and 18." (Art. 18 addresses occaval representation)

Human resource development

The development of a highly professional talent pool of audio-visual specialists is a priority. Children and young people are sophisticated in their tastes and demand high production values. High quality television programs, films and other media can only be created if there are qualified professionals. Consideration should be given to programs which focus on human resource development for the audiovisual sector.

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The anides

The following articles address issues concerning children film, and television.

Article 3.1.

"In all actions concerning children, whether under tal on by public or private social welfare in strutions, courts of law, administrative authorities or legislative bodies, the half interest of the child shall be a primary consideration."

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"States Parties shall undertake all appropriate tagislative, administrative, and other measures for the suplementation of the rights recognized in the preexit Convention. With regard to economic, social and mitural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-coordition."

Appendix A Convention on the Rights of the Child

This convention has been signed and ratified by every country in the world except the United States, Somalia, and the Cook Islands. Like other international treaties, it has the force of law and infringements against it can be brought before the court in The Hague. It is a powerful tool for those working for the rights of children. Below are the articles that deal specifically with media rights.

- 21 -

The preamble

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In the preamble to the convention, it is stated that States Parties to the convention consider that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." Children thus have dignity and equal and inalienable rights, as do adults. It states that "childhood is entitled to special care and assistance" and that "the child should be fully prepared to live an individual life in society..."

The articles

The following articles address issues concerning children, film, and television.

Article 3,1.

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration."

Article 4

"States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."

Article 13,1.

"The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice."

Article 17

"States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of Article 29; (Art. 29 addresses education)

b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

c) Encourage the production and dissemination of children's books;

d) Encourage the mass media to have particular regard to the linguistic needs of the children who belongs to a minority group or who is indigenous;

e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her wellbeing, bearing in mind the provisions of Articles 13 and 18." (Art. 18 addresses parental responsibility.)

Article 31

"1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Adopted by the United Nations on 20 November 1989.

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Good quality children's films two also travel across borders, playing a leading role in the building of the world of tomo row helping to define the place of 2. States Parties shall respect and promote the right of the child to participate fully in culture and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity."

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- helping national and undernational protessional organizations and associations dealing with the bayes surrounding children's film and tolevation to achieve and develop their acturities.

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Appendix B The Children's Charter

This charter was written as a result of the first World Summit on Children and Television, held in Melbourne, Australia, in 1995. It has been accepted by many television networks and other groups that work with children and media.

1. Children should have programmes of high quality which are made specifically for them, and which do not exploit them. These programmes, in addition to entertaining, should allow children to develop physically, mentally and socially to their fullest potential.

2. Children should hear, see and express themselves, their culture, their languages and their life experiences through television programmes which affirm their sense of self, community and place.

3. Children's programmes should promote an awareness and appreciation of other cultures in parallel with the child's own cultural background. 4. Children's programmes should be wide-ranging in genre and content, but should not include gratuitous scenes of violence and sex.

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5. Children's programmes should be aired in regular slots at times when children are available to view, and/or distributed via other widely accessible media or technologies.

6. Sufficient funds must be made available to make these programmes to the highest possible standards.

7. Governments, production, distribution and funding organizations should recognize both the importance and vulnerability of indigenous children's television and take steps to support and protect it.

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Article 4

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Appendix C The Bratislava Resolution

This resolution was adopted by the assembly, on the occasion of a gathering of producers, broadcasters and others interested in production for children, and in sharing experiences, East and West. Over 70 participants came from 30 countries. The meeting was called by CIFEJ, hosted by the Biennale of Animation, and held in Bratislava from 23–25 November 1994.

Soon, Mankind will enter the Third Millennium. The cinema will celebrate its 100th anniversary. Television is a little bit younger.

As we reach the crossroads of the year 2000, the importance of children's film continues to grow, as does the need for children to see these films. We can know that.

We live and will live, people from North and South, East and West, in a changing and dynamic world. Mankind will reach new heights in knowledge and in achievement. Children, who are our hope for the future, have the right to benefit from these general developments.

As specialists in children's cinema and television, we appreciate that the increasing impact of film, television and other media on our children demands more specific care and action with an aim to achieving better quality in the lives of the young people.

Good quality films and television programmes for children can and must carry positive fundamental human values. These will help and support the development of a personal conscience in young people, and add new dimensions to their basic social behaviour and to their knowledge of the world.

Good quality children's films and television programmes can and must encourage the process of creative thinking, of deciding and of acting in full liberty in order that children can build their own personalities and their future.

Good quality children's films and television programmes can and must reveal and stress the basic values of each people and of each nation, according to their traditions, the social and cultural backgrounds upon which they are founded, and the national identity of each country. At the same time, these nations must share these values with others in a general harvest of human spirituality.

Good quality children's films can also travel across borders, playing a leading role in the building of the world of tomorrow, helping to define the place in which our children will live.

For all these reasons, we think that the governments, the parliaments, the national and international agencies and organizations around the world must recognize, through support of production and distribution of children's films, a duty to the future of each nation and of the entire world.

There are several ways to achieve such goals:

- stimulating increased production of children's films and television, on a national level, by raising and investing more funds
- building a support system for wider and better distribution of those children's films whose artistic and educational values are more important than their commercial aspects
- encouraging the use on a large scale of production for children in schools and in other educational institutions and activities
- supporting the spread of quality children's screenings in all social areas
- financing and developing the education and training of specialists — scriptwriters, directors and others — of children's production
- stimulating and financing scientific research about the reaction of children to the media, and about the way they use media for their specific needs
- helping national and international professional organizations and associations dealing with the issues surrounding children's film and television to achieve and develop their activities.

We are sure that the governments, the parliaments, the national and international agencies and organizations are aware that supporting children's film and television production will serve the interests of each people, of each country, and will contribute to the building of a better world, one in which we would like to live in at the threshold of the Third Millennium. Never forget that any little thing done for children now is an investment in the future.

Appendix D Asian Declaration on Child Rights and the Media (Manila)

We, Ministers of Information, Education, Welfare and Social Development from (23) countries of Asia, Senior Officials representing the various governments, Executives, Researchers, Practitioners and Professionals from various streams of media, NGOs, Advocacy Groups and concerned individuals gathered in Manila for the Asian Summit on Child Rights and the Media:

Re-affirming our collective resolve to ensure the implementation of the Convention on the Rights of the Child as ratified in our countries,

Recognizing, however, that the conditions of children in many parts of the region are still far from satisfactory, even in terms of meeting their basic needs, and that many children in certain parts of the region are subject to various forms of neglect, abuse and exploitation such as child labour and child prostitution and the violence and violations that children are often subjected to in situations of armed conflict and terrorism,

Acknowledging the power of mass media to inform, to shape values, to change mindsets, to facilitate

1. Committing ourselves and encouraging and supporting mass media in efforts to raise societal awareness on and mobilization around child rights challenges in our region, so as to lead to social, community, governmental and individual action which can benefit children,

2. *Adopting* information and media policies that help to implement the CRC and that recognize the realization of Child Rights as a priority concern,

3. *Ensuring* that providing children access to information and media, particularly in areas with large populations in poverty becomes a priority in plans and progress of our Governments and the Media,

4. Focussing media attention on all forms of economic, commercial and sexual exploitation and abuse of children in the region and ensuring that such efforts do not result in the stigmatization of the victims but are aimed at exposing the exploiters and abusers, mobilization, to respond to child rights, to provoke thinking and analysis, to educate, to motivate and to entertain, and the many contributions that various forms of mass media have in the region towards social change around children's issues,

Mindful of the negative influence that media can have on the impressionable minds of children through portrayal of violence, images of gender stereotypes and neglect of the needs, interests and perceptions of children, in blind submission to market demands,

Noting that in some parts of our region, poverty has denied millions of families and children access to most forms of mass media and that even where such access exists, children are invariably passive readers, listeners or viewers and do not have any voice or say in media,

Resolve to channelize and harness all media resources and forms in the best interests of the child through:

5. Urging governments, media and international agencies to work together towards the promotion of peace and protection of rights of children, particularly in situations of armed conflict and terrorism,

6. Focussing media efforts towards the increased production, dissemination and exchange of material and programmes for children which are of high quality and which do not exploit them as a consumer market and perpetuate social, racial and gender stereotypes, but in addition to entertaining, also allow children to develop physically, mentally, socially, morally and spiritually to their fullest potential by nurturing in them respect for universal values,

7. *Encouraging* mass media to reflect the culture of Asian societies, while promoting an awareness and appreciation of other cultures as well,

Asian Declaration on Child Rights and the Media (Manila)

8. Agreeing that special efforts have to be made to ensure that children are not exposed to materials and programmes which pander to or glorify violence, sex, horror, conflict and discrimination,

9. *Making* increased efforts and devising ways by which children's perceptions and their voices, are incorporated in and heard through the media on wide ranging issues including those related to media itself,

10. *Promoting on priority* media education for children through which they can develop the necessary understanding and appreciation of various media and can have access to and participation in media processes,

11. *Taking* the best interests of the girl child as an important consideration in media planning and programming, given the reality of wide spread discrimination against the girl child in large parts of Asia,

12. *Increasing and committing* new and additional resources by governments, corporate sector, and international agencies to enable better media focus on children's issues, greater production and dissemination of quality materials for children, capacity building in media including through human resource development and making available more time and space for children,

13. Encouraging, supporting and building partnerships with media advocacy groups at national, regional and international levels to promote the best interests of the child in all forms of media, and

14. *Fostering* and promoting international and regional co-operation towards the implementation of this Declaration through *inter alia* sharing of experiences, exchange of material and strategies and techniques, co-productions, workshops, training programmes, seminars and increased networking between governments, media streams, NGOs, and advocacy groups.

Appendix E Asian Kids' Wish List

The Asian Summit on Child Rights and the Media was held in Manila from July 2–5, 1996. A total of 275 delegates from 23 countries attended. A group of Filipino children presented their own seven-point "wish list," inscribed upon a plaque, to President Ramos at the Summit.

1. We want high-quality programs made just for us. Programs that will not use us as subjects to sell products or ideas. We want to learn as well as have fun.

2. We want to be able to express our ideas on these programs. We want to talk about our families, friends and communities. We want to share what we know about ourselves and others.

3. We want to learn what other children are doing through — what games they play, what songs they sing, what problems they have to solve in their own parts of the world.

4. We want programs that will make us confident so that we can handle the process of growing up. No gratuitous sex scenes or violence.

ASIGN Declaration of

5. We want programs considerate of our needs as growing children to be available to us at regular time slots.

6. We want support from everyone to allow these programs to be the best they can be.

7. Listen to us. Take us seriously. Support these programs and protect our rights!

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Appendix F The Children's Charter on Electronic Media

The Second World Summit on Television for Children took place in London, March 9–13, 1998. A group of young participants responded to the original Charter.

- We the Junior delegates from the Summit want to thank the Summit for inviting us here and for allowing us to express our opinion about children's television around the world. We have tried to be very fair and honest in our comments but we have some constructive criticisms.
- We represent children from all over the world and we represent children of all ages.
- We find that some people in television do not seem to like children.
- We feel our opinions are often not respected. We are not asked what we want or what we need.
- Many programmes made for children talk down to children.
- Some programmes have too much violence and by that we mean violence just for the sake of violence.

1. Children's opinions about television and radio should be listened to and respected.

2. Children should be consulted and involved in the production of programmes for children. Sometimes children can help make programmes

3. Children should have programming that includes music, sports, drama, documentaries, news and comedy.

4. Children should have programmes from their own country as well as programmes from other countries.

5. Children's programmes should be fun, entertaining, educational, interactive, and should help them to develop physically and mentally.

6. Children's programmes should be honest and real. Children need to know the truth about what is going on in their world.

7. Children of all ages should have programmes created just for them, and the programmes should be on at times when children can watch them.

8. Children's television should discourage using drugs, cigarettes, and alcohol.

We do like action, and lots of it, but that doesn't always have to be violent. We don't want television to promote violence as the answer to solving a problem.

- Some programmes exploit children. They are made just to sell children toys or other products.
- We want all children to see someone like them on television. Why can't children on television have glasses? Why can't some children on television be overweight? Many children from around the world never see anyone like them on television who speaks their own language. Sometimes they only see programmes from America.
- To help change all of this, we have written a charter for children's television.

9. Children should be able to watch shows without commercials during the programmes.

10. Children's television should have presenters that respect children and don't talk down to them.

11. Violence for the sake of violence or violence to solve conflict should not be promoted.

12. Television producers need to make sure that all children, including children who have difficulty seeing and hearing, are able to see and hear all of the programmes for children. Programmes should be translated into the language of the country in which it is seen.

13. All children should be able to hear and see their own language and culture on television.

14. All children should be treated equally on television. This includes ages, races, disabilities and abilities, and all physical appearances.

15. Every broadcast organisation should have children advising them about children's programmes, issues and rights in television.

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Appendix G Africa Charter on Children's Broadcasting

We, the delegates of the African summit on Children's Broadcasting, Accra, Ghana 8–12 October 1997, affirm and accept the internationally adopted Children's Television Charter that was accepted in Munich on 29 May 1995. In addition, we amend the SADC Children's Broadcasting Charter (June 1996) to read as the Africa Charter on Children's Broadcasting.

Without detracting from the International Children's Television Charter, we further adopt in line with the said Charter and in the spirit of the said Charter, our Africa Charter on Children's Broadcasting, which takes into consideration the needs and wants of children in our region.

1. Children should have programmes of high quality, made specifically for them and which do not exploit them at any stage of the production process. These programmes, in addition to entertaining, should allow children to develop physically, mentally and socially to their fullest potential.

2. Whilst recognising that children's broadcasting will be funded through various mechanisms including advertising, sponsorship and merchandising, children should be protected from commercial exploitation.

3. Whilst endorsing the child's right to freedom of expression, thought, conscience and religion, and protection against economic exploitation, children must be ensured equitable access to programmes, and whenever possible, to the production of programmes.

4. Children should hear, see and express themselves, their culture, their language and their life experiences, through the electronic media which affirm their sense of self, community and place.

5. Children's programmes should create opportunities for learning and empowerment to promote and support the child's right to education and development. Children's programmes should promote an awareness and appreciation of other cultures in parallel with the child's own cultural background. To facilitate this there should be ongoing research into the child audience, including the child's needs and wants.

6. Children's programmes should be wide ranging in genre and content, but should not include gratuitous scenes, and sounds of violence and sex through any audio or visual medium.

7. Children's programmes should be aired in regular time slots at times when children are available to listen and view, and/or be distributed via other widely accessible media or technologies.

8. Sufficient resources, technical, financial and other, must be made available to make these programmes to the highest possible standards, and in order to achieve quality, setting codes and standards for children's broadcasting must be formulated and developed through a diverse range of groupings.

9. In compliance with the UN policy of co-operation between states in the international community, the Africa Charter on Children's Broadcasting recognises all international covenants, conventions, treaties, charters and agreements adopted by all international organisations including the OAU and the UN affecting children, but with particular reference to the UN Convention on the Rights of the Child.

11 October 1997 Accra, Ghana

Children of all ages should have programmes should be used just for them, and the programmes should be on at times when children can watch them.

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Appendix H Information on CIFEJ

What is CIFEJ?

The International Centre of Films for Children and Young People is a 43-year-old international nongovernmental organization (INGO) of professionals dedicated to promoting excellence in the audio-visual media for children and young people around the world. With its General Secretariat in Montreal, CIFEJ is the only INGO with consultative status at both UNICEF and UNESCO to be headquartered in Canada.

Who is CIFEJ?

Today, CIFEJ boasts 162 members in 52 countries, spanning all the continents of the world. The vast majority of members are institutions and organizations: broadcasters, film and television producers, children's festivals, media education groups, and specialized cultural groups which work directly with children and the media. They range from Canal j in France to media educators in Colombia, and from China's largest production studio to Sweden's smallest distributor. Canada has the largest number of members (16), and provides the two-person staff.

What does CIFEJ do?

To accomplish its goals, CIFEJ undertakes a variety of activities. A monthly newsletter links members and non-members to hard news about the milieu, and lists current prizes and publications dealing with production for children.

CIFEJ maintains databases of current titles for children and young people and the companies responsible for the production, distribution, and broadcast of these titles.

CIFEJ initiates specific projects to increase media literacy; the Teen Video Stories project allowed children at risk in Poland, Peru, Mozambique, the Philippines, and Taloyoak, Canada, to create their own three-minute stories. The Latin American Tour brought feature films from Canada, Denmark, Germany, India, Iran, and Sweden to children in Argentina, Brazil, Colombia, Mexico, Uruguay, and Venezuela. The distribution of the CIFEJ Prize to exceptional productions cements relations with festivals around the world: in France, India, Slovak Republic, Finland, Germany, and Poland.

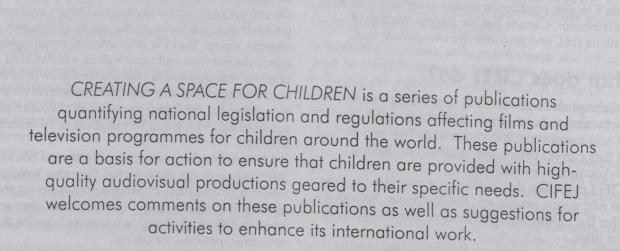
CIFEJ provokes international discussions on urgent questions; at the 1994 Bratislava seminar people from 31 countries talked about the future of production in eastern Europe. The CIFEJ staff undertakes research on the laws and policies governing children's media around the world, published in the *Creating A Space for Children* series. Through its activities, CIFEJ acts as a lobby and spokesperson for children confronted by media.

Why is CIFEJ necessary?

CIFEJ is a network which draws on the varied strengths of its diverse members and puts them in the service of children. Because no single profession predominates, its focus on the needs of children remains sharp. That the international community needs the services and information which CIFEJ offers is reflected in the phenomenal growth of its membership. Over the past four years membership has grown by 755% and the number of countries represented by 294% (from 18 members in 18 countries in 1990).

CIFEJ offers the place where North and South meet, where every child carries the same weight, where financial preoccupations do not yet set the agenda. It is also a modern organization, restructured in 1990 to deal with current realities, be they economic, political, or ethical.

CREATING A SPACE FOR CHILDREN

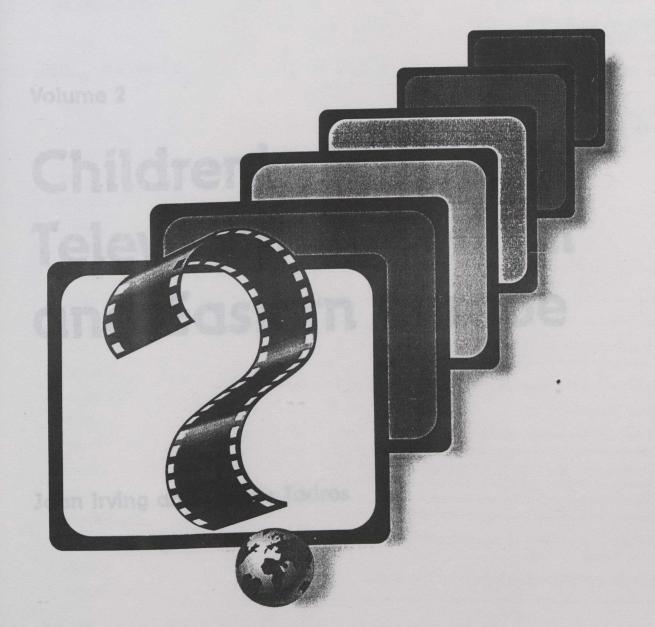


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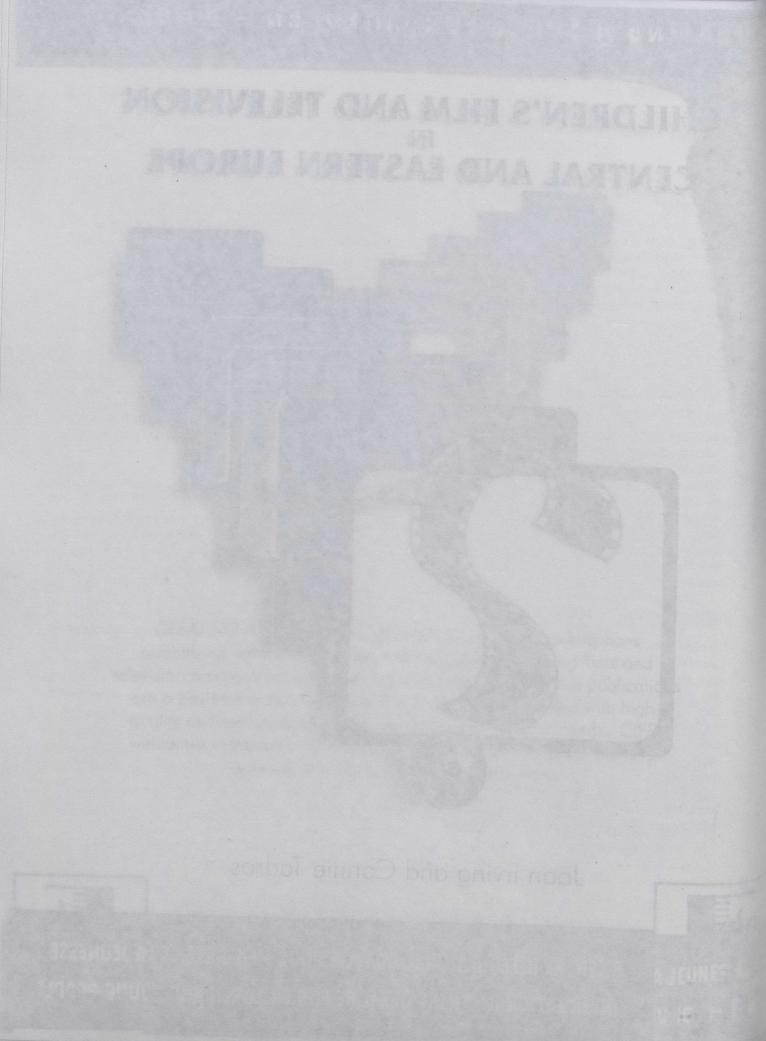
CREATING A SPACE FOR CHILDREN - Volume 2

CHILDREN'S FILM AND TELEVISION IN CENTRAL AND EASTERN EUROPE



Joan Irving and Connie Tadros





Creating a Space for Children

Volume 2

Children's Film and Television in Central and Eastern Europe

Joan Irving and Connie Tadros



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Part 1

Introduction

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Introduction

This document might better be called "Preserving a Space for Children." Until recently, the countries of central and eastern Europe, under various Communist governments, were recognized the world over for both the quantity and quality of films and television programmes produced for children. Now, as new governments define other policies, this childoriented production is in jeopardy.

The transition from a Communist society to a market-driven one brings with it the need to reorganize primary sectors: health, education, and social programmes, not to mention the economy. As citizens impatiently demand change it is easy to relegate media for children to a second-level concern. The children do not insist.

It is the experience of the International Centre of Films for Children and Young People (CIFEJ), however, that the media offered to young children will have a determining effect on their outlook as adults. Children become citizens of a country by knowing its language and folklore, and by understanding its heroes and hopes for the future. This is not a political issue but a cultural and psychological one.

It is not a luxury to offer children national production. It is their right — an important element in the construction of their identities and an entitlement guaranteed by the United Nations Convention on the Rights of the Child.

Creating a Space for Children: Children's Film and Television in Central and Eastern Europe is the second volume in a series outlining the legal and regulatory context of film and television for children and young people in various countries. Volume 1 deals with the countries of the European Union and Norway (copies of the report are available from CIFEJ). We cast a wide net in compiling this document; unfortunately, some countries and organizations did not respond to our inquiries.

Throughout central and eastern Europe, governments are coping with transition. We have documented the situation as of mid-1997, knowing full well that new legislation is still being drafted.

Clearly, every country in the region has lost ground during the last 10 years. In no country is filmmaking at the former level. Although some countries have maintained adequate time in the television schedule for children, this time is increasingly filled with reruns, foreign acquisitions, and cheap national productions. This period, however, carries with it a unique opportunity to adapt policies and regain previous strength in production for children. This study acknowledges the situation in each country, but it is only a first step. Slowly, these countries are building infrastructures of private, professional organizations: producers' and distributors' groups, technicians' unions, etc. Parents and teachers are coming together over issues of child welfare and education. These groups are beginning to make themselves heard and to find ways to influence the new policies. Nation by nation, citizens and their legislators must analyze the national context and take measures to shore up the policy structure in which production for children evolves.

The body of this publication describes the laws and policies (formal and informal) touching on children, film, and television for 21 countries of the region. The Introduction sketches the background and illustrates some elements of the current transitional period. A model media environment is then outlined; it presents four general principles around which there is consensus both in western and eastern Europe. The model is not meant to be a prescriptive formula but rather to present elements for reflection; we hope it will be especially useful to countries reviewing their efforts to provide appropriate media for children. Lastly, the appendices excerpt documents which bolster the argument for the creation of a space in support of production for children.

Our thanks goes to the Open Society Institute, Budapest, Hungary for the generous grant which made this research and publication possible.

The Big Squeeze: Background

There is no question that the desire for a change of governing system came from the people of central and eastern Europe. In some countries, the old system had lasted 70 years: in others, it had endured 50 — since the Second World War. But everywhere, citizens wished for change. Wishing for change, getting change, and managing that change form the process of the necessary transition.

The enthusiasm for the new situation did not long remain the purview only of the citizens whose business it was to manage the change. Across Europe and in North America there was great interest. Sometimes, uninvited experts rushed to give counsel. Phone lines and fax lines hummed. Eventually, Internet sites and E-mail rushed things along, until the speed of change became threatening. Satellites beamed news stories into countries that previously had been carefully controlled. Merchants came to sell their wares in countries that had been innocent about consumer society. While some countries adapted rather smoothly, others — think of the Balkan states and certain former Soviet republics — were on the verge of spinning out of control.

All this came with a babble of "free market" jargon that imposed itself on countries where the old laws were inoperative but the new laws had yet to be written. Today, we are somewhere in the midst of these changes. Confusion and disappointment sit cheek-to-jowl with new philosophies and promise. It is a moment when great issues are being sorted out.

Meanwhile, it's the people who are getting squeezed between the old, familiar ways and the new, enticing ones. Already in some countries and on some issues, they are finding ways to make their wishes known and to pressure their governments to articulate a new context. As the pressure increases, legislators must fill a new space with laws and regulations. They must redefine their societies without the luxury of having the time to grow into them. And this is what makes this moment so different.

The organic process through which societies grew to find their own ways has been superseded by the new technologies and the information which flows through them. Everyone has advice to give, models to display, suggestions about current management and future structures. Few, however, can take into account the particular situation in a given country save the citizens of that country. It is truly a postmodern context in which elements are coming from many sources to overlay ancient cultures in the creation of new forms.

Snapshots Along the Route from Marx to Market

Photo No. 1. Young Pioneers fill a cinema in Albania, circa 1970.

Films for children produced prior to 1990 in the eastern countries were without doubt among the finest in the world. Whether animated films or dramatized fairy tales, they were conceived and directed by artists for whom film aesthetics counted. They also had stable support from government, and were numerous. As we read in a comment from Albania, these films were meant to educate children to create a new man according to the socialist concept; they had a moralistic character, and the interpretation of the young generation, especially of the children, was "very good and artistically sharp."

Photo No 2. Russia 1997: The empty animation studio Soyuzmultfilm.

With the disappearance of the ideological reason for making children's films, funding for them has nearly dried up everywhere. The Soviet directors once brought out 30 children's films a year. During the last five years in Russia, the cumulative number of films has not reached the previous annual number. In Romania, where an average of four features were made each year under the old regime, no features have been made since 1990.

Photo No. 3. The marquee of the children's theatre in Ljubljana, announcing Beauty and the Beast. Even where there are cultural structures dedicated to children, the decrease of film production has served to throw open the doors to foreign images. "In Ljubljana, the capital city of Slovenia, we have something very special: a children's theatre. Unfortunately, the programme is completely filled with Hollywood films," says a correspondent. In Russia, media educators are at a loss about how to discuss film aesthetics given the domination on film and TV screens of low quality, entertainment programming which attracts the children.

Photo No. 4. Cameras shoot a feature film in the countryside, produced by Slovak Television.

In the Slovak Republic, the Czech Republic, Poland, the Baltic states and elsewhere, national television stations do the lion's share of feature film production for children. As the networks move from a state structure to a public TV structure, they see their resources dwindle. Yet, these networks try to maintain a national culture while facing the onslaught of free market deals.

Photo No. 5. At Lithuanian TV, the acquisitions agent signs for a package of programmes from Hit Entertainment of the United Kingdom.

Figures are eloquent and lie at the heart of the dilemma for eastern European broadcasters. Each year, LRT produces 120 hours of original children's programming for a total budget of US\$76,500. Yet it can purchase 180 hours from the United Kingdom, Canada, and the United States for US\$60,000. The production expenses of the latter cost more per hour than the total Lithuanian budget for the year. How are the Lithuanians supposed to compete in the free market?

- 7 -

Introduction

Caught in Transition

Being part way through a transition from state control to a free market creates anomalous situations. In Bulgaria, film production is in the hands of private producers, but although all film distribution companies are also privately owned, 90 per cent of the cinemas are still run by the state. Echoing this situation, the 1996 report State Support of Cinematographic Art in Russia proposes that private producers receive help via printing and distribution by state agencies. Working out the conflicting scenarios of the private sector and the state-controlled sector are challenging indeed.

Adding to the internal conflict inherent in these changes is the desire to "fit into" the external western European structures. Correspondents in many countries mentioned that their new laws were meant to harmonize with policies currently accepted in the European Union. But whereas the countries of the EU spent years debating policies before accepting, for instance, the Television without Frontiers directive, the eastern countries are in a "take-it-or-leaveit" position. They can adopt the policies or not, but they cannot influence the European Union until they are admitted to the club. Governments in the East are aware that the more similar their structures are to those of the EU, the more kindly the countries of the EU will regard them.

As a consequence, elements of policies such as the Television without Frontiers directive find their way into eastern European legislation. Percentages concerning the origin of programming, for instance, are clearly announced in the new laws. In Hungary, 70 per cent of broadcast time will be European. This will include the 51 per cent of total time that must be Hungarian, and these percentages must pertain for children's production as well. Meanwhile, currently not less than 15 per cent of the Hungarian production must be made privately, not by Hungarian TV or Duna TV. What is not spelled out is where the money will come from for this private production. The same situation pertains in Bulgaria where by legislation 15 per cent of broadcast time must be produced privately. Private producers and the BNTV were in heated discussions last year over whether the funds for this production were to come from the BNTV budget or not.

In the Latvian Electronic Mass Media Act, however, obligatory percentages (80% European production, 40% Latvian) have the financial shelter of legislation. Through a national subscription, endorsed by the National Broadcasting Council, programmes will receive "an adequate measure of funding." When the financial structures match the intentions of the policies, the transition is accomplished.

Institutions on the Move

Quickly, the snapshots and conflicting images are being replaced by more dynamic ones, meant to consolidate the future.

Film

In country after country, film funds are being created to shore up the fragile film industries. The Slovenian Film Fund was created in 1995. Although it does not allocate any specific amount to production for children, it has co-financed nine episodes of an animation series. The Motion Picture Foundation of Hungary was recently created although it must operate in an increasingly difficult financial milieu. In Bulgaria, registered producers can ask the National Film Centre for financial assistance.

From Azerbaijan, where the state-run studio Azerkinovideo Film Company is still producing for kids, comes the comment, "Cinema for children is always financed by the state." And indeed, it often is. Whether through direct aid, or through the sieve of arm's-length agencies like the various film funds, governments will provide both the will and the money to produce material for children. This is not a situation particular to the East. Throughout northern Europe and Canada, the desire of the people to care for their children has led governments to ensure production for them.

Poland, among the Eastern countries, may have the soundest production structure for children's films. Whereas the old studio system was organized around directors, the industry there is now organized around producers. These producers have grown up with the help of the Cinematography Committee which traditionally helps finance two or three children's feature films a year. Now the committee can reduce its aid to 40 per cent of the total budget, counting on producers to find additional sources of financing. In many cases, this new financing comes from television. Poland is the only country in this study which reports that distributors also now play an important role in film financing.

Television

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In general, national television networks are moving away from state-run systems where politics had a dominate role to one of public broadcasting. This implies finding revenues from a variety of sources – user fees and advertising as well as state subsidies – but it also implies a policy of service to the public rather than to the state.

Networks are becoming pro-active. In Hungary, the law defining public broadcasting obliges the network to "show programmes which serve the physical, intellectual and mental development of minors." This is a very different attitude than the Communists' censorial one, which mainly espoused prohibitions.

Legal initiatives are mirrored by internal guidelines being developed within the stations. In the Czech Republic, for instance, an Ethics Panel deals with issues raised in the Children's Programming Department of Czech Television.

Still, the situation throughout the region varies widely. In Belarus, no foreign programmes are purchased for the children's schedule. In Bulgaria, on the other hand, 70 per cent of the programming at Bulgarian National Television comes through acquisition. In a similar imbalance, Macedonian Radio and Television schedules 730 hours of programming for children each year and is able to produce 80 per cent of this in-house, despite the limited financial allocation it gets to do so. Larger Poland, on the other hand, schedules 1,504 hours of programming for kids and young people and has a combined budget (Programs 1 and 2) of US\$20 million for this production.

The Kids Fall through the Cracks

Although proponents of the free market value it for its self-regulating nature, it rarely adapts itself to the needs of children. Children do not vote or participate in polls. They cannot make their voices heard in order to influence policy. They still require the beneficent attention of adults to prepare the way for their passage to maturity.

Throughout central and eastern Europe, groups are forming around the needs of children. The hungry, the sick, and the abandoned child calls attention to palpable need, and succour is being organized both through national and international organizations. There will always be, however, more children in average situations than there are marginal children, and a great number of the former sit in front of their television sets or go to community centres where television is available to them. European films for children seem to have vanished, their place usurped by Hollywood films. Somewhat belatedly, adults are becoming concerned about the wisdom of abandoning children to the marketplace of visual media and are trying to discern what role all this viewing plays in a child's development.

Without question, both film and television for children can make a positive, enriching contribution to the development of the child. They can ground a child in his or her own culture and they can open windows on the world. Programmes must be made with the welfare of the children in mind: children's need for entertainment balanced by their thirst for provocative, stimulating material. In the experience of CIFEJ, the free market will not provide appropriate production for children unless policies are in place to promote this production.

A Model Media Environment

Media for children have long histories in most countries discussed in the report. Communist governments were aware that to be able to speak to (some would say "manipulate") adults, they had to prepare the minds of the children. So films, including animation films, books and magazines, and television programmes for children were recognized as areas the state should and would support.

State financing, of course, implied varying degrees of control over content, and state-regulated notions of what was appropriate viewing material for children and young people. For a variety of reasons, young audiences in most central and eastern European nations did not have access to films and TV programmes containing sexually explicit scenes, gratuitous violence, or positive images of life in the West.

The philosophies and structures in support of a culture for children created during pre-Glasnost days have not disappeared. But as this report shows, many institutions dedicated to production for children have had to find either new vocations or a new orientation in order to remain viable.

And some of the newly independent nations now face the challenge of creating additional structures that address the needs of children.

This report has been compiled to provide information for comparative analysis, to allow those working in children's film and television to take stock of existing laws, regulations, and trends in various nations of the region and to foster appropriate action.*

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^{*} In Canada, publication in 1996 of Creating a Space for Children: Children's Film and Television in EU Countries led Université de Montréal researchers André H. Caron and

Introduction

Drawing from all of the data in this report and in the first volume of the study, we have identified four main principles that nations could refer to as they work towards reforming or building structures and implementing regulations and policies to ensure that the media needs of children are fulfilled.

How these principles can be applied within each national community is not prescribed. In some countries, laws are passed by the highest legislative body - Parliament or its equivalent. In others, regulations are enacted by the authority with jurisdiction in matters of culture and broadcasting. Elsewhere, in order to forestall legal measures by governments, the film and television (including pay television and pay-toview television) industries might prefer to develop voluntary standards that apply to all groups that produce or broadcast materials for children. Finally, networks and individual companies such as those producing animation for children have developed internal codes of practice.

First principle

Parents, guardians, and governments should recognize that children as well as adults have the right to access to media — to films, videos, and television programming made especially for them and responding to their cultural and social needs.

Actions that bolster this principle:

1. providing special allocations by government of public monies to public and private production groups for quality children's productions

2. supporting the principle in existing media financing programmes that a part of the budget be allocated to children's programming

3. granting television broadcasting licences or renewals to only those applicants who provide guarantees with regard to minimum levels of original, locally produced children's programming

4. supporting programmes that enable nations in this region to exchange and share television pro-

Annie E. Jolicœur to publish Systemized Summary of Canadian Regulations Concerning Children and the Audiovisual Industry. This useful book summarizes the most important laws, regulations, and voluntary codes on children's media in Canada.

It should be noted that the attention paid in Canada to media policy for children has resulted in a production industry whose volume and quality are disproportionate to the size of the country. It has also resulted in the vigorous exportation of material for children, which, in turn, supports additional production.

gramming and to build regional awareness and appreciation

5. using the educational system to promote media awareness and appreciation for quality productions at both the local and international levels.

Of the above concepts, Point 3 is the one that can most easily be applied in the countries described in this report. Production levels of films, especially feature films, may be at a historical low in central and eastern Europe, but television as an industry is expanding, and governments will be increasingly solicited to levy broadcast licences. Ensuring that television networks provide quality children's programming in their schedules is an achievable goal in the immediate future. An important aspect of this is requiring that a significant portion of that programming be produced locally and reflects the cultural concerns of that nation. It is worth stressing that this programming must present a full variety of options, from the less expensive game and magazine shows to the more costly animation and live-action dramas. In the longer run, all those who work in the

domain of media for children can put pressure on state-funded film agencies to ensure that they designate specific financing allotments, or agree to quotas, for children's film production.

Second principle

The media environment must be safe for children; it must not threaten their physical, moral, or spiritual well-being. For this reason, children should not be exposed to certain kinds of adult programming.

Actions that bolster this principle:

1. implementing a rating or classification system for films in theatrical distribution and for rental videos to ensure that children do not have access to works that are inappropriate for them. The simplest rating system is the one adopted by the Netherlands. It provides three categories: "for all [viewers]," "12 and over," and "16 and over." (It is worth noting that the Netherlands, France, and Belgium define a minor as a person under the age of 16, while Germany and the United Kingdom define a minor as under 18.) At issue is protecting children and minors from being exposed to gratuitous violence and to nudity, sexuality, and foul language. It follows that structures must be put in place to ensure compliance with the classification system.

2. implementing, through the passage of laws and/ or the adoption of self-regulatory codes of ethics, television rating systems to protect children from

viewing violent or sexually explicit programming. This can be achieved in two ways:

a. ensuring that all programming aired during hours when children might normally watch television (between 06:00 and 22:00) is appropriate for children. On the basis of this concept, now generally referred to as "watershed" programming, even the visuals in the evening news are adapted for children. The early evening is recognized as a time of transition when families, including children, may be watching TV together. Several broadcasters surveyed for this report air "bedtime stories" to mark the time when young children are trundled off to bed. Strictly adult programming is reserved for the later hours, usually after 22:00.

b. providing graphic and/or verbal viewer advisories intended to warn parents and children of the nature of shows being broadcast. The goal of advisories is to protect children, not to restrict the freedom of expression of adults. The system of advisories implies that parents or guardians take responsibility in ensuring their children do not watch programmes identified as "adult only."

France has adopted a simple warning system, overseen by the Conseil supérieur de l'audiovisuel (CSA). In the event of the portrayal during peak viewing hours of violent content that would affect the sensibilities of young people, networks must provide appropriate signals to warn viewers. A coloured, visual symbol indicating the show's CSA rating must be broadcast during the programme. The symbols adopted by the CSA are: green, for programming considered suitable for all audiences; orange, to caution audiences; and red to indicate adult-only programming. This three-tiered labelling system is similar to the three-level film classification system used in the Netherlands.

Canada is currently in the testing phase with V-chip (anti-violence chip) technology which allows parents/guardians to block entry into the home of selected programmes. This system has been widely criticized, especially in Europe, where many feel that use of the technology would relieve broadcasters of any responsibility in scheduling violent programmes.

3. protecting children both from inappropriate advertising and too much advertising. It is widely recognized that pre-school-age children have difficulty distinguishing fiction from reality. Television advertising directed to children must take into consideration children's sensibilities and special needs and protect them from undue pressure. Maximum levels of advertising exposure for children should also be set, as well as product prohibitions (for instance, prohibiting advertising tobacco or alcoholic beverages to minors).

Television broadcasters surveyed for this report have, for the most part, taken steps to ensure that during the times children are likely to be watching TV, children do not have access to shows intended for adults. And in many countries, broadcasters are not permitted to show advertising during children's programming. In other words, basic concepts for protecting child viewers have already been acknowledged and acted upon. But the report reveals a lack of standards in the area of advertising directed at children. With television and cable markets expanding rapidly in this part of the world, concerted effort will be required to ensure children are protected from abusive advertising.

The overall goal is to establish that broadcasters, though they may be commercial enterprises, have a responsibility to serve the public interest, including and especially the interest of children.

Efforts are required as well in the area of ensuring that rental videos are classified and children and minors do not have access to adult films through rentals.

Third principle

Children have a need to express themselves. In fact, the UN Convention on the Rights of the Child makes this expression a legal right (see Appendix A). Parents, guardians, and governments should work to make this right a reality through film and television.

Actions that bolster this principle:

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1. conceiving of programming in which children can participate. This may be through creative production, like the Hungarian programme which encourages children to tell stories through paper cutouts, or by using children as reporters, interviewers, or participants in open-ended formats. The Israeli programme Banana Boom is an especially successful example of the freshness which results from having children call the shots. The Russian programme Whose Side? is an example of how dramatic discussions among teenagers can get.

2. encouraging programming conceived by children. In some European countries, children have been asked to submit TV story ideas and scripts, the best of which are produced by in-house profession-

Introduction

als. In the U.K., the Children's Film Unit produces feature films written, acted, and crewed by children.

3. giving children the tools to make their own programmes.

a. Various animation workshops have been developed, from the Canadian Animathon project which is appropriate for small children, to the Swedish model developed at the Swedish Educational Broadcasting Network. The Moscow Children's Fund is another example of children's participation in film-making. Through its activities, partially funded by the Union of Cinematographers in Russia, children are learning and preserving the art of film animation.

b. Video projects using older children are proliferating. The Polish National Centre of Arts for Children participated in the CIFEJ project Teen Video Stories with stunning results. Given a chance to create productions of their own, children bring an unexpected and welcome perspective to things. When helped by professionals, as in the case of the U.K. production *As Seen on TV*, the results are excellent television programming for adults as well.

4. creating a space in the television grid for broadcasting these productions. For the moment, the quantity and quality of production by children and young people has greatly out-distanced the networks' readiness to screen these productions. As should be expected, these shows don't "fit" into previous expectations and so need the support of broadcasters willing to take risks.

While a three-year-old cannot create the cartoons that she watches every morning at 10:00, the adults who write and produce those cartoons can and must respect the integrity of that child and provide her viewing material that transmits the societal values revered in her nation. For she is the future of that nation.

At Bosnian Television there are teenagers among other volunteers working on some of its programming for young audiences. Although the motivation for using teens was in part economic, compensating for low budgets for TV production, the teens who are volunteering their time will no doubt prove the validity of their involvement. Likewise, although the CIFEJ Teen Video Stories project was motivated by the desire to have young people express themselves, some teenage participants in Peru, Mozambique, and the high Arctic in Canada have received job offers from local television stations. Allowing children to express themselves can, clearly, help certain individuals develop an enduring passion and skill.

Fourth principle

Parents, guardians, and governments should encourage those responsible for educating children to provide courses aimed at expanding children's knowledge of the media. For without this knowledge, children are susceptible to manipulation by the media.

Actions that bolster this principle:

1. forming groups of educators and parents to create appropriate curricula and other learning tools with which to teach media education. Media education plans and kits are available through a variety of sources in the Nordic countries, Canada, and the United States, for instance. The International Centre for Education on Media (ICEM) is one international resource, and similar groups exist in various countries. CIFEJ can help interested groups make contacts.

2. working with schools, community centres, and other places where children gather to institute media education programmes. Schools are often resistant to integrating media education into existing curricula because teachers are not prepared to handle the subject; they lack training in this area. Teachers everywhere, however, are aware of the effect of television on their students and can be encouraged to embrace media education initiatives.

3. reinforcing the ability of children to make their own productions, thereby giving them first-hand knowledge of how the media work. The participants in CIFEJ's Teen Video Stories project will never again be able to watch programmes uncritically.

4. convincing media companies that they have an interest in supporting media education. In Canada and Italy, for example, large television organizations have co-operated with non-governmental groups to finance the publication of workbooks to help parents deal wisely with their children and television. This is the beginning of a partnership which puts the spotlight directly on the welfare of children and which moves the money from those who have to those who need.

Studies from many different countries indicate that the solution to violence on television lies in public awareness and media literacy programmes. In the current media environment, parents realize that they can no longer control their children as they were once themselves controlled. Giving children the tools to exercise their own judgement is one way to help them toward mature choices through the use of knowledgeable, critical attitudes. It is our best defence.

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Part 2

Policy Reviews

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Albania (Republic of Albania)

Film

Albania, a nation of about 3.2 million inhabitants, produced until 1990 from 12 to 14 films (of 60 to 90 minutes) and six animation films for children each year.

According to Ylli Pepo, those films aimed at educating children and young people in the context of an eastern European Communist nation, namely, at "the creation of the new man through the socialist concept.... In general the films had a moralistic character ... the interpretation of the young generation, especially the children, was very good, artistically sharp."

Albanian film producers are and have long been self-regulating, practising "autocensorship and following unwritten laws," according to Ylli Pepo, with respect to what is and is not appropriate content for children.

On May 13, 1997, the Albanian Assembly adopted a law on public and private radio and television broadcasting. It addresses issues relating to children in three articles: Article 4 states (the following transcriptions were provided by Ylli Pepo and Anila Miria), "On the TV ... the rights, interests, and morals required for children will be respected. Article 48 states that films not appropriate for minors under 14 cannot be broadcast before 23:00 hours. Article 60, which relates to advertising, prohibits the broadcasting on TV of advertisements that stimulate behaviour that might damage the normal psychic development of children, and requires that broadcasters avoid in advertisements, especially those directed at children or made with the participation of children, anything that might harm the interests of children and that is inappropriate to their age.

Television

Radiotelevisione Shqiptar (Albanian Television), or TVSH, is the only national broadcasting company in Albania. A public broadcaster, it is self-regulating with respect to appropriate material for young viewers, ensuring that violent and erotic programmes are not aired at times when children might be watching television. TVSH is funded from commercial advertising (35%), from licence/user fees (less than \$1 per year per household), and from a special grant from Parliament. The budget for children's programming is about one-fifth of the total network budget, but since the overall production budget of TVSH is low, the budget for children's programming is correspondingly low.

The network broadcasts children's programmes every morning (60 minutes), afternoon (30 minutes), and evening (30 minutes). Of this, 75 per cent are original productions by Albanian TV, which creates about 550 hours of children's programming annually.

About 180 hours of foreign programming is acquired free of charge each year from satellite sources, exchange programmes, or from certain international organizations.

TVSH broadcasts two hours daily via satellite to Albanian communities in other European nations.

Sources

Pepo, Ylli and Anila Miria. Letter dated 5 November 1996.

RTV Slovenija/CIRCOM Regional. Internet article, 1996.

Addresses

- 14 -

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CIFEJ would like to thank Anila Miria and Ylli Pepo for their help in compiling the above information.

Azerbaijan (Republic of Azerbaijan)

In Azerbaijan, films for children are produced by the state run and financed Azerkinovideo Film Company. In recent years, Azerkinovideo has released one feature-length film and two or three animation films for children. "The producers of these films are employees of the studio (the notion of the film producer as it exists in the West began to catch on here two or three years ago)," according to Oktai Mirkassimov. "Cinema for children is always financed by the state."

The subject of the protection of children is addressed in the Penal Code, adopted in December 1982. Article 228 states: "For the production, promotion, and distribution of pornographic works offenders will face prison terms of up to three years or a fine of the equivalent of 1000 to 1200 times minimum wage." Article 228–1 states: "For public protection, the distribution of films promoting violence and cruelty is liable for a prison term of up to two years or a fine of the equivalent of 700–800 times minimum wage." The latter article was adopted in November 1996.

Although Azerbaijan has no formal rating system and no censorship regulations, it controls the access of children to cinemas through "normative" documents issued by Azerkinovideo.

Source

Mirkassimov, Oktai. Letter dated 9 May 1997.

Address

Azerkinovideo Film Company Oktai Mirkassimov Directeur Général 20, ave. Bul-Bul 370014 Baku Azerbaijan

CIFEJ would like to thank Oktai Mirkassimov for his help in compiling the above information.

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Belarus (Republic of Belarus)

There is no special structure in Belarus for the creation of films for children. Although there is a state film producer, Belarusfilm, it has not recently produced a children's film.

As well, there is no special legislation regulating the creation and distribution of films and TV programmes for children and youths in Belarus. Children are, however, the subject of the Law Concerning Children's Rights, of November 1993. Article 18 provides that the state "shall create for children the opportunity to become part of the history, traditions, and intellectual heritage of the people of Belarus and of the cultural achievements of the world. For this purpose, it encourages the creation of state and public institutions for the development of children's creativity and scientific abilities. It also produces films, video films, TV and radio programmes, and publishes children's magazines, newspapers, and books at an affordable price.

Any use of mass media, literature, shows, etc. which includes pornography, the worship of violence and cruelty, or anything which may offend the human dignity and influence children in any harmful way by encouraging them to break the law is punishable by the law" (Andreev).

The Regulation Concerning the State Registry of Films and TV Films and Programmes, ratified by the Ministry of Culture and Media in January 1996, provides for compulsory classification of films and video programmes by issuing an index which will determine the procedure of their public exhibition as well as the age categories of the viewers to whom the film or programme can be shown. Officials of the Registry issue state registration certificates for films and classification certificates for video programmes, confirming the users' rights for public exhibition, rental, and sale of film and video productions. The exhibition, rental, and sale of film/video productions without the above-mentioned certification is prohibited.

The Law of the Republic of Belarus Concerning Media and Other Means of Public Information contains an article prohibiting the use of public information mass media for the presentation of pornography, and against any violation of morality, honour, and dignity of the citizens.

The Law Concerning Advertising prohibits the interruption of children's television broadcasts with

advertising. In addition, the Law Concerning Television and Radio currently under consideration in the National Assembly of Belarus contains certain regulations aimed at protecting the rights of young viewers and listeners.

The public broadcaster is the The National State TV and Radio Company. It has a production unit dedicated to providing programming for children and young people. In recent years, the unit has produced 11 shows annually.

These shows are broadcast in blocks on weekdays (mornings from 09:30 to 10:10 and afternoons from 15:15 to 16:00) and weekends (morning and afternoon for about one hour, each). "Every evening before the programme 'News' at 20:40 starts an evening fairy-tale for children" (Semenchenko). No foreign shows are purchased.

Sources

Andreev, I.S. Letter dated 2 April 1997. Kisel, G.L. Letter dated 21 March 1997. Semenchenko, Tatyana. Letter dated 22 April 1997.

Addresses

Embassy of the Republic of Belarus Leonid Sennikov, Counselor 1619 New Hampshire Avenue, N.W. Washington, D.C. 20009 U.S.A.

Ministry of Justice of the Republic of Belarus I.S. Andreev, First Deputy Minister Collectornaya St., 10 220084 Minsk Belarus

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CIFEJ would like to thank Tatyana Semenchenko and Leonid Sennikov for their help.

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Bosnia and Herzegovina

Bosnia and Herzegovina is one of the six republics established after the dissolution in 1991 of the former Yugoslavia. The nation's capital is Sarajevo.

Film

During the war that resulted in the creation of Bosnia and Herzegovina, no feature-length children's films were made, although some documentaries and television series for children were completed. Since the country's independence, production of films for children has been curtailed due to postwar economic stagnation. Some feature projects are in the planning stage, and documentary film-making continues.

In Bosnia and Herzegovina, the production and distribution of films for children is not governed by legislation. No special laws exist to regulate either children's film or children's television. According to Ministry of Information official Arif Zulic, children have unrestricted access to cinemas and there is no rating system for films or videos.

Television

The public broadcaster is Radio and Television of Bosnia and Herzegovina (RTVB&H). There are several other broadcasting outlets in the country, including: Independent Studio 99, TVX-Experimental TV, Hyatt TV, and International TVIN, the latter established at the behest of the international community. All these operate in Sarajevo and broadcast in the Bosnian language, with other broadcasters transmitting regionally.

In addition, the Republika Srpska, a component political and territorial entity of Bosnia, has an outlet in Pâle, which retransmits signals that originate in Serbia, and the Republic Herceg-Bosna has an outlet in Mostar, which retransmits signals from Croatia.

The origins of Radio and TV of Bosnia and Herzegovina go back to the period after the Second World War, when Radio Sarajevo was founded, and to 1962, when TV Sarajevo was founded as part of Yugoslavian Radio and Television. The advent of the independent states led to the creation of RTVB&H.

The genesis of children's programming dates back to 1979 and the founding of a 10-member children's department at Yugoslavian Radio and Television. It was responsible for 33 to 38 hours of core children's programming annually.

For one to assess the degree of commitment to children's programming at RTVB&H, one needs only to know that a variety of children's programmes continued to be produced and aired even during the darkest days of the war of 1992–95. During the war, the Children's Department produced four hours monthly of documentary programmes about children in Sarajevo as well as live and educational programmes. The entire production process was borne by a single editor and one producer, with much of the filming being done by outside contributors.

These programmes came into their own in 1994 with the creation of the section known as Programs for Children and Young People, TVB&H's independent operating division for children's programming. This production group, under the supervision of an editor-in-chief, includes high school and university students, volunteers, and freelancers. Other professionals, specialists in their fields (medicine, art, history, etc.), are brought in as consultants when needed.

The Children's Department has no fixed budget. The approximately 60 hours annually of children's programmes, as well as the 24 to 40 hours of programming for young people, that are pmoduced "inhouse" are relatively inexpensive, and largely possible due to the outside volunteer assistance mentioned above. More than 80 per cent of all programmes aired are acquired from abroad and translated into Bosnian for a Bosnian audience. Some programmes are donated, others are purchased at discounts and still others are shared through agencies such as UNICEF, URTI, and EBU. From these sources TVB&H acquired mainly educational programmes.

TVB&H children's programming is broadcast weekdays from 10:00 to 11:00 and rebroadcast from 15:00 to 16:00. On Saturday and Sunday mornings the network also broadcasts children's shows.

Particularly popular among pre-schoolers and parents alike are the bedtime stories and cartoons broadcast evenings from 19:00 to 19:15. (After that time, it is widely understood that children are to go to bed or be away from television sets, because the programming that follows is geared to adults.)

All children's programmes are broadcast without

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Bosnia and Herzegovina

commercials. As stated above, there is no rating system in place for films or television programming. However, TVB&H places a priority on the protection of children from sex, violence, and foul language. TVB&H has an internal staff expert who is charged with reporting any potential violation directly to the editor-in-chief of children's programmes, who has the authority to censor content on the spot. The letter and spirit of rules regulating content are routinely presented to the committee that approves the overall operating policy of the Children's Department.

The TVB&H documentary Station Sarajevo the Small, about a grandfather making a train for his grandson, was a finalist for the 1996 Prix Jeunesse.

Source

This piece was researched and compiled by Envera Selimovic, the Washington correspondent of RTVB&H, and edited for this report by Joan Irving.

Addresses

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Radio and Television of Bosnia and Herzegovina Maja Ansulovic Editor in Chief of Programs for Children and Youth Bulevar Mese Selimovica 4, 71000 Sarajevo Bosnia and Herzegovina

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CIFEJ would like to thank Envera Selimovic for her help in compiling the above report.

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Bulgaría (Republic of Bulgaria)

Film

At present, there is no law in Bulgaria, a nation of about nine million people, governing the production and distribution of films for children. Dimitar Dereliev of the Bulgarian National Film Centre writes, however, that "a law is being prepared on the defence of Bulgarian culture that will include clauses on children and culture." But, as Marko Stoychev observes, this law may be delayed in Parliament for a couple of years, while other legislation is considered.

In January 1994 the National Film Centre was created. It is made up of several commissions, each of which has a specific responsibility. Film producers registered with the centre may apply for subsidies from the state for their productions. No specific amount is dedicated to children's film. In 1996 the National Film Centre and Bulgarian National TV participated in the financing of the children's feature *Talking with Birds*.

In addition, the period 1995–96 saw the production of one documentary for children and five animation shorts.

One commission of the National Film Centre is responsible for overseeing the distribution of films and other audiovisual works. The statutes of this commission outline a film-rating system intended to protect children and young people. All films produced in Bulgaria, as well as foreign films distributed there, must receive a rating. The six rating categories are:

A. For all, recommended for children.

B. No limitations for access when the film does not in any way contradict the generally accepted moral standards in the country, no other restrictions have been recommended, and the film is not rated "A."

C. Not recommended for children younger than 12 who are not accompanied by a parent. There are some erotic or violent scenes or improper language.

D. Forbidden to those under 15 because of a significant number of erotic scenes and violence.

E. Forbidden to those under 18. The film is predominantly erotic and shows violence in a demonstrative way. X. Cannot be distributed for commercial release in state theatres. This applies to pornographic films or films that propagate violence and race hatred. Films rated "X" cannot be distributed by companies in which the state has shares.

It should be noted that 90 per cent of cinemas are state owned, although all film distribution companies are private. Despite the existence of the above rating system, and the fact that cinemas are currently state operated, cinema "access is practically unlimited," according to Marko Stoychev, indicating that compliance is a problem.

The Penal Code deals with pornography in Article 159, which reads: "Whoever produces, distributes, exposes, shows, or sells writings, printed matter, pictures, films, or other material with pornographic content shall be fined 10,000 leva and the subject of crime shall be confiscated" [unofficial translation].

"Ten thousand leva are equivalent to US\$6.25, which cannot hurt a pornographic business" (Stoychev). However, amendments to the Penal Code are expected to be approved by the new Parliament.

Television

The Law for Radio and Television was passed on 8 July and 5 September 1996. The law defines the main principles of the financing, producing, and broadcasting of TV programmes, including children's programmes. Article 28, Protecting the Interests of Minors, states, "In programming scheduled between 06:00 and 23:00 it is not permitted to include shows potentially harmful to the psychological, physical, and moral development of children and young adults."

The law also regulates the principles of advertising and sponsorship of TV programming. Article 39.3 prohibits "any subject matter that is potentially harmful to the psyche of children and young adults. Advertising, made for children and young adults or with the participation of children and young adults, must meet the criteria of good upbringing and education." Advertising during children's programmes is prohibited, although it may be broadcast before or

Bulgaria

after the show. Advertisements for tobacco or alcohol are also prohibited.

The law provides that "no less than 15 per cent of the income from advertising and other economic activity, and from the budget of Bulgarian National Television, are to be spent for the creation of Bulgarian films for television; no less than 5 per cent of the income from advertising and other economic activity and no less than 3 per cent from the budget of Bulgarian National Radio are to be spent for creating Bulgarian musical and radio-dramatic works."

According to Marko Stoychev, the above law drew significant criticism from opposition parties. In addition, Bulgarian Constitutional Court annulled 15 of its clauses. Amendments to the law will be discussed in Parliament in the fall, although no major changes are expected to the clauses related to children's programming.

The primary producer of television films and videos for children is Bulgarian National Television (BNT), which creates programmes for adults and children broadcast on two channels (Channel 1 and Channel 2). The total number of hours for children broadcast each week on both channels is 15, with five hours being produced by BNT and the rest being purchased. Channel 1 is the main carrier of children's programming.

By the Law for Radio and Television, BNT must broadcast 30 per cent Bulgarian programmes; for private stations this figure is 15 per cent.

Of BNT's purchased children's shows, 70 per cent comes from American sources while 30 per cent comes from other sources, including France, Great Britain, Australia, Canada, Russia, and New Zealand. Fiction films and dramas or animation make up 70 per cent of purchases, with music, sports and games shows representing 20 per cent, and current affairs shows for children representing 10 per cent of purchases.

Nova Televiziya, the first private television station in Bulgaria, was founded in 1994 and was followed by 7 Dni (Seven Days). Both are regional, Sofia-based broadcasters. A licence for the first private national TV broadcaster is expected to be granted soon.

Sources

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Republic of Bulgaria. Law for Radio and Television. 18 July and 5 September 1996.

Stoychev, Marko. Letter dated 30 April 1997.

Addresses

Bulgarian National Film Centre Dimitar Dereliev, President 2A Kniaz Dondukow Blvd. 1000 Sofia Bulgaria

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CIFEJ would like to thank Dimitar Dereliev, Veneta Gerassimova, Marko Stoychev, and Ognian Zlatev for their help in compiling the above information.

Croatia (Republic of Croatia)

Film

The production and distribution of films for children are not subject to legislation in Croatia, a nation of some 4.7 million inhabitants. According to the Ministry of Culture, children have unrestricted access to cinemas, and there is no rating system for classifying films or videos.

The state runs a film production studio, which provides about 90 per cent of the total production costs for films. There are also several private film producers.

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The Law on Croatian Radio and Television is published in Narodne novine (National Gazette) no. 53/94. Article 59, Specific Programme Conditions, states that [broadcasters] "must not offend the public morality, must not show pornography, accentuate violence or provoke racial, religious and ethnic hatred, and must not abuse the credulity of listeners and spectators; must not broadcast a programme which could negatively influence the physical, mental or moral development of children and youth up to the age of 18." Article 65, The Advertising Messages, states in clause 2 that "The advertising message aimed at children or advertising message with children participating in it must not be detrimental to their interests and must not disregard their sensitivity" and in clause 7 that "Broadcasting of religious events ... and children's broadcasts under 30 minutes duration must not be interrupted for transmission of advertising messages."

The public broadcaster is Hrvatska Radiotelevizija (Croatian Radio-Television), or HRT. It has adopted an internal regulation requiring that shows not suitable for children be aired late at night.

The Children's Department of HRT produces original programming — an estimated 211 hours for 1997, at a budgeted cost of Kn 21,134,500 (or US\$3,437,303) — and acquires foreign shows (approximately 189 hours for 1997).

HRT's children's programming is broadcast weekdays from 11:30 to 12:00 and from 14:55 to 15:50; Saturdays 8:55 to 09:20, 12:50 to 13:35, and 18:05 to 19:05; and Sundays from 10:00 to 12:00 and 18:40 to 19:05.

HRT is financed by licence/user fees, by the selling of advertising time, and by international programme sales.

In Croatia, approximately 950,000 households own TV sets.

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Czech Republic

Film

Film production for children, like all film production, has diminished in the Czech Republic. Studios such as Barrandov, which until 1989 were state sponsored, have been privatized and are slowly adapting to a market economy. But this economy has seen the cost of film production quadruple since 1989, according to Věra Chytilová; consequently, to stay open, studios are mostly renting out their services to foreign-sponsored co-productions or are producing television programmes.

The famous Zlín studios, before 1990 an active producer of films for children, has curtailed production and become the sponsor of the International Children's Film Festival, held annually in May. Another festival dedicated to works for children is the Ota Hofman Children's Film and Television Festival, held annually in Ostrov.

While the production of feature films for children from these studios has dropped since 1990, the number of features for children produced by Czech Television has increased. From 1990–96, Czech Television produced 16 such works; three of these received production grants from the Státní fond ČR pro podporu a rozvoj české kinematografie (State Fund of the Czech Republic for the Sponsorship and Development of Czech Cinematography). Also during this period, a variety of animated film shorts, in particular the popular good-night cartoons, were produced by Czech animation companies.

Three foundations are said to be active in the field of children's production, namely: Foundation for Czech Film Production for Children and Youth, Foundation of the Children's Muse, and National Centre of Children's Films and Television, an organization of film clubs for young people.

In the Czech Republic films, videos, and television productions are subject to the Act of 15 October 1993 on Some Conditions of Production, Dissemination and Filing of Audio-Visual Works on Changes and Amendments of Acts and Other Legislation. The law states in Section 4:

1. Audio-visual works, the content of which may imperil the moral formation of minors [Convention on the Rights of the Child] shall be identified as unsuitable for viewers less than 15 or 18 years of age.

2. Makers of Czech audio-visual work shall be obliged to establish such category of suitability as under Par. 1 ... and to identify such category in distribution contract.

3. Distributors of audio-visual work shall be obliged to establish and identify ... such category of suitability for each audio-visual work. In the event such category of suitability be established ... such distributor shall be obliged to observe it.

4. Makers or distributors of audio-visual work shall also be responsible for identifying the category of suitability on the encasement [packaging] of such audio-visual work carrier.

6. Operators of selling points or lending libraries of audio-visual works may not sell or lend multiplied copies of audio-visual works to persons younger than limits applicable to relevant categories of suitability as established by makers and distributors.

In Section 5, the act states:

1. Organisers of audio-visual demonstrations containing advertising shall be obliged to secure that such advertising be identified as such and shown separately from the rest of such demonstration.

2. Organisers of audio-visual demonstrations shall be obliged to secure non-publication of advertising:

a. designed for children or featuring children, if such advertising supports behaviour hazardous for their health and psychic and moral formation.

The Ministry of Culture is responsible for ensuring compliance with the act and administering fines to those who breach it.

Television

The Broadcasting Act of 1991 prohibits the broadcasting of advertisements during programmes for children. Advertising may be shown between children's programmes, but must not exceed 12 minutes in any one hour.

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Broadcasting in the Czech Republic is overseen by a Broadcasting Council whose members are elected by Parliament. The public broadcaster is Czech Television, created after partition on 1 January 1993, and the dissolution of the Czechoslovak public broadcaster F1. Czech Television broadcasts on two networks, CT1 and CT2.

Children's programmes are an important element of the broadcast schedule for the two public networks. In 1996, Czech Television broadcast a total of 737 hours of in-house production. This consisted of 201 hours of first-runs and 536 hours of repeats. In addition, 537 hours of foreign children's programmes were broadcast on both channels. These shows were obtained from the United States, France, Canada, the United Kingdom, and Australia.

Children's shows are broadcast in blocks during the afternoon, from 15:00 to 17:30, and during the early evening. The most popular programmes are short bedtime fairy tales, broadcast daily at 19:10. On Saturdays broadcasting for children runs on CT1 from 08:00 to 10:00 and on Sundays it runs from 07:30 to 10:00.

Educational broadcasting for children, young people, and adults made up 8 per cent of the broadcast schedules for the two public networks in 1994. The production of educational programmes for distribution in schools has fallen off in recent years, although school programmes are being maintained with "old catalogue" shows and foreign acquisitions.

The broadcasting of programmes promoting violence and sex is prohibited by internal regulation at Czech Television, which has set up an Ethics Panel to make recommendations in these matters.

Česká nezávislá televizní společnost Nova, or CNTS, (Czech Independent Television Company) is a private broadcaster that went on the air in 1994 and that acquires 75 per cent of its programming from foreign sources. It depends wholly on the sale of advertising time (up to 10 per cent of total broadcast time) to finance its programming. Initially on the air from 14 to 18 hours a day, one hour of the weekday schedule was reserved for children's shows (animation) and two hours on Saturday and Sunday.

The regional network Premiera (or, more recently, Prima), founded in 1993, also broadcasts children's shows — notably, animation shows — daily at 09:00 and 18:40 and a fiction film Saturdays at 17:50. Some of its animation is produced at the now privatized studios of animation films Krátký film Praha, Barrandov, and Zlín.

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Národní filmový archiv Ivana Tibitanzlová Chief Editor of Film Yearbook Malešická 12/14 13000 Prague 3 Czech Republic

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Estonia (Republic of Estonia)

Film

On 8 July 1992 Estonia passed The Law on the Protection of Children. It states in Article 33 that a child "must be protected against every kind of sexual exploitation such as (1) enticement to [engage in] any kind of sexual activity, (2) being used for prostitution, and (3) being used for pornographic intent." Article 48 states that "it is forbidden to produce or demonstrate to children any printed matter, films, videos, or any other implements which propagate cruelty and violence" and grants the Office of Social Services the right to ensure compliance with [this and related] articles. In Article 50 the law states "In Estonia it is forbidden to produce and to distribute to children obscene (pornographic) objects, printed matter and films; and, It is forbidden to engage children in the production and distribution of obscenities" (unofficial translation).

Television

The Law on Broadcasting dates from May 1994. It addresses the needs of children in Article 15.3:

Advertising directed at children, and the use of children in advertising:

1. must take into account their physical and mental special characteristics;

2. must not cause behaviour which may create in them inferiority, or encourage aggressiveness;

3. shall be forbidden in the case of the products [alcoholic drinks, tobacco products,

firearms and explosives, and prostitution]. The law states in Article 16.3.5 that "Children's programmes must not be interrupted for the purpose of transmitting advertisements."

The public broadcaster in Estonia is Eesti Televisioon, or ETV, founded in 1955. ETV operates four channels, providing programming in Estonian and Russian. The terms of its operations are outlined in the Law on Broadcasting, which also outlines the make up and operating procedures of the Broadcasting Council that oversees ETV (and ETR). ETV must carry "at least 51 per cent local product."

ETV is 54 per cent financed by the state; revenues from advertising, publishing, and technical services make up the remainder of the budget. Its Department of Children's Programmes provides shows weekdays from 09:00 to 09:50 and from 18:00 to 18:30, Saturdays from 09:25 to 10:30 and from 18:00 to 18:30, and Sundays from 09:15 to 10:00, from 11:30 to 13:00, and from 18:00 to 18:30. This breaks down to over 3 hours of original programming, 2.5 hours of repeat broadcasts, 2 or 2.5 hours of animation, and 3.5 hours of feature films each week. Ninety per cent of the animation and feature films for children broadcast are acquired from foreign sources.

Besides its public network, Estonia, with a population of 1.5 million and approximately 615,000 TV sets, also has three other national television networks and cable and satellite broadcasters. In this competitive environment, public television is fighting for its life, and looking at ways to stabilize its funding base (Sookruus).

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CIFEJ would like to thank Jaan Salulaid and Eve Viilup for their help.

Georgia (Republic of Georgia)

Film

Georgia's state film producer, Kartuli Filmi, made its first feature film in 1916. Over the years it has produced a number of films for children; however, the current "tense economic situation" has disrupted film-making by the studio, and "not a single film for children has been made for a long time" (Chigogidze).

Private financing has replaced state-financing of films in Georgia.

But while film-making for children may have languished, film-making by children is still going strong in Georgia. The Pioneer Film Studio, housed in the Republican Children's Palace in Tbilisi, gathers together young people aged from 10 to 16 to write their own scripts and produce and make their own films using young actors. Pioneer has been in operation for 40 years, and "amateur" productions by this studio have won numerous international prizes. The studio, which has traditionally produced films in the 16mm format, recently took up video production. Georgian TV actively supports video productions by young people working out of the Pioneer Film Studio.

The law by which minors in Georgia are protected from viewing pornographic or violent films is administered by the Cinema Corporation of Georgia.

Television

The above-mentioned law also applies to television. In addition, the broadcasting of advertising in chil-

dren's television programs is prohibited in Georgia. Georgian TV is the public broadcaster, which operates two national channels. Children's programmes are shown three nights a week between 20:45 and 21:00. Most of this programming is produced by the Children's Department, although some animation shows are acquired from foreign sources.

The private networks in Georgia are Rustavi 2, Sakartvelos Khma, and Kavkasia. Cable television is available in almost every town in Georgia.

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Address

The Pioneer Film Studio Grigol Chigogidze Rustaveli ave, 6 Tbilisi Georgia

CIFEJ would like to thank Grigol Chigogidze for his help in compiling the above information.

Hungary (Republic of Hungary)

Film

In the past few years, one to three full-length features for children have been produced annually in Hungary. Most of these are adaptations of Hungarian literary works or popular folk tales. One or two feature or full-length documentary films as well as two to four animation films are made annually on social subjects related to adolescents.

As writes Lóránt Scánto, "Film financing in Hungary has become more complicated in the last years. As a consequence of the difficulties of the change of regime [October 1989], the state sources have become more restricted and the structure of the film industry has changed as well. A new support system — in the form of funds and foundations has been established and private production companies have been created. The most important of the new foundations supporting Hungarian films is Magyar Mozgókép Alaptívány [The Motion Picture Foundation of Hungary]." The foundation, however, has a limited budget.

Producers in Hungary, like those elsewhere in Europe, may request production assistance from European agencies such as Eurimage and Media Programme's Cartoon.

Television

The media in Hungary are subject to the Act of 1996 on Radio and Television Services, also called the Hungarian Media Law. This far-ranging law addresses the needs of children and young people in several sections. In addition, it stipulates that one of the members of the Board of Trustees of Public Television Foundation "Hungaria" be "delegated by the national organizations of children's rights issues and youth representation." Currently, this post is held by Dr. István Orbán.

Section 5 of the Media Law addresses the issue of protecting minors:

1. Prior to the broadcasting of visual or sound effects which are offensive to persuasion of religion or faith, violent or conducive to disturbing effect in any other way as well as to the broadcasting of any programme items the content of which may be harmful to the personality, mental or physical development of minors, the audience must be warned of this fact.

3. In a programme item intended for minors, no images or sounds depicting violence as an example to be followed shall be broadcast.

4. Programme items that are harmful to the personality development of minors, in particular depicting the self-justified application of violence as an image of conduct, may only be presented to the public between 23:00 and 05:00. Prior to broadcasting of such programme items, the public must be warned of the fact.

5. Publication of programme items seriously damaging the personality development of minors is prohibited.

Section 13 prohibits advertising for tobacco, arms and explosives, as well as medicines or medical treatments.

The law also outlines constraints on advertising. The advertisement of alcoholic beverages during programmes for children is, for instance, prohibited. Section 14 of the law also states that

1. Advertisements shall not directly suggest to minors that they should encourage their parents or other adults to purchase toys, other goods or render services.

2. The advertisement shall not be deceptive concerning the advertised toy's true nature.

3. Advertisements shall not depict children in a violent situation and shall not promote violent conduct.

4. An advertisement targeted at minors shall not use the minors' trust in parents or teachers as a means of achieving its aim.

Section 17 addresses the placement and duration of advertisements, prohibiting the broadcasting of commercials in "programmes made for children under 14 and which are shorter than 30 minutes." Section 23. 4.b states that "The public broadcast and the public service broadcaster shall pay special attention to presenting programme items contributing towards the physical, mental, and moral development of minors, to serving their interests and enrichment of their knowledge." Further, Section 29. 2.g states that "The public service broadcasting code or the broadcasting code shall regulate ... the rules in relation to minors."

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The law states in general terms the responsibility of public service broadcasters and public programme broadcasters to provide programming for children: "[They must] show programmes which serve the physical, intellectual, and mental development of minors" (Article 23.4.c).

The law sets the percentage of programming that shall be Hungarian in origin in Article 28:

Public service television, starting from the 1st January 1997, shall compose at least 51 per cent of its annual broadcasting time net of advertising, news, sports coverage, quiz and game shows, of Hungarian produced programme items and, including these, at least 70 per cent of European produced programme items.

It also requires that this percentage be respected for programmes aimed at children and young people:

Not less than 15 per cent and, from 1st January 1999, 20 per cent of the total annual broadcasting time used for screening feature films shall be composed of features produced by Hungarian citizens, or Hungarian nationals, or produced in association of Hungarian artists, or of Hungarian produced feature films of which not less than 20 per cent is new production and 30 per cent is not Hungarian Television's or Duna Teleivison's internally produced feature. These rates shall also apply to children's and youth programme items.

It is on the basis of the above Media Law that the Public Service Charter of public broadcaster Magyar Televizio (Hungarian Television), or MTV, is based. MTV was founded in 1957 and currently broadcasts on two channels. It is financed by state subsidies, viewer fees, and advertising activities. Its charter, currently being adopted, contains even more specific protection for minors.

Cable television was introduced in Hungary in the 1980s and a satellite broadcaster, Duna TV, also operates.

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Motion Picture Foundation of Hungary Lóránt Szánto Városligeti fasor 38 1068 Budapest Hungary

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Latvia (Republic of Latvia)

Television

Television broadcasting in Latvia is overseen by the Nacionālā Radio un Televīzijas Padome (National Radio and Television Council), which consists of nine members elected by the Saeima (Parliament). The council issues broadcasting licences to public and private television stations.

Broadcasters are subject to the Electronic Mass Media Act (EMMA) of September 1995. With regard to the protection of children the act states:

Article 18.4. Electronic media shall not distribute programmes capable of inhibiting the normal physical, mental or moral development of children or adolescents unless the broadcasting time is specially selected (between 22:00 and 07:00) or technical protection (encryption) is provided. Such broadcasts or programmes shall carry special warnings both on the timetable [schedule] and before transmission.

Article 18.5. Between 07:00 and 22:00 programmes containing violence (physical or psychological) in visual or textual form, homicidal, horror-inciting scenes, plots associated with the use of drugs are prohibited. The texts shall not contain taboo expressions, impolite utterances or references to sexual proceedings. The provisions of this part shall not concern encrypted cable TV services.

On issues relating to cultural protection, EMMA states:

Article 19.3. Films shall be dubbed or be provided with subtitles in Latvian. Films for children must be dubbed or carry voice-over translations into Latvian.

Article 18.1. The following proportions between Latvian and foreign programmes shall be observed in Latvia's visual programmes, except cable TV and satellite TV, between 19:00 and 23:00 on weekdays, between 07:00 and 12:00 and between 19:00 and 23:00 on holidays, except for news, sports, games, quizzes and advertising:

1. at least 80 per cent shall be European productions, including

2. at least 40 per cent local Latvian productions, as averaged over a period of one month. EMMA addresses advertising and sponsorship in Articles 21 and 26:

Article 21.3. Commercials targeted at children or featuring minors shall not threaten the children's interests and shall take into account the special sensitivity of children.

Article 21.4. Advertising shall not promote violence.

Article 21.5. Advertising of wine and beer shall not be allowed. Advertising of all other alcohol shall be banned. Commercials advertising alcohol shall not feature minors and ... may not be aimed specifically at minors.

Article 26.5. Sponsorship of children's programmes is not allowed to individuals or entities directly involved in manufacturing of goods and rendering services the advertising whereof is prohibited.

The national public broadcaster is Latvian Television, LT, which was transformed to a public broadcaster in 1995 with the passage of EMMA. It currently broadcasts on two channels. Latvian Television gets 60–70 per cent of its funding from the state and makes up the rest with revenues from advertising (no more than 4.5 minutes per hour) and sponsorship.

Its programming is subject to a national subscription. As outlined in EMMA, "National subscription is a collection of programmes endorsed by the National Broadcasting Council. This collection conforms to the requirements of this act and receives an adequate measure of funding." Article 54.4 states: "The national subscription shall support society's demand of children's and other programmes (including services for the deaf and dumb."

An internal LT report discussing the national subscription for 1997 states "Programmes for children and adolescents attract a smaller part of the audience; nevertheless, in the name of the future and to fill the duties of a public broadcasting organisation, this aspect of the Programme must be stimulated by Latvian Television." It goes on to state, "Latvian Television shall deliver programmes for children every day. In addition, there shall be a longer programme on Saturday and Sunday mornings. Each week, LT shall broadcast several films, shows or

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soaps for children. Game shows for children shall be developed that will also be of interest to adults."

In its programming mix, LT devotes 7.7 per cent, or 486 hours, of the total broadcast time to children's programming

In September of 1996 Latvijas Neatkariga Televizija (Latvian Independent Television) or LNT was founded. LNT broadcasts on a channel formerly used by Russian Public Television (Ostankino), which no longer rebroadcasts in Latvia. In a press (Internet) release, LNT states that one of its most popular series is the U.S. show *Flipper*. Film serials are broadcast after 16:30, and a children's hour commences at 18:00.

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Lithuania (Republic of Lithuania)

Film

Since regaining its independence in August 1991, Lithuania has passed the Law on Fundamentals of Protection of the Rights of the Child. Its purpose is the "improvement of the legal protection of children within the country, through the establishment of principles in defence of the rights and freedoms of the child co-ordinated with the Constitution of the Republic of Lithuania and international law norms and principles."

This is a far-ranging document that seems to correspond closely to the UN Convention on the Rights of the Child in providing for a protective net for the rights and freedoms of children. Article 46 states:

The demonstration, sale, propagation and rentals to children of toys, movies, audio and video recordings, literature, newspapers, magazines and other publications which directly promote and propagate war, cruel behaviour, violence, and pornography, or otherwise harm the spiritual and moral development of the child, shall be prohibited.

Administrative or criminal liability, established by laws, shall be applied for these activities.

Two to three feature films for children are made annually in Lithuania, according to the Ministry of Culture. These are mainly sponsored and financed by Lithuanian Radio and Television.

Television

Lietuvos radijas ir televizija (Lithuanian Radio and Television) or LRT is a public broadcaster financed in part by licence/user fees. Its activities are governed by the Lithuania Law on National Radio and Television, approved in 1996.

The law prohibits the broadcasting of pornography or violence or encouraging national, racial, and religious hatred. It also prohibits the interruption of children's broadcasts with advertising and bans the advertising of certain substances such as tobacco products.

LRT provides one national television channel that broadcasts, largely in Lithuanian, an average of 11.5 hours a day. Only 25 per cent of its programming is acquired from foreign sources. Of its total broadcast time, children's and youth's shows make up 4.1 per cent and educational shows make up 1.1 per cent.

In 1996 LRT produced 120 hours of original children's programmes, for a total annual cost of US\$76,500, and purchased 180 hours, for a cost of US\$60,000. Purchases were made from Tele East, Cinar, Mega Entertainment, Hit Entertainment, CBC, and Czech Television. All feature films and programmes purchased or obtained from foreign TV companies are dubbed into Lithuanian.

Children's programmes are broadcast weekdays from 18:50 to 19:20 and weekends from 9:30 to 10:30.

LRT is a signatory (since February 1996) to the European Convention on Transfrontier Television.

There are about five private broadcasters operating in Lithuania, two of which broadcast nationwide.

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Macedonia (Former Yugoslav Republic of Macedonia)

Film

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Film in Macedonia has long been dominated by Vadar Film, which was founded in 1947 as the official state film production company. Vadar has produced 53 feature films and over 700 documentary and animation films. This included 5 features, 25 to 30 documentaries, and 15 animated films for children.

The Ministry of Culture is currently preparing a law on cinematography, which will stipulate measures to protect children.

"Macedonian films express the Macedonian people's spirit, their ideals, sufferings, their turbulent history, paths, and aimings. They mirror the past and the present and manage to equally belong to the Macedonian cultural space as well as to 'everyman's' understanding of the world" (*Profile*).

Television

Television in Macedonia is subject to the Broadcasting Law approved on May 8, 1997. The law contains articles aimed at protecting children from viewing programmes that may be harmful or have a negative influence on them. Article 35 provides:

Broadcasting of programmes aimed at violent destruction of the Republic's Constitution, or at urging and inviting military aggression, or at inflaming national, race or religious hatred and intolerance shall not be permitted.

Broadcasting of programmes with indecent content, and in particular with pornography or violence, shall not be permitted.

Broadcasting of programmes which might have a negative influence upon the physical, psychological and moral development of children and youth shall be broadcast between 24:00 and 06:00 only.

Article 50 of the law addresses children and advertising:

Commercials intended for children, or those which have children participating, must not contain messages which might offend their interest or harm their sensibility and youth.

Television networks are overseen by a

Broadcasting Council. Its mandate is to convey public influence on the programming of TV networks and to ensure compliance with the [above] law with respect to programme contents.

Macedonia Radio and Television (MKRTV) is the sole public broadcaster in Macedonia, with one TV station broadcasting nationally on two channels, as well as an experimental channel. The first channel broadcasts in Macedonian, while the second broadcasts in the languages of the national minorities, Albanian, Turkish, Vlach, Serbian, and Rome. MKRTV is overseen by Parliament. It is financed up to 86.8 per cent by the Broadcasting Tax, introduced with the 1997 Broadcasting Law (the tax amounting to 2.5 per cent of the last month's average personal income), 8.5 per cent from advertising and 3.7 per cent from other sources.

MKRTV broadcasts about 730 hours of programmes for children annually. This breaks down into 40 minutes daily of film, entertainment, musical, or animated shows and 90 minutes daily of educational programmes. The schedule is:

Monday to Friday

10:20 to 13:20	educational programmes for school
15:05 to 17:00	children repeat of the morning educational
19:00 to 19:20	programme

Saturday and Sunday

08:05 to 09:25	children's programming
17.00 to 18:20	movie programme for young people
19:00 to 19:20	cartoons

Of the total children's programming, fully 80 per cent is produced in-house.

According to MKRTV's Stalin Lozanovski:

The budget for the production of children's programmes is very small. This means that our only way is to produce cheap programmes. The copyrights [salaries] for the authors, directors, costume designers, scenographers are minimal i.e., within the limits of their monthly salaries.... The state budget does not allocate any resources for children's production, neither for television nor film production. In this very difficult financial situation, the only thing that enables us to

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Macedonia

somehow produce programmes, which are fancied and warmly accepted by the children, is the fact that we have a number of very capable authors and professionals from all fields.

The co-production model is fairly new, but hopefully, in the near future, we will have greater resources that will enable us to produce programmes to be broadcast in other parts of the world.

The remaining 20 per cent of programming is acquired from foreign sources. All such programmes must be translated (subtitled or dubbed) into either Macedonian or the language of the national minorities.

Macedonia is a nation which in 1994 had 1.9 million inhabitants and approximately 307,782 television sets.

networks, domestic and foreign companies. In recent years, Polish Television has become a major, if not the major producer of heaters films in Poland, including some that go into the states on the button. The network produces some features on the own, and some in co-productions.

The four well-known commution studies that flour shed with state support before the 1980's have failen in hard times, although they still operate under the supports of the State Commutee of Foush Chematography. New public and private studies have operand up, with the six most important ones being privately owned. Annuation production in Poland is estimated to be 60 short films annually. Polash Television is a major commissioner of animation films. According to ten Surrounded

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with the uniquitous advertisements and who have to choose between many examples of different behaviours, mores and words outlooks

The International Festival of Films for Children in Poznan, organized by the National Centre of Art for Children and Young People, an organization brondted in 1983, is the country's major venue for firms for

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CIFEJ would like to thank Stalin Lozanovski and Igor Nola for their help in compiling the above information.

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Television

The Act on Radio and Television [Fryadcasting Act of 29 December 1992 regulates the content of television programming in Poland. It addresses issues: relating to children and young people in Article 18.

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3. Programmes which may be hazardous to the mantal, entotional and physical development of children and youth shall not be broadcost between 06:00 and 23:00.

4. The National Board may by order provide a code governing standards of the programmes setential to fabrivel

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Moldova (Republic of Moldova)

Moldova has adopted a law on mass media and a law on audiovisual. These laws do not address issues relating to children.

Television

The public broadcaster in Moldova is Teleradio-Moldova. It has adopted internal regulations prohibiting the screening of sexual material and violence. The company runs programmes for children in three time-slots on weekdays (from 07:30, 16:10, 20:45), with additional showings on Friday and weekends, for a total weekly broadcast of 7.3 hours of children's shows. Of that, annually Teleradio-Moldova produces 150 hours of original programming for children, at a cost of about US\$35,000, and shows 230 hours of reruns, including some cartoons.

The company has limited financial means and so purchases little foreign programming, according to Constantin Pîrțac. Source

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Address

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Poland (Republic of Poland)

Film

The State Committee of Polish Cinematography helps finance feature film production, including films for children. Of the approximately 20 feature films made annually in Poland with the Cinematography Committee, two or three are children's films. This figure has not changed since the political changes of the early 1990s. However, the Cinematography Committee no longer provides full financing for these films; it provides up to 40 per cent, with producers raising the remaining funds privately — through public or private television networks, domestic and foreign co-producers, and sometimes with distribution companies.

In recent years, Polish Television has become a major, if not *the* major producer of feature films in Poland, including some that go into theatrical distribution. The network produces some features on its own, and some in co-productions.

The four well-known animation studios that flourished with state support before the 1990s have fallen on hard times, although they still operate under the auspices of the State Committee of Polish Cinematography. New public and private studios have sprung up, with the six most important ones being privately owned. Animation production in Poland is estimated to be 60 short films annually. Polish Television is a major commissioner of animation films. According to Jan Szymanski,

Paradoxically, due to technological backwardness, i.e, non-computerisation, the classical animation still remains at a very high artistic level. Polish animation boasts some excellent model makers, designers, and directors....

Polish film for children stands at a crossroads. It has to come to terms with a different audience used to living in a free and democratic country who are at the same time bombarded with the ubiquitous advertisements and who have to choose between many examples of different behaviours, mores and world outlooks.

The International Festival of Films for Children in Poznan, organized by the National Centre of Art for Children and Young People, an organization founded in 1983, is the country's major venue for films for children. The centre promotes art for children and young people as well as the participation of children in the creative process, in conformity with directions outlined in the UN Convention on the Rights of the Child.

There is no legislation in Poland on film censorship, and no body regulating or classifying films for this purpose. The Penal Code, however, prohibits the distribution of pornography (Article 173) and bans activities that may offend the religious beliefs of individuals (Article 198).

No cinema or video rental outlet may release a film unless it has a rating, although these businesses are self-regulating when it comes to enforcement. Thus, although they are not legally required to do so, film distributors set the age rating for films, often deferring to the rating assigned by the film's country of origin.

The Law on Cinematography of 16 July 1987, adopted before liberalization, does not specifically address issues related to films for children. An amended law is under study, pending adoption by the current government.

Television

The Act on Radio and Television [Broadcasting Act] of 29 December 1992 regulates the content of television programming in Poland. It addresses issues relating to children and young people in Article 18:

1. Broadcasting must not display actions contrary to law, to the Polish reason of state, as well as attitudes and views contrary to morals and social well-being.

2. Broadcasting should display respect for the religious beliefs of viewers and listeners and especially it should respect the Christian system of values.

3. Programmes which may be hazardous to the mental, emotional and physical development of children and youth shall not be broadcast between 06:00 and 23:00.

4. The National Board may by order provide a code governing standards of the programmes referred to [above].

The act provided for the establishment of a National Broadcasting Council. In November 1994, the council published a document that elaborates on the Broadcasting Act with respect to children and teenagers:

Radio and television broadcasters shall restrict the transmission of programmes which could threaten the psychological, emotional, or physical development of children and teenagers. In particular, it shall concern the programme services which:

1. portray brutality and violence, especially pictures of assault, torment or other vicious scenes;

2. depict behaviour which transgresses the customary limits of socially accepted behaviour and contains vulgar phrases, words, or gestures;

3. drastically infringe the social norms through pornography, leading to a subjective treatment of a human being, with no regard for human sensitivity and dignity;

4. render the methods and techniques of criminal activities.

A programme service referred to [above] may be transmitted if it is justified by its high artistic, documentary, informative or historical value, provided that its transmission does not infringe the provisions of the Penal Code.

The broadcaster shall inform viewers or listeners of the nature of the programme service when advertising the programme service and just before its transmission. The information supplied to viewers should specify that the programme service may negatively affect the psychological, emotional, or physical development of children and teenagers.

The advertisement of the programme services of a nature described [above] should not be transmitted during the broadcasting hours from 06:00 to 23:00.

Telewizja Polska S.A. (Polish Television), or TVP, is the sole public service broadcaster in Poland. Founded in 1952 as a state broadcaster, TVP is now a state-owned joint stock company that operates two nationwide channels (TVP1 and TVP2) as well as 12 regional channels and one satellite channel (TV Polonia). All produce, commission, and broadcast programmes for children and young people. In 1996, TVP's income originated from licence fees (31.9%), advertising (53.7%), and the sale of programmes and services (14.4%).

About 70 per cent of TVP's programming is Polish in origin. Educational programmes make up 10 per cent of the broadcast schedule, while programming for children and young people constitutes about 11 per cent of the schedule (a total of 1,504.5 hours in 1996). The latter are broadcast daily in programming blocks (different for each TVP-operated channel, but averaging 1.5 to 2.5 hours daily).

Foreign films and programmes for children and young people constituted 32 per cent of total youth programming on TVP1 and 36 per cent on TVP2, with the United States, Great Britain, France, Canada, and Germany as the main suppliers of these programmes.

TVP1's children's department is known as Children's and Young People's Television and has an annual budget of approximately US\$7,056,000. TVP2's annual production budget for children's is US\$13,070,000.

TVP1 has several production teams responsible for many award-winning children's shows, among them *Theatre as Life*, which deals with difficult and often painful problems experienced by some young people, and 5–10–15, a programme for kids of all ages with children as hosts. The department is headed by Jadwiga Jasny-Mazurek. TVP2's children's department, headed by Elzbieta Naglowska, produces the Polish version of *Sesame Street*, among other programmes.

In August 1995 TVP issued "Rules Defining the Principles of Broadcasting of Programmes by Telewizja Polska S.A., which might endanger the psychological, mental or physical development of children and youths." It outlines internal restrictions for the broadcasting of shows with violent or pornographic content, prohibiting them between 06:00 and 23:00 and requiring they be broadcast with warnings that they are not for children or youths and a caption indicating "only for adults." It also stipulates that warnings should proceed educational and current affairs shows that may have content harmful to children.

TVP's mandate with regard to children's programming is outlined in the document "The Mission of Telewizja Polska S.A," which conforms with the Convention on the Rights of the Child and states:

Television and viewers. Special care and responsibility is required while making children's and youth programmes since young viewers very often cannot discern between good and evil, nice and ugly. The programme offer must be diversified so that everyone can find something interesting (subjects such as nature, history, mathematics are touched upon). There are integrating programmes for both handicapped children and those without disabilities. Direct contact with young viewers is maintained as they are invited to write letters to programme makers.

Also operating within the TVP framework is the TV Theatre and Film Production Agency, which produces feature films and series for children and youths. It produces works based on Polish and foreign theatre plays and literary works for broadcasting in a time-slot known as the *Theatre for Children and Young People*. In 1996 it produced about 900 minutes of film/video programming as well as 600 minutes of animated cartoons based on a budget of US\$8,300,000.

TVP may have one of the best formulated and most complete services for children's programming in eastern Europe. However, TVP's monopoly ended in 1994 when POLSAT, founded in 1992 as a private satellite company, was awarded Poland's first private television licence. There has been erosion of TVP's audience share since the introduction of POLSAT, because some 35 per cent of the Polish population can now receive foreign programming from satellite and cable stations (Celinska-Bejgier).

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CIFEJ would like to thank Irena Grudzinska, Hanna Jedras, Jerzy Moszkowicz, and Jerzy Schönborn for their help in compiling the above information.

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The broad tasking of programmes shall not prejudice the protective measures of youths. Programmes which, by their contents, threat can the psychological or nineral development of children shall not be broadcast from 06:00 to 22:00

Romania

Film

In the five years preceding 1990, Romania annually produced an average of four feature-length films for young people and 40 animation films for children. Subsequent to 1990, no features for children have been shot (*National Screen*).

A limited number (five or six a year) of foreign feature films for children do receive theatrical distribution in Romania, which has approximately 400 cinemas.

Romania is the home of The Piatra Neamt Festival of Films for Children, which celebrated its seventh year in September 1996. Although the festival was well received by film professionals and the public those who are concerned about children's cinema use this forum to voice ideas to film professionals, politicians and the public, alike — at the last festival only old Romanian films for children were screened along with recent foreign films (ibid).

In 1996 the Centrul Național al Cinematografiei (National Centre of Cinematography) issued a report on strategy for the next two years. This report outlines the centre's expectations for the Law on Cinematography, anticipated to be read in Parliament in the second half of 1997. While the report calls for launching the production of five to seven new films for the period September 1996 to December 1997 and outlines principles for the selection of projects, there is no mention of ensuring that some of the production funds be allocated to children's film.

Television

The Law on the Organisation and Operation of the Romanian Radio Broadcasting and the Romanian Television Corporations (No. 41) of 17 June 1994 states in Article 5:

The broadcasting of programmes shall not prejudice the protective measures of youths.

Programmes which, by their contents, threaten the psychological or moral development of children shall not be broadcast from 06:00 to 23:00. Children in trouble or young offenders shall be presented without features enabling their identification.

In 1993 the regulatory authority Consiliul Național al Audiovizualului (National Audio-Visual Council) or CNA adopted regulations on advertising broadcast during audiovisual programmes. The regulations state:

Article 1. Advertisements addressed to, or using children, shall avoid anything likely to harm their interest and shall have regard to their special susceptibilities.

Article 5.2.a. Advertisements shall not be addressed to minors and no one associated with the consumption of alcoholic beverages in advertisements should seem to be a minor.

Article 5.3. Advertisements for alcoholic beverages during the peak hours 06:00 to 23:00 are accepted on condition that they are not accompanied by the drinking gesture. [These advertisements] cannot be inserted during children's sports programmes.

Article 7. Advertisements for pictures or shows forbidden to persons under age, as well as pictures presenting extremely violent or shocking scenes, which might exert a negative influence upon the viewers' emotional condition, are prohibited during peak time, or during children's programmes or during cultural, sports, or entertainment programmes.

On 30 January 1997 the CNA adopted a six-article directive on measures for the protection of minors; this directive aimed to harmonize Romanian legislation with European directives in this area (Television without Frontiers of 3 October 1989) and to complete previous CNA decisions (see above). The CNA directive states (our translation):

Article 1. It is prohibited to distribute programmes ... that might impair the physical, mental, or moral development of minors by their pornographic or violent nature be it physical, psychological or linguistic violence.

Article 2. The distribution of programmes ... categorized as erotic or "sexy" is prohibited except between the hours of midnight to 05:00. Announcements aimed at advertising such programmes ... must adopt protective measures for

Romania

minors and must not be accompanied by commentary liable to heighten their interest in viewing said programmes. Airing of such programme announcements is prohibited except between midnight and 05:00. This prohibition also applies to advertising for erotic telephone services or telephone conversations liable to exploit the lack of experience and vulnerability of minors.

Article 3. Advertising must not prejudice the moral or physical development of minors and therefore must comply with the following:

a. not directly suggest to a minor to buy a product, seek a service or partake in an activity based on their lack of experience of vulnerability; b. must not incite minors to urge their parents

b. must not incite minors to unge area p
or others to buy the said goods or services;
c. must not take advantage of the confidence

c. must not take advantage of the comminers place in their parents, teachers, or other persons;

d. must not show, in a gratuitous manner, minors engaged in dangerous situations.

Article 4. In order to bring about these standards, the CNA recommends to licenced broadcasters to establish their own classification system for film and other audiovisual productions in order to set broadcasting standards and to notify the CNA of this classification system.

Article 5. Failure to comply with these directives will lead to legal sanctions.

The directive is signed by Mircea Sorin Moldovan, president of the CNA.

The public broadcaster is Societatea Romana de Televiziune (TVR), which operates two channels and a satellite channel, TVR International. With regard to advertising directed at children, TVR has adopted internal regulations prohibiting the broadcasting of advertising during children's shows, and limiting it to before and after children's programming.

TVR produces and broadcasts two, one-hour children's shows (Saturday and Sunday at 10:00) and a five-minute tale broadcast each weekday. Other time-slots reserved for children are devoted to foreign programming, largely cartoons and imported series. The total number of hours of original TVR programmes for children annually is 110–120, produced at an average cost of US\$35–40, [per minute] and the number of hours of foreign-purchased programmes is about double.

There are several private broadcasters in Romania, among them, PRO-TV, Antena 1, and Tele 7. They also produce some shows for children.

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Russian Federation)

Film

Russia has a long history of state subsidized participation in children's culture and media, including magazines and films. Prior to liberalization, upwards of 30 dramatic films for children along with many documentary and educational films were produced annually. Since then, production figures have dropped. "Film studios have released fewer children's films in the last five years than they used to within one year's time" (Paramonova).

The National Children's Centre, associated with the Union of Cinematographers, has been closed. The Gorky Studio of Children's Films, the state producer of children's films that is now a private venture (joint stock company), has made only a few films in the last five years, and these with very limited financial resources. The once large Mosfilm, which has been split into a number of small, independent studios, produced one children's film, *The American Daughter* (1995, sometimes referred to as a family film).

Soyuzmultfilm, the studio that specialized in animated films for children, is practically inoperative, as are some smaller regional studios. However, new studios producing children's films have opened.

Cinema attendance dropped 105 times during the last few years (*Arguments and Facts*). Adult cinemagoers who cannot afford the relatively high price of movie tickets are staying home, watching TV. Some are staying home because the foreign films they previously could see only in cinemas are now aired on television, although others may choose to watch these films at ciné-clubs devoted to auteur films.

The specialized children's cinemas that for decades distributed children's films still exist, but their number has been reduced. Other cinemas have implemented special (usually morning) showings for children. In one region, Kurgan, the number of performances for children dropped more than 8 times, and the number of spectators dropped more than 14 times (Spitchkin).

So the market for Russian "cultural" films, including films for children, has declined. But protective measures to ensure the production of Russian films are now in place. On 22 August 1996 federal legislation entitled State Support of Cinematographic Art was adopted. In Article 6 the law states "the primary measures of the state support of cinematographic art are aimed at creating national films including films for children and young people." The means for doing so include partial financing of film production, printing and distribution by state agencies, as well as tax and financial privileges for production companies.

Prior to that, in 1995, President Boris Yeltsin issued a presidential decree entitled On the Programme 'Children-Screen-Culture.' It provides presidential backing for the programme Children-Screen-Culture developed by the International Fund for Development of Cinema and Television for Children and Young Adults (Rolan Bykov Foundation), founded in 1992, providing organizational and financial support for the period 1996–2000.

There is in the president's Decree no. 1904 of 12 November 1993 a paragraph that reads: "As of 1 January 1994, to treat as tax free the income from the distribution (and screening) of theatrical and video films for children, produced by Russian studios." There is some indication that this article has since been annulled.

Children in Moscow are being provided a unique opportunity to learn about film through the Moscow Children's Fund (MCF). This non-profit organization operates the film studio Animafilm, which brings together professional film-makers and children, the latter to learn the principles and skills of animation film-making. The studio received a special grant from the Union of Cinematographers to help ensure that puppet animation does not die out. As well, MCF operates a cinema school (approved by the Ministry of Education) for children aged 6 to 11. Over 800 students have attended the school, and some have made films there with the help of professional film-makers. MCF also organizes events promoting children's cinema, such as the conference Children — 97, held in conjunction with the festival Moscow Holidays.

In the area of youth protection, film distributors in the Russian Federation must apply for a state distribution licence for theatrical or videos based on The Regulations for Public Demonstration of Films for

Russia

Theatrical and Video Release (Decree No. 1264 of 17 November and 16 December 1994). According to this regulation, distributors getting a licence take upon themselves the responsibility for showing only films with distribution certificates. There is general compliance to these regulations, according to Alexander Spitchkin, as regards theatrical screenings and broadcasts on television (for which the licence is required at both the federal and local levels), but there is some overlooking of them in the video rental market.

There is growing public concern about youth protection in this sphere, and some changes and additions to the Federal Laws On Mass Media, On Advertising, and to the Penal Code are now under parliamentary discussion.

Television

The protection of children and youth is addressed in two federal laws: The Law on Mass Media, of 1991, and the Law on Advertising, of 1995, in addition to the regulation discussed above.

According to Article 4 of the Law on Mass Media, using these media for "igniting national, class, social, or religious intolerance or dissension, or for war propaganda, is prohibited." Article 37 states that erotic programmes may be broadcast only between 23:00 and 04:00, that is, at a time when children and juveniles would not normally have access to them. In addition, advertising must not exceed 25 per cent of the total volume of broadcasting.

The protection of children with regard to advertising is addressed in several articles of the Law on Advertising. Article 5 states that advertising must not induce aggression and violence, or actions which may be dangerous and harmful to the health of citizens or threaten their safety. Article 8 prohibits advertising which contravenes ethical standards by using verbal, visual, or auditory information ... or uses offensive language, images, and comparisons in regard to any racial, professional, social, or age group.... Article 11 states that programmes for children must not be interrupted by commercials, while Article 16 prohibits the advertising of alcoholic beverages and tobacco directed at minors and during certain times when children might be viewing TV. Article 20 addresses the protection of minors in the production and distribution of advertisements. It states that in order to protect minors from abuse of their inexperience and credulity, advertisements should not:

 discredit the authority of parents and mentors or undermine minors' trust in them;

 directly encourage minors to persuade their parents or others to purchase goods being advertising;

• attract attention of minors to the fact that possession of a product gives any advantages over other minors, or that the absence of the product gives an opposite effect;

• underestimate the level of skill necessary for minors to use a product;

• include any verbal, visual or auditory information showing minors in dangerous places and situations.

In December 1993, the Federal Television and Radio Broadcasting Service was established to replace the Ministry of Press and Information and the Federal Information Service of Russia.

Following that, in 1995, Russian broadcasting went through a major reorganization. Public Television of Russia, ORT, was formed to take over broadcasting from Ostankino Russia State Television and Radio Broadcasting Company. ORT is 49 per cent privately owned. ORT broadcasts Channel 1 throughout Russia.

RTR (Russian State Teleradio Company) and GTRK, Petersburg TV, a regional state TV company that broadcasts nationally, are the other major TV broadcasters. And each region of Russia has a regional state broadcasting company. All these broadcasters are self-regulating in the area of programming for young audiences.

RTR, for instance, prohibits the advertisement of tobacco and alcohol during children's programmes. It does not broadcast violent, erotic, and other materials that may be harmful to children, according to Andrei Menshikov.

RTR broadcasts children's programmes weekdays from 08:00 to 09:00 and from 18:00 to 19:00. On weekends children's shows are broadcast from 09:00 to 11:00 and from 16:00 to 17:00.

About 300 hours of original programming are produced each year by RTR, at a cost of approximately US\$12 per hour. The network broadcasts about 30 minutes a day of foreign shows, imported from the United States, United Kingdom, Japan, Australia, and Canada.

There is much competition in television in Russia. Every large city has between 5 and 20 private [regional] broadcasters. But they usually lack financial resources and are making do with outdated equipment. This plus the fact they are self-regulating in the area of children's programmes means few pro-

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duce their own children's shows; they air mostly cartoons in traditional children's time-slots.

One correspondent noted that although the total number of hours of children's shows broadcast on the various networks has not declined over the last few years, the number of Russian-produced shows has declined. "There are no sponsors, and the state has no money for children's cinema," writes Alexander Fedorov.

Another correspondent, writing about those living in the vast regions of Russia, noted that extended families, which often live together for economic reasons, may have a television but are not likely to have a VCR. With programming of a political nature (based on Party and State doctrines) being replaced largely by entertainment programming, and with the introduction of commercials, a new "ideology of consumerism" has crept into Russian homes "provoking serious clashes between parents and children because the latter cannot buy all the goods that the advertisements offer" (Spitchkin).

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Slovak Republic

Film

Film and video production and distribution in Slovak Republic, a nation that came into being on January 1, 1993, with the dissolution of Czechoslovakia, are subject to the Audiovisual Law adopted by Parliament on 14 December 1995. The law addresses issues relating to the protection of minors in Article 4, Liabilities of Producers, Distributors and Operators:

1. Producers of Slovak audiovisual works, the contents of which are potentially damaging for the [psychological] or moral development of minors below 15 years of age and adolescents below 18 years of age shall specify the age limit of access of such works.

2. Distributors of Slovak audiovisual works, the contents of which are potentially damaging for the [psychological] or moral development of minors or adolescents shall ... specify the age limit of access of such works as being 15 or 18 years of age, respectively. In cases where such age limit was specified by the producer of the audiovisual work, distributors shall take such limits in consideration.

3. Distributors of audiovisual works shall mark the age of limit of access on the distribution list or on the wrapper of the audiovisual work carrier.

4. Operators of technical means and cinema operators shall publish the age limit of access as specified by the producer or distributor of the audiovisual work, and control compliance with such limit in the course of its presentation.

5. Operators of lending libraries or sales outlets of audiovisual works shall not lend or sell copies of [same] unless such work is properly marked with data pursuant to above.

6. Operators ... shall not sell ... to persons below the limit of age of access as specified labovel.

7. Persons specified [above] shall not use and distribute audiovisual works containing violence, brutality and pornographic contents, particularly works containing child pornography.... 11. Distributors shall provide for the dubbing of audiovisual works designated for children up to 12 years of age exclusively in the Slovak language.

[For older children, films may be presented with subtitles or in a dubbed Slovak version.]

Article 5 on advertising states:

2. Cinema operators and operators of technical means shall in the course of audiovisual performances prevent presentation of advertisements:

a. Supporting conduct which represents a potential threat against moral development or against interest of protection of health, safety or the environment,

b. Designated for children or displaying children, and supporting conduct which represents a potential threat against their health, mental or moral development.

d. Promoting alcoholic beverages, narcotic, psychotropic and other habit-forming substances, poisons, and violence.

Ensuring compliance with the law is the responsibility of the Ministry of Culture, which has the authority to impose fines on violators.

In the case of films produced in Slovak Republic, the local producer is responsible for assigning a rating as designated above. For foreign productions, the rating given by the country of origin is adopted for use.

Slovak Republic does not have special quotas for the production or distribution of children's films. But it does provide for the financing or creating or distribution of domestic audiovisual works through the Pro Slovak Republic State Cultural Fund.

Only one film for children has been produced recently (titled *Kriváń*). This animation film was produced by Studio Koliba, the former Slovenská filmová tvorba Bratislava, with the financial support of the Pro Slovak Republic State Cultural Fund. "Films [for children] have been [in recent years] produced by the Slovak TV Studio, which is the only one who has still the money for film producing," according to Eduard Klenovský.

Television

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All broadcasting activities in Slovak Republic are regulated by the 1993 Television and Radio Broadcasting Law and overseen by the Council for Radio and Television Broadcasting of the Slovak Republic. This body, which was set up in 1992, has nine members appointed by Parliament.

The 1993 law aims to protect children and youth through three provisions, namely, (1) programmes that might endanger the moral or psychological development of children and young people cannot be shown between 06:00 and 22:00; (2) programmes that might promote war and describe cruel or other inhuman actions in such a way as to minimize, excuse, or approve them must not be broadcast; and (3) advertisements addressed to children that might endanger their health, psychological, or moral development (such as ads for tobacco, alcoholic beverages, and pharmaceutical products) are prohibited.

The Acts on Radio and Television Broadcasting, which date from 1991 and are currently being rewritten, specify in Article 6.4.a that an operator who "broadcasts a programme which could endanger the mental or moral development of children and youth in the time before 10:00 p.m." is liable for fines.

On 2 July 1996 the National Council of the Slovak Republic passed a law on advertising which stipulates protective measures for persons under age 18 in Article 5:

Advertising must not misuse the trust of persons under 18 years of age, specifically it must not

a. inspire their behaviour which may endanger health and psychic or moral development...

b. present persons under 18 in dangerous situations, or in situations endangering their lives or health

c. inspire persons under 18 to purchase inappropriate products

d. inspire [them] to stay in an inappropriate environment, to speak to unknown persons and to go to unknown places.

The advertising of tobacco products and alcoholic beverages, except beer, are prohibited on television and radio, in audiovisual presentations and on billboards and in periodicals (Article 6.a).

Slovak Republic has one public broadcaster, Slovenska Televizia (Slovak Television), or STV, formed in 1991, which broadcasts two channels. There are also two commercial national networks, Markíza (operating since 1995) and VTV, and two regional networks.

STV has no internal regulations on programming for children. Approximately 15 per cent of its broadcast time is devoted to programming for children or young people.

Commercial broadcasters have quotas that establish guidelines on the amount of domestic production required and foreign production allowed on air, but these quotas do not specify allotments for children's programming. Of course, in applying for their broadcast licence, TV stations may be reminded by the Council for Radio and Television of their responsibility to provide children's programmes, and their specific plans to do so may be seen as positive (Grujbárová).

The protection of children from violence on TV has not until recently been acknowledged as a problem in Slovak-produced shows. "However, [violent scenes] are appearing more often, in imported television programmes and in foreign television programmes available through satellite or retransmitted on cable. Without legislative initiative we can take only administrative measures ... in the form of licence terms or recommendations for broadcasters ... aimed to prevent excesses of violent content or forms on screen" (ibid).

Recently the council issued a directive about movie trailers screened on TV, requiring that trailers containing violence be broadcast only after 22:00. It is currently studying other recommendations that might have an impact on the child audience, in particular the whole area of requiring broadcasters to warn audiences about programme content that might be inappropriate to young viewers, thus allowing parents and educators to participate in the decision as to what is appropriate viewing for children.

No discussion of children's media in Slovak Republic would be complete without mention of the Prix Danube, the bi-annual international competition of children's programming sponsored by STV. This unique gathering permits the producers of eastern Europe to view recent productions and exchange ideas about programming for children.

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Slovak Republic

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-. Law on Advertising. 2 July 1996.

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Felevicia Slovenia, or RTV, founded in 1958, a t suble broadcaster that transmits TV1 and TV2. It is meaned by subscription fees (65%) and advertising (5%), and overseen by the Council of RTV Slovenia a 25-member body appointed by Pathament (5 members) staff (3 members), minority groups, such as bers) and public associations and groups, such as uppressives, churches, journalists, trade unions, etc. (15 members).

RTV's Children's and Youth Department, which halls under the umbrolls of Cultural and Artistic Programmes, was responsible for 989 hours of programming, of which 194 hours were produced by hours were repeat broadcasts. The Children's and youth Department receives 8.6 per cent of the total RTV badges.

Children's programmes are broadcast on TVI weekdays at 17:10 to 18:00 and two hours on

Securitay and Sunday mornings. TV2 oroadcasts a oblidtem's show on Monday from 10:00 to 11:10. Noteworthy recent films of longer duration are Heroes of the Fifth Grade (1996), a series of 30-min. episodes that was edited into feature film format for ketival distribution, and Peter and Petra, a 50-minute TV Film.

RTV is currently preparing a set of internal regulations (using the European Broadcast Union model)

Addresses

National Centre of Audiovisual Arts Eduard Klenovský, Director Grösslingova 32 811 09 Bratislava Slovak Republic

Prix Danube Slovak Television Mlynská dolina 845 45 Bratislava Slovak Republic

Slovak Republic Ministry of Culture Ĺubomír Šišák Nám. SNP č 33 813 31 Bratislava Slovak Republic

Slovak Republic Office of the Council of SR Radio Jarmila Grujbárová Manager Nám. SNP 12 811 06 Bratislava Slovak Republic

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CIFEJ would like to thank Mikuláš Gavala, Jarmila Grujbárová, Eduard Klenovský, and Ĺubomír Šišák for their help in compiling the above information.

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There is no rating system for cinema access or for video films that protects minors from view-

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Slovenia (Republic of Slovenia)

This country of about 2 million people declared its independence from the former Yugoslavia in 1991 and has one of the highest standards of living of the former Yugoslav republics.

Film

To quote from *The Slovenian Films*, a publication of the Slovenian Film Fund:

Slovenian film production is very limited: on the average not more than 3 feature films, 10 short films and 5 video films are produced a year. In the early 90s film production shifted from the state to the private sector. That was the time when new legislation enabled smaller producers to become active.

Film production has always been directly linked to the Ministry of Culture and is still cofinanced by it.

In 1995, a new state organism, The Slovenian Film Fund, became operational. [Its] main objectives are: co-financing film production of all genres as well as film events, festivals, filmrelated publications; promoting Slovenian films at home and abroad, selling films etc.

A complete filmography of Slovenian films consists of no more than 130 feature films and 1000 short films (documentaries, animated, etc.).

The Film Fund does not allocate a certain portion of its budget to children's films. And although it has not participated in the financing of a theatrical feature for children since its inception, the Film Fund has co-financed nine (five-minute) episodes of the children's animation series *Bojan the Bear*, and will finance another two episodes in 1997.

As Nerina Kocjancic states in a letter, "There are no children's film festivals in Slovenia. But ... in Ljubljana, the capital city of Slovenia, we have something very special: a children's theatre, whose programme is unfortunately completely filled with Hollywood films!"

She continues:

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There is no rating system for cinema access or for video films that protects minors from viewing violent or pornographic films. There are no pornographic theatres in Slovenia, either. The exhibitors decide on their own if some films are not suitable for children under 15. In that case, the exhibitors [provide the following warning]: We do not recommend the viewing of the film to youths and children under 15.

The exception is the 1994 Law of RTV Slovenia, Article 4/5: to protect children and young people faced with contents which could inflict damage to their moral and physical development.

Television

Televizija Slovenija, or RTV, founded in 1958, is a public broadcaster that transmits TV1 and TV2. It is financed by subscription fees (65%) and advertising (35%), and overseen by the Council of RTV Slovenia, a 25-member body appointed by Parliament (5 members), staff (3 members), minority groups (2 members) and public associations and groups, such as universities, churches, journalists, trade unions, etc. (15 members).

RTV's Children's and Youth Department, which falls under the umbrella of Cultural and Artistic Programmes, was responsible for 989 hours of programming, of which 194 hours were produced by the department, 133 hours were acquired, and 662 hours were repeat broadcasts. The Children's and Youth Department receives 8.6 per cent of the total RTV budget.

Children's programmes are broadcast on TV1 weekdays at 17:10 to 18:00 and two hours on Saturday and Sunday mornings. TV2 broadcasts a children's show on Monday from 10:00 to 11:10.

Noteworthy recent films of longer duration are Heroes of the Fifth Grade (1996), a series of 30-min. episodes that was edited into feature film format for festival distribution, and Peter and Petra, a 50-minute TV film.

RTV is currently preparing a set of internal regulations (using the European Broadcast Union model)

Slovenia

to protect children; it now prohibits the broadcasting of erotic programming before 23:00

There are three larger private broadcasters in Slovenia, POP TV, A KANAL, and TV 3, as well as about 20 local cable stations.

Sources

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There is no logislation in Yogoslavia addressing children and the media: RTS, however, has internal regulations to ensure children do not visor violent or pomographic shows.

Addresses

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Slovenian Film Fund Nerina Kocjancic Miklosiceva 38 1000 Ljubljana Slovenia

Televizija Slovenija Metka Dedakovič Ostroški in mladinski programmes Kolodvorska ulica 2 1000 Ljubljana Slovenia

CIFEJ would like to thank Metka Dedakovič, Nerina Kocjancic, and Mitja Strukelj for help in compiling the above information.

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The Ulerainian Law on Television and Autio Broadcasting of December 1995 addresses the issue of the rights of children in Section V. Television V covers and Radio Listeners Rights Addele 4.1 states: "Programs (films) that can damage the physic cat, psychological or moral development of minors

Ukraine

There are, according to the Ministry of Culture and Arts, no special laws on cinematography for children and youth in Ukraine. Verkhovna Rada (Parliament) is, however, currently considering a bill on Cinematography. Its objective is to preserve the national film industry. The bill seeks, according to Rohi Kilpadi:

to define cinematography — new 'feature, fiction, animated, documentary, and scientific-educational films' as a component of national culture....

To promote these goals, a state film fund would be established.

The bill obliges the ministry to commission films and to distribute cinematic and video films regardless of their type or the film company's ownership (i.e. state or private). If this bill becomes law, 10 per cent of all viewing time on Ukrainian television must be devoted to films of Ukrainian origin.

A state agency called Children of Ukraine produces and buys the best foreign films and TV shows for children, and every regional city has special cinemas for children.

Television

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The Ukrainian Law on Television and Radio Broadcasting of December 1993 addresses the issue of the rights of children in Section V, Television Viewers' and Radio Listeners' Rights. Article 4.1 states: "Programs (films) that can damage the physical, psychological or moral development of minors are forbidden."

Sources

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Addresses

Embassy of Ukraine in Canada Y. Polishchuk First Secretary on Public Relations 310 Somerset St., West Ottawa, Ont. K2P 0J9

InternationalMedia Center INTERNEWS Mykola Kniazhytsky, President 1. Shevtsova Street Kyiv 252113 Ukraine

CIFEJ would like to thank Y. Polishchuk for help in compiling the above information.

Yugoslavia Federal Republic of Yugoslavia

Film

The five or so feature films for children produced in the past decade in the former Yugoslavia, now also referred to as Serbia and Montenegro, were produced by private companies. All these films, with the exception of *Amy the Infantry Ant* (1993), were produced prior to the political upheavals of 1990.

A Serbian animated feature film for children, *Kapetan John Piplefox*, is currently being prepared by the Bikić Studio in Belgrade. This studio, according to Srdan Golubović, is the "only film company that has the possibility and desire to seriously contribute to making films for children" in Serbia.

Television

The public broadcaster is the Serbian Broadcasting Corporation (RTS). It has a Children's Department that in 1996 produced 80 per cent of the programming for children on the network, with reruns, foreign acquisitions (cartoons and dramas), and programmes acquired in the Balkan Pool for Children's Television Programmes (sponsored by the European Children's Television Centre and UNESCO) making up the other 20 per cent. RTS's children's shows are broadcast weekdays for 2.5 hours split between afternoon and evening, and on Saturday and Sunday for 2.5 hours split between morning and evening.

There is no legislation in Yugoslavia addressing children and the media; RTS, however, has internal regulations to ensure children do not view violent or pornographic shows.

Article 4

"States Parities shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and collucat rights, States Parities shall undertake such measures to the maximum octent or their available resources and, where needed, williab the tramework of laternational co-operation."

Sources

Brankov, Mirjana. Letter dated 7 May 1997. Golubović, Srdan. Letter dated 25 February 1997.

Addresses

Serbian Broadcasting Corporation Mirjana Brankov Takovaska 10 11000 Belgrade Yugoslavia

Srdan Golubović Palmire Toljatija 4 11070 Belgrade Yugoslavia

CIFEJ would like to thank Mirjana Brankov and Srdan Golubović for their help in compiling the above information.

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c) Encourage the production and dissemination of children's books:

d) Encourage the mass media to have particular regard to the impulsive needs of the children who belongs to a minority group or who is indugenous.
e) Encourage the development of appropriate guidelines for the protection of the child from after mation and material injurious to his or her well-being, bearing in much the provisions of America 13 and 13." (Art. 16 addresses marental responsibility.)

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Appendices

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Appendix A

Convention on the Rights of the Child

This convention has been signed and ratified by every country in the world except the United States, Somalia, and the Cook Islands. Like other international treaties, it has the force of law and infringements against it can be brought before the court in The Hague. It is a powerful tool for those working for the rights of children. Below are the articles that deal specifically with media rights.

The Preamble

In the preamble to the convention, it is stated that States Parties to the convention consider that "recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world." Children thus have dignity and equal and inalienable rights, as do adults. It states that "childhood is entitled to special care and assistance" and that "the child should be fully prepared to live an individual life in society..."

The Articles

The following articles address issues concerning children, film, and television.

Article 3,1.

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration."

Article 4

"States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation."

Article 13,1.

"The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice."

Article 17

"States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of Article 29; (Art. 29 addresses education)

b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

c) Encourage the production and dissemination of children's books;

d) Encourage the mass media to have particular regard to the linguistic needs of the children who belongs to a minority group or who is indigenous;

e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her wellbeing, bearing in mind the provisions of Articles 13 and 18." (Art. 18 addresses parental responsibility.)

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Article 31

"1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

Adopted by the United Nations on 20 November 1989.

2. States Parties shall respect and promote the right of the child to participate fully in culture and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity."

The Preamble

In the preamble to the conventions it is edued that states Parties to the convention equation that 'raceg nition of the interest dignery and of the equal and matimable rights of all members of the numan then by as the roundation of treadom, include and peace it ind vorial.' Chudren thus have dignity and equal and inalismable rights as do adults. It states that 'shedhood is english to spould ge taily prepared to the and that "the chile should ge taily prepared to the an individual life in society."

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Appendix B The Children's Charter

This charter was written as a result of the first World Summit on Children and Television, held in Melbourne, Australia, in 1995. It has been accepted by many television networks and other groups that work with children and media.

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1. Children should have programmes of high quality which are made specifically for them, and which do not exploit them. These programmes, in addition to entertaining, should allow children to develop physically, mentally and socially to their fullest potential.

2. Children should hear, see and express themselves, their culture, their languages and their life experiences through television programmes which affirm their sense of self, community and place.

3. Children's programmes should promote an awareness and appreciation of other cultures in parallel with the child's own cultural background. 4. Children's programmes should be wide-ranging in genre and content, but should not include gratuitous scenes of violence and sex.

5. Children's programmes should be aired in regular slots at times when children are available to view, and/or distributed via other widely accessible media or technologies.

6. Sufficient funds must be made available to make these programmes to the highest possible standards.

7. Governments, production, distribution and funding organizations should recognize both the importance and vulnerability of indigenous children's television and take steps to support and protect it.

Appendix C The Bratislava Resolution

This resolution was adopted by the assembly, on the occasion of a gathering of producers, broadcasters and others interested in production for children, and in sharing experiences, East and West. Over 70 participants came from 30 countries. The meeting was called by CIFEJ, hosted by the Biennale of Animation, and held in Bratislava from 23–25 November 1994.

Soon, Mankind will enter the Third Millennium. The cinema will celebrate its 100th anniversary. Television is a little bit younger.

As we reach the crossroads of the year 2000, the importance of children's film continues to grow, as does the need for children to see these films. We can know that.

We live and will live, people from North and South, East and West, in a changing and dynamic world. Mankind will reach new heights in knowledge and in achievement. Children, who are our hope for the future, have the right to benefit from these general developments.

As specialists in children's cinema and television, we appreciate that the increasing impact of film, television and other media on our children demands more specific care and action with an aim to achieving better quality in the lives of the young people.

Good quality films and television programmes for children can and must carry positive fundamental human values. These will help and support the development of a personal conscience in young people, and add new dimensions to their basic social behaviour and to their knowledge of the world.

Good quality children's films and television programmes can and must encourage the process of creative thinking, of deciding and of acting in full liberty in order that children can build their own personalities and their future.

Good quality children's films and television programmes can and must reveal and stress the basic values of each people and of each nation, according to their traditions, the social and cultural backgrounds upon which they are founded, and the national identity of each country. At the same time, these nations must share these values with others in a general harvest of human spirituality.

Good quality children's films can also travel across borders, playing a leading role in the building of the world of tomorrow, helping to define the place in which our children will live.

For all these reasons, we think that the governments, the parliaments, the national and international agencies and organizations around the world must recognize, through support of production and distribution of children's films, a duty to the future of each nation and of the entire world.

There are several ways to achieve such goals: • stimulating increased production of children's films and tological

- films and television, on a national level, by raising and investing more funds
- building a support system for wider and better distribution of those children's films whose artistic and educational values are more important than their commercial aspects
- encouraging the use on a large scale of production for children in schools and in other educational institutions and activities
- supporting the spread of quality children's screenings in all social areas
- financing and developing the education and training of specialists — scriptwriters, directors and others — of children's production
- stimulating and financing scientific research about the reaction of children to the media, and about the way they use media for their specific needs
- helping national and international professional organizations and associations dealing with the issues surrounding children's film and television to achieve and develop their activities.

We are sure that the governments, the parliaments, the national and international agencies and organizations are aware that supporting children's film and television production will serve the interests of each people, of each country, and will contribute to the building of a better world, one in which we would like to live in at the threshold of the Third Millennium. Never forget that any little thing done for children now is an investment in the future.

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Appendix D Children, the UN Convention and the Media

The following paper is by Thomas Hammarberg, a member of the United Nations Committee on the Rights of the Child. Ambassador Hammarberg is responsible for monitoring the compliance of the signatory nations to the articles of the UN Convention on the Rights of the Child. As a journalist himself, he has a special interest in media rights. He prepared this paper for a general discussion on the subject held in October 1996 in Geneva.

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On the eve of this decade the UN General Assembly adopted the text of a new human rights treaty: the UN Convention on the Rights of the Child. This agreement — defining how children should and should not be treated — has since had a remarkable response. At the end of 1996 no fewer than 187 countries had pledged to enforce its principles and standards and to respect its reporting procedure. A monitoring committee is elected and has so far received more than 90 country reports.

This development in itself should be of some interest to the media. It affects controversial issues like child labour, child prostitution, female circumcision, the treatment of refugee children and abuses of children during war. Indeed, there is also good news: the convention itself has already proven to be an instrument for positive change.

The convention is formally addressed to governments and does not interfere with independence of the media. Still, it brings an indirect message to media institutions which goes deeper than suggesting that its existence and impact be mentioned. As with human rights in general, the press and other media have essential functions in promoting and protecting rights of the individual:

1) To Monitor Abuses — and Progress. It is hoped that violations of children's rights be reported in the media. Such scrutiny would probably be more effective than the international procedure prescribed by the convention which requires the government itself to report to the monitoring committee on steps for implementation. However, the media could also draw from the official documentation in their reporting. The convention could be seen as the yardstick against which reality could be measured. 2) To Respect the Integrity of the Child. One of the important aspects of the Convention on the Rights of the Child is that it presents a truly modern attitude towards children themselves. It recognizes the vulnerability of children in certain circumstances but also their capacity and strength for development. A major emphasis in the convention is that each child is unique. All this can be undermined through negative stereotyping. Likewise, the media should be careful not to violate the integrity of individual children in their reporting on, for instance, crime and sexual abuse. The convention specifically protects the individual child from violations of his or her privacy, honour and reputation.

3) To Allow Children to Participate in the Media. One of the principles of the convention is that the views of children be heard and given due respect. This is also reflected in articles about freedom of expression, thought, conscience and religion. It is in the spirit of these provisions that children should not only be able to consume information material but also to participate themselves in the media. The idea is that children, in fact, should be able to express themselves and that their views be sought.

4) To Protect Children against Harmful Influences through the Media. While the convention requests access for children to the media, it also reflects concern about the risk of children being harmed by some reports and information material. The idea is that the integrity of the child should be respected in the reporting. Another article says that the state should encourage guidelines to protect children at large from injurious media output, for instance certain violent and pornographic materials.

The Media as Monitors of the Rights of the Child

There has been very little publicity about the work of the UN Committee on the Rights of the Child, the body which monitors the implementation of the UN Convention. Almost all of the country discussions have passed unnoticed. The clearest exception was the observations made by the committee on the United Kingdom; they hit the first page in the national press.

This is not unique for the Geneva-based discussions in the international treaty bodies on human rights. The working styles of these committees are not at all media oriented and the UN Human Rights Centre is inept in its media relations. At the same time the foreign press corps is generally negative, perhaps frustrated by all attempts to use them as megaphones. Moreover, it is clear that Geneva is not a major priority when media organizations assign correspondents. A change can probably only come through another approach by the UN system itself; some lessons could perhaps be learnt from the more professional style of UNICEF.

However, it is even more important that the media cover child rights issues at the national scene. There are still countries where the convention almost never is mentioned in the media, even when such reference would be highly relevant. Countries with active nongovernmental child rights groups and/or children's ombudsmen tend on the other hand to have a considerable amount of rights-oriented reporting on children — whatever is the cause and effect. Even in such countries, however, the quality of media reports on children is sometimes wanting.

One problem is that the convention is used in an ignorant manner. Not seldom are its provisions overstated, for instance when it is implied that the convention gives all asylum-seekers who are children the right to stay. Another phenomena — typical also for some reports by UNICEF or Save the Children is that the political problems behind are not touched. The reporting tends to be limited to long lists of sufferings, which in isolation give little understanding of the root causes. Children's rights is to a large a political matter and ought to be covered as such.

In some countries the media may avoid this political dimension for reasons of pure self-defence. However, that is probably not the explanation in general. A tradition has developed — partly spurred by the fund-raising organizations — in which problems relating to children are seen as sentimental rather than political. This is a challenge for institutions and individuals working for the rights of the child.

Hopefully, media organizations will one day educate their staff on the idea of the rights of the child, including on the implication of the UN Convention. Another wish is that they develop a *systematic* coverage on the status of children in the community. They should not be content with child-related reports only on pages or in programmes for children, but treat them as elements in the overall political reporting. Such coverage deserves priority, also through the appointment of competent reporters for that task.

Reporting on Children with Respect

The press and other media do always express directly or indirectly — a position towards children and their rights. Their attitude is, in fact, reflected precisely in the way they describe children and monitor their rights, the extent to which — and how they let children have a voice and the steps they take to avoid to abuse children they themselves. The performance of the media on these aspects also portray an image of the child in general which in turn affects people's opinions and thereby political decision making.

How Is the Child Portrayed?

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There are few international comparative studies on the media image of children. Discussions on this problem have primarily been held on the national level. Still, it seems possible to define certain broader trends at least in order to specify topics for future research. There is of course a difference between types of media. Within the press, the tabloids are distinct from other newspapers and there are differences between various kinds of magazines and periodicals; among them there are those which address parents of children or are aimed at children themselves.

One clear impression when analyzing the media in general, and the daily newspapers in particular, is that children are described *from a distance*. This seems to be a pattern in a number of countries, also outside the industrialized north. When children are the focus, they come across as objects and somehow unreal. They appear to be weak — at least before their teens — and not in any sense strong and capable.

The tabloid papers in a number of countries tend to publish quite a lot about child-related problems, often in intervals. For instance, during a two-week period in August 1995, *Aftonbladet* and *Expressen*, the two mass circulation tabloids in Stockholm, had child-related reports repeatedly as top stories on the first page. The stories were about a baby bitten by a

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rat; a six-year old killed by a dog; an eight-year old being kidnapped; three children ill-treated by a father who was a religious fanatic and about how former Prime Minister Carl Bildt longed for his children when he travelled.¹

This is of course a tabloid picture of the world, deliberately focusing on the absurd, emotional or otherwise exceptional news. Still, the image of the child which emerges from these reports is typical for many other media organs in one respect: the child featured as a *victim*.

This stereotype of the child as innocent, vulnerable and constantly threatened by a dangerous environment is a cultural phenomena; the media both reflects and perpetuates it. This very image has not been missed on the advertising companies — the cuteness of innocence could be an effective marketing argument.

The "African Child"

The child-victim image is even more pronounced in foreign reporting. The "Biafran babies" in the late sixties have been followed by shocking pictures of starving children in Ethiopia, Somalia, the Sudan and Zaire. As famines and other disasters dominated reports from Africa for long periods — between periods of silence — the image of the African child became thoroughly distorted. The healthy, playful and active majority of individual African boys and girls were almost never presented. This, of course, was criticized not least by many African commentators and improvements have indeed been made. The wide international interest in post-apartheid South Africa has contributed to a more multi-dimensional reporting on Africa in general.

However, the stereotype of the child-victim abroad is still alive in industrialized countries. Fund-raising charity organizations have exploited and reinforced this image in their ads. Naturally, they stress the need and the misery to mobilize support. However, the interplay between them and the media — some newspapers nowadays do their own fund raising has an unfortunate side-effect: the image that children "down there" are lost if "we" do not save them. Their survival depends on our airlifts, our convoys of food, medicine and blankets. Local efforts are of little significance.

The purpose is understandable: to raise more funds. In fact, the description of the dependency may even be correct in some instances. Yet, the cumulative effect of such repeated reports gives a distorted world view. During the years I worked for one of these humanitarian organizations — Swedish Save the Children (Rädda Barnen) — I was often struck by two reactions from the broader public, both of them obviously influenced by such repeated messages. One was an exaggerated perception of the scale of the misery and the notion that "it only gets worse." The other one was that it was a duty to give even if there was no hope.

The remarkable progress made globally in the combat against child mortality seemed not to be known, neither did the advances in primary schooling. This ignorance is the more striking as the problems as such have got wide publicity in the first place, especially during emergencies. The media have reason to be self-critical on this point and the humanitarian agencies, on their side, ought to consider whether it will be wise in the long run to build fund raising only on guilt feelings.²

The Nasty Youth

It is not as easy to describe older children, in particular teenagers, as innocent. Though they, as well, tend to be distant and unreal in the media, their portrayal is clearly much more mixed than the one of the little victim-child.

Problems among youth are not seldom reported with an undercurrent of confusion or even disappointment — as if they primarily pointed at failures of the parent generation. The German magazine *Der Spiegel*, for instance, carried a cover feature in 1995 about teenage suicides, young people who wanted to die. Though serious in approach, the report in fact made the young ones inexplicable; the mystery of their reactions seemed to be the heart of the story.³

The terrible James Bulger case in the United Kingdom a couple of years ago, when two 10-year-old boys brutally murdered a toddler, lead to an understandable outbreak of strong emotions in the media and outside. Some of the reaction, however, was channelled in pure hatred against the 10-year-olds, the atmosphere was close to lynching. Very little attention was given to the fundamental question of what had made the boys so distorted that they coulc commit that outrageous act: from what homes did they come?⁴

3. Der Spiegel 3 July 1995.

Aftonbladet 25 August and 3 September; Expressen
 20 August, 26 August and 3 September.

See also Peter Adamson, "Attacking problems of development," First Call for Children, UNICEF, New York 1991.

^{4.} See also Roger Graef, "Media and Political Interest in Youth Crime in the UK," paper for conference organized by the Howard League for Penal Reform, London, January 1995.

It seemed that the two child-murderers got more hostile publicity than adults would have got for the same crime. This probably influenced the punishments which became very harsh. Also in the United States, where a child is killed by gunshot every two hours, the Bulger case was a first page story day after day. A picture from a security camera was published showing the two boys walking away with the little child; that very image appeared as a symbol of smashed illusions.

The child as *perpetrator* probably causes more vibrations because of the widespread child-victim image; the contrast between the two is upsetting. Child criminality therefore tends to be an emotional issue and newsworthy, for instance, gang assaults against other minors.

The more important that the media handle such problems with some care. Sadly, however, there have been extreme cases where media representatives have taken the lead in hate campaigns against groups of children, almost always poor and abandoned minors in the margin of the society. Media with an unfortunate term usually label them all as "street children." There was, some years ago, a radio station in São Paulo which incited policemen and others to "cleanse" the streets from these children, in other words: to kill them.

Children in Crisis

The coverage of the stone-throwing boys in the West Bank and Gaza during the *intifada* uprising, which started in late 1987, raised other problems. It was, at best, confused; the boys were sometimes portrayed as heroes, sometimes as untamed trouble-makers. Again, the contrast to the innocent-child image was stirring. The fact that the Palestinian boys — sometimes also girls — on occasion confronted very young Israeli soldiers and that both parties tried to manipulate the international media, complicated reporting even more.

The theme of boy soldiers was taken up in July 1995 by Newsweek with the first page heading: "Boy Soldiers: A New and Ruthless Breed of Warrior." The 10-page story gave available facts about the recruitment of young boys to armies and militias in a number of recent conflicts. The salt of the story, and perhaps the reason why it was featured, was the fact that boy soldiers sometimes had been exceptionally cruel. To the credit of *Newsweek*, there was an attempt to put also that finding into a wider context thereby explaining how the boys could be both perpetrators and victims at the same time.⁵ During the genocidal massacres in Rwanda last year, when more than five hundred thousand children, women and men were brutally butchered, there were also children among the killers; in some cases they were very young. They were discovered by foreign journalists in prison afterwards. How should these boys and their participation be described? Silence is of course not the answer, neither are sensational reports dehumanizing and demonizing them. Well-researched backgrounds are needed in order to explain what really happened; and for such reporting the voice of the child himself is important.

Some reports on child prostitution have reflected similar dilemmas. It is not easy to see the real child in that vulgar environment in which girls and also boys sometimes are seen to be active. The heavily made-up call-girl in the brothel is a far cry from our image of the innocent child, even when we are told about how she was forced into the humiliation.

The tendency of the media to go for the exceptional stories can give the impression of the outside world as a theatre of absurdities. The actors on that scene become distant and unreal, perhaps even threatening. Today's news reports cry out for supplementary journalism giving backgrounds and contextual information, even analysis.

Respecting the Integrity of the Child

There are of course other types of stereotyping around children in the media apart from those mentioned here; one indeed relates to gender bias. They all tend to distort reality and dehumanize the individual child.

Perhaps this is why it has been possible for some papers and radio-TV programmes to violate the integrity of a child. The right not to have one's name mentioned in connection with reports on crime or sexual abuse is not always respected. Too seldom is the identity of a child covered on photos from such situations, even when the adults are given that privilege.

This is in contradiction with the spirit of Article 16 of the Convention on the Rights of the Child:

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home, or correspondence, nor to lawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

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^{5.} Newsweek 7 August 1995.

Participation of Children in the Media

Children are sometimes given a voice in the media when, for instance, school problems are covered. But most other issues seem to be reserved for adults. Even when news reporters talk with ordinary people in the street about current events, they seldom turn to children. From a journalistic point of view this appears to be a missed opportunity; children do belong to society and their views are relevant.

Though governments cannot orchestrate media on such aspects, they have in fact — after the ratification of the UN Convention — some responsibility in this area. The first paragraph of Article 12 reads:

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

This very article has been defined by the UN Committee on the Rights of the Child as one of the *principles* of the convention. However, there are some other articles which also underpin this dimension of the convention. One is Article 13, the first part of which says:

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice. Key provisions in relation to media are outlined in Article 17, which starts as follows:

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health. To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of Article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books; (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

There are two major tendencies in these articles. One is about freedom of expression and *access to the media*, the other one is treating the media as an *educational tool*. Though clearly distinct, the two aspects inter-relate.

Implementation of the Right to Access to the Media Even if the media are largely run privately in a country, the authorities could undertake some supportive measures, for instance through financial incentives, in order to guarantee a supply of children's literature and programmes. This may especially be the case for the production and dissemination of information material in minority languages.

However, the country reports so far received by the monitoring UN Committee on the Rights of the Child show a mixed picture of implementation.⁶ Several reports in fact mention nothing or almost nothing about any of the aspects of Article 17, including about access to the media. So was the case with reports from, for instance, Indonesia, Pakistan, Ukraine, Jamaica, Argentina and Paraguay. Cyprus and Chile only made brief references to their constitutions. The impression left is that there is no deliberate policy or government plan in relation to children and the media.

Other reports have been more-precise. Many of them are detailed on measures taken to encourage dissemination of child-oriented materials through the press, radio and television, video recordings and books. On this point there are, not surprisingly, differences between the countries based on available resources.

The report from Nepal states:

In the rural areas, children do not have access to the above resources (child literature and broadcasts) due to transportation and communication problems... There is also little diversity in the materials available for children, whether they be on TV, radio or in newspapers. The ability to gain something from the media is largely determined by the educational status and literacy levels of children.

The reports from Yemen and Honduras flag similar constraints and such concerns are also voiced by

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^{6.} Reports by States Parties are available at the UN Centre for Human Rights in Geneva. They should, according to the convention itself, be made "widely available to the public in their own countries."

some of the countries in transition. In Mongolia the production of child literature has declined sharply due to financial problems. Russia is another example:

Textbook publishing is ... facing an acute financial crisis. Production costs have recently increased on average by a factor of 10, making textbooks significantly less affordable. ... The acute shortage of children's literature reduces children's interest in learning their native tongues ...

Vietnam:

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Shortages of funds have prevented satisfactory expansion in the diversity of children's material available to them in the mass media. The number of children's television programmes broadcast has fallen over the last two years, and a large number of local libraries have had to close, unable to pay for new books and periodicals.

Both Russia and Vietnam made clear that they could not meet the standards of providing literature in minority languages due to these economic problems. Spain, on the other hand, presented an impressive list of data banks made available for young people.

Two tendencies emerge from the country reports: 1) that fairly little is done to make it possible for children to *participate* actively in the media and 2) that economic restraints in a number of countries also hinder children from media *consumption*.

On *participation* the media have themselves in some states initiated a co-operation with schools in order to develop a dialogue with children. One such global project, "Newspaper in Education," was launched in 1995 by the International Federation of Newspaper Publishers (FIEJ) with the support of UNESCO and UNICEF.

Another approach is to give children and youth more access to the production of information and media material. The few experiments made in that direction have been encouraging; positive models of child television have been established, for instance, in Guatemala and El Salvador.

On access to media and child literature there seems to be a broad awareness of its importance, though minority children are in some cases not given sufficient priority. This also goes for deaf and blind children who need to be ensured information material in appropriate forms and translations.

This particular area seems to be an important one for international co-operation — in the form of economic assistance but also exchange of ideas and experiences. The latter is especially important in view of the great gap in the quality of information material between poor countries and those with higher technological standard.

Implementation of "Positive Alternatives"

The emphasis in Article 17 on information "of social and cultural benefit to the child" relates both to the general ambition to allow children to be educated about positive values like tolerance and gender equity (these values are elaborated in Art. 29 of the convention) and to the need to counter the negative influences of some aspects of media supply.

Comparatively little has been mentioned in the country reports on this provision. In the Philippines a private group, the Philippine Board of Books for Young People, is "propagating love of reading books" among children in activities similar to the remarkable reading campaign organized by the Tamer Institute in the West Bank and Gaza.

In Mexico the General Law on Radio and Television stipulates that programmes for children should stimulate creativity, family integration and human solidarity. Further, they should promote understanding of national values and knowledge of the international community.

Similar legislation is in place in several European countries. In Sweden the Broadcasting Act instructs the programme companies to assert basic ideas of democracy, universal human equality, liberty and dignity of the individual.

The effectiveness of this general approach can, however, be questioned. In fact, it seems that the liberal societies have had difficulties to find means of asserting these good values without falling into the trap of formulating state opinions on ideological and political matters. More authoritarian states do not have that problem, though their rhetoric — even when expressing positive values — are not always taken seriously.

Protection against Harmful Influences

Only one or two generations ago, very few children had ever seen images of someone being shot, knifed, blown up or raped in front of their bare eyes. Today most children see such violence on the screen every day, often in gruesome detail. It has been estimated that an average American child now reaching the age of 18 has witnessed some 18,000 simulated murders on television.

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The impact of this mass consumption of violent images is still a matter of controversy. There have been individual cases of violent crime apparently inspired by particular films. However, no consensus has been established as to the broader and more precise influence of media violence on child viewers; research findings so far have been contradictory.

This should come as no surprise. Research on this topic is genuinely complicated. It has to incorporate broader social and cultural factors, including the role of parents or other guardians. The response to the media violence in the community at large also affects the child. The existence of alternative activities and their character is another important aspect. Needless to say, further research is called for on these topics, including on the indirect and long-range impact on a generation growing up in a society affected by this type of ever present media culture. Studies of this kind are the more important as, no doubt, there are powerful economic interests at play in this discussion.

Article 17 of the convention does not only request child access to the media and the use of the media for value education, it also has a clause about the protection of children against harmful influences. The last part of the article reads:

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of Articles 13 and 18.

This aspect was originally at the core of what in the end became Article 17. The first proposed wording in a Polish draft read:

Parents, guardians, state organs and social organizations shall protect the child against any harmful influence that the mass media, and in particular the radio, film, television, printed materials and exhibitions, on account of their contents, may exert on his mental and moral development.⁷

The differences between this first proposal and the final text of Article 17 in its totality do indeed reflect the ideological discussions during the drafting. The Polish wording was seen by several government delegations as too negative towards the media in general; some of them seemed to smell an attitude of censorship. "Western" delegates, in particular, argued for formulations ensuring a free flow of information and that children should be able to take advantage of the diversity of facts and opinions in the media. They also wanted an implicit acknowledgement of the fact that some media were run privately, rather than by the state. In that spirit, the protection should be achieved through the encouragement of appropriate guidelines for media conduct.

It is not clear from the wording whose responsibility it is to develop guidelines, only that the state should be encouraging. However, one possibility is that the producers themselves or bodies representing them develop such standards. Another option would be that independent, special structures were created for this purpose. As on several other points, the vagueness of the convention in this regard can be seen as an invitation to a discussion on *objectives* rather than offering a prescription of precise methods of implementation.

The very nature of the guidelines is also unclear, except for their purpose to protect children. Some indications are given through the references made at the end of the article to other parts of the convention. One of them (Art. 13) — quoted above — defines the freedom of the child to seek, receive and impart information. Restrictions, if necessary, should be defined by law and only be justified by the respect of the rights or reputations of others or for the protection "of national security or of public order (ordre public), or of public health or morals." The implication seems to be that such restrictions could be included in the "appropriate guidelines." However, their clearly limited nature seems to indicate that, in general, other means than censorship should be tested.

The other reference (Art. 18) is about the role of the parents or the legal guardians. They have "the primary responsibility for the upbringing and development of the child." The state shall assist them in their child-rearing responsibilities. This wording is a reflection of the overall attitude in the convention on the triangular relationship between the child, the guardians and the state: the parents or other guardians are of key importance to child, the state should support them and only in exceptional cases — in the best interests of the child — take positions on how individual children should be reared.

In this context the implication is that the guardians have a direct responsibility in protecting the child against harmful media influences and should be supported in this task.

The UN Committee on the Rights of the Child has repeatedly expressed concern about the possible negative impact of media violence. To encourage meaningful "appropriate guidelines" the authorities need

See also "Legislative History of the Convention on the Rights of the Child (1978–1989)." United Nations Centre for Human Rights. To be published.

to develop a body of knowledge on patterns of viewing, listening and reading; on what is transmitted; on possible impact on various receivers, in various situations and of various materials; on means of effectively restricting injurious transmissions. In other words: the committee recommends a comprehensive policy as a basis for the development of guidelines.

Implementation of the Protection Clause

The state reports submitted so far reflect a stark divide between the industrialized liberal countries and other states on the degree of awareness and on measures taken in relation to harmful impact of media violence. The impression given is that several governments in the South had not had reasons to tackle this problem yet — or had little capacity for it. Vietnam is one of the countries which seem to consider an action for control:

Another worrying tendency is the increasingly common appearance in the press of items dealing with sex and violence, the justification for this being apparently that items of this sort attract more readers, an important consideration in the market-oriented economic conditions of Viet Nam. These items are not suitable for children, but their appearance and children's access to them are difficult to control.

Several countries mention that they have a system of censorship to "protect the child's development and psychological balance" (Burkina Faso) or to ensure that information material "are not harmful to them" (Senegal). The more concrete operations of these systems — and their effectiveness — are not explained in any detail. The reports submitted from the countries in eastern and central Europe also indicate that a more comprehensive policy in this field is lacking.

The reports from Canada and western European countries are, however, detailed and seem to be based on thorough national discussions over some years. Several approaches are tried simultaneously. All of these countries seem to have legislation against certain serious abuses; one example is the report from Germany where "certain representations of violence ... and pornographic materials" are prohibited in the criminal law.

Advertising is restricted. In Spain, for instance, the General Act on Advertising bans publicity which is detrimental to values and rights laid down in the constitution. Special rules regulate marketing of certain products (e.g. tobacco and beverages) or activities (e.g. betting and games of chance) in order to protect children. Another common approach is to regulate the timing for the broadcasting of ads and other material. The idea is that programmes which could be harmful for children be broadcast late in the evenings (when children are supposed to be in bed). This could be stipulated through law, special instructions or voluntary agreements by the media themselves.

In France an independent authority, the Audiovisual Media Board, has been set up to ensure the protection of children in the planning of broadcasts. It has issued guidelines for the television channels and initiated proceedings against violations of them. In the United Kingdom the BBC, the Independent Television Commission and the Radio Authority have all established guidelines for the protection of children against material which could harm their mental, moral or physical development:

Guidelines on children's programmes cover the areas of violence, language and general taste and decency. These guidelines take into account the context of the action and the danger of imitative behaviour by children. In the area of news and factual programmes there is a particular awareness of a child's vulnerability and suggestibility. Broadcasters must also be aware of the dangers to children of programmes which include psychic or occult practices, smoking, drinking alcohol and drug taking.

Furthermore, there is in Britain a special council established in accordance with the 1990 Broadcasting Act which in its Code of Practice emphasizes the protection of children against unsuitable material on television.

The Canadian report says that considerable progress has been made in addressing the problem of violence in the media. This after a 14-year-old girl — whose sister had been robbed, raped and brutally killed — had organized a successful petition campaign for legislation eliminating violence on television:

In 1993, the Action Group on Violence in Television, which includes broadcasters, cable distributors, pay television and specialty programming services, advertisers and producers, announced a General Statement of Principles to be adhered to by all industry sectors as they strengthen their codes on television violence. The Canadian Association of Broadcasters was the first to have their revised code accepted by the Canadian Radio-television and Telecommunications Commission.

In countries where there is one strong national broadcasting corporation it may be easier to estab-

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lish a link between political intention and actual programme policy. The YLE Broadcasting Company in Finland is one example; it has a deliberate policy of avoiding certain violent programmes, gives clear warnings in advance of broadcasting some material and also conducts research studies about their impact.

Several reports refer to the system of age classification for the cinema. One example is Denmark:

All films to be shown in public are — under the Act of Censorship of Films — to be reviewed and evaluated in relation to an audience of children and young persons. At the moment there are two age limits as to prohibition, i.e. 12 years and 16 years, and in addition to this an age limit of 7 years is intended as a guide.

In some countries these limits also depend on whether the child goes with an adult or is unaccompanied. A particular problem has been how to cope with the expanding film market. This is illustrated through another quote from the Danish report:

A revision of the censorship of films is being considered, one of the reasons being the everincreasing supply of films on TV and the video market which are not covered by the Act on Censorship in force.

In Finland commercial videos are subject to the same censorship procedures as cinema films. In France the approach is similar:

... video cassettes offered for rental or sale must indicate on their packaging any prohibitions linked to the issue of the certificate of release for the work.

Voluntary guidelines for the press do exist in several countries; in several cases their implementation is monitored by a Press Council which is set up, wholly or partly, by the press institutions themselves. These, however, tend to focus more on the protection of children being reported upon, than on problems related to the publishing of material harmful to young readers.

The most comprehensive overall approach seems to have been taken by Norway — after the submission of their report to the UN Committee on the Rights of the Child. In March 1995 the government issued a national plan of action against violence in the visual media.⁸ This was a joint initiative by the ministries of culture and justice — with the co-operation of two other ministries: the Ministry for Child and Family Affairs and the Ministry for Church Affairs, Education and Research. The plan says that even if only a small minority of young people are influenced by violent media consumption the consequences could still be serious. It also concludes that social and cultural poverty increases the risks and it emphasizes the preventive efforts, not least within the school.

The Norwegian plan proposes some legal precisions to include also, for instance, video games. Its emphasis though is on assisting children and parents to make informed choices. The plan seeks to mobilize viewers and consumers to use their power and express opinions about the supply. Another ambition with the plan is that those who transmit extreme violence on the screen be held responsible. Another major aspect, again, is that networks and alliances be built to develop knowledge and reactions against media violence.

A special secretariat has been established to monitor the implementation of the Norwegian plan; a coordinating committee between the ministries has also been set up as well as an advisory council of experts. There will be annual reports to the parliament.

The Norwegian approach seems to be unusually thorough and conscientious. However, the impression of the country reports from the industrialized countries, in general, is one of awareness and deep concern. The guidelines for television, including on broadcasting hours, which exist in a number of countries, may not always be respected and, moreover, seem not to stem the high *volume* of violence hour after hour. A particular problem is the *news reporting* which sometimes is illustrated with violent images, the impact of which may be even stronger than abusive fictions.

The exploding market of videos for sale or rental have created new problems in making a distinction between child and adult consumption. Classified descriptions of the content on the package, which offer a kind of violence rating, can be of some help to parents but probably do not protect all children in real life. Computer games of a violent nature raise similar problems.

Conclusions

1. The media could choose to play an important role in *monitoring* the status of children and the efforts by the authorities to implement the UN Convention on the Rights of the Child. An effective reporting of

^{8. &}quot;Regjeringens Handlingsplan mot Vold i Bildemediene" can be ordered from the Ministry of Cultural Affairs, Media Department, PO Box 8030, 0030 Oslo. There is also an English version: "The Norwegian Government's Campaign to Combat Violence in the Visual Media."

such kind would require knowledge about the convention and its functioning, a systematic approach and competent reporters.

2. The media could also analyze its own performance in the light of the principles and standards of the convention. Corrective measures need to be taken to ensure that the *integrity of individual children* be respected, for instance in the media reports on abuse or crime. Intervention against the honour and reputation of the child shall not be accepted; the convention recommends legal support for the protection against that form of abuse.

3. The image of the child in the media should be discussed and *stereotyping* criticized. A self-critical appraisal by media organizations themselves would be helpful as a platform for such discussion.

4. Further efforts towards opening the media for children and their *participation* should be encouraged. Special newspaper pages or radio-TV programmes for and with children are important. The schools could play a role in creating a dialogue between children and the media, for instance, within the framework of the "Newspaper in Education" project.

5. The authorities should actively support efforts to ensure *production of information material* for children, including child literature. It is important that there exists such basic information in languages used by the children. Supplementary efforts are likewise needed to open media for children with disabilities.

6. The authorities also have a special responsibility for the dissemination of information material "of social and cultural benefit to the child." Children have the right to be acquainted with *positive values* of "understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin."⁹ This might be achieved through subsidizing existing media or via supplementary action.

7. Governments need to develop a comprehensive policy on how to protect children from *harmful influences of media* — both through supporting "positive" alternatives and finding effective ways of limiting the "negative" aspects. Some countries have already developed a variety of approaches in this field in what appears to be a deliberate policy. The government of Norway has developed a comprehensive plan of action which could serve as a model for other countries.

8. Guidelines are needed for how the "best interests of the child" should be protected in a competitive media market. Regulations — voluntary or mandatory — on certain hours for broadcasting of violent materials or on special ages for entry to cinemas have had some positive effect. Systematic efforts of informing parents also seem to have some potential. Such endeavours should be maintained. At the same time it is clear that new methods for protection are needed in connection with videos and computer programmes consumed in the home.

9. The discussions on media violence have to include a *broader perspective* on how children now spend their day. The problems in relation to the modern media are augmented by the fact that many children spend more time in front of television than in school and that their time with their parents is reduced. Many children do not have an adult present to explain violent images in the news and to put these into an understandable context. This recent pattern raises a number of fundamental questions which seem not to be sufficiently addressed in several countries.

10. Awareness campaigns are needed in order to reduce the market for exploitative media violence. *Voluntary consumer movements* are needed to watch the performance of television and other information companies. The independent media should on their own initiative establish monitoring boards to react to harmful output and set common standards.

11. International co-operation should be developed to support the less resourceful countries with means and advice for giving children access to the media and to prevent the harmful aspects. The richer states may as well benefit from international exchange on, for instance, how to develop acceptable techniques for getting media producers to respect the rights of the child. In this regard, "Nordicom," the new UNESCO centre in Göteborg¹⁰ for pooling knowledge about "violence on the screen" can hopefully bring the discussion forward.

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^{9.} Wording from Art. 29 of the Convention on the Rights of the Child.

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Appendix E

Information on CIFEJ

What Is CIFEJ?

The International Centre of Films for Children and Young People is a 40-year-old international non-governmental organization (INGO) whose goal is to promote quality films, television programmes, and videos for children and young people around the world. With its General Secretariat in Montreal, CIFEJ is the only INGO with consultative status at both UNICEF and UNESCO to be headquartered in Canada.

Who Is CIFEJ?

Today, CIFEJ boasts 160 members in 54 countries, spanning all the continents of the world. The vast majority of members are institutions and organizations: broadcasters, film and television producers, children's festivals, media education groups, and specialized cultural groups which work directly with children and the media. They range from FR3 in France to street workers in Colombia, and from China's largest production studio to Sweden's smallest distributor. Canada has the largest number of members (15), provides the two-person staff, and is home to both the Secretary General and the Treasurer of the Board of Directors.

What Does CIFEJ Do?

To accomplish its goals, CIFEJ undertakes a variety of activities. A monthly newsletter links members and non-members to hard news about the milieu, and lists current prizes and publications dealing with production for children. A yearly compendium of such productions, published in French and English, fills over 200 pages with information on the professionals who work with the titles listed.

CIFEJ initiates specific projects to increase media literacy; the Teen Video Stories project allowed children at risk in Poland, Peru, Mozambique, the Philippines, and Taloyoak, Canada, to create their own three-minute stories. The Latin American Tour brought feature films from Canada, Denmark, Germany, India, Iran, and Sweden to children in Argentina, Brazil, Colombia, Mexico, Uruguay, and Venezuela. The distribution of the CIFEJ Prize to exceptional productions cements relations with festivals around the world: in France, India, Slovak Republic, Finland, Germany, and Poland.

CIFEJ provokes international discussions on urgent questions; at the 1994 Bratislava seminar people from 31 countries talked about the future of production in eastern Europe. The CIFEJ staff undertakes research ("Quantifying Children's Production", Department of Communications, Canada, 1991) and acts as a lobby and spokesperson for children confronted by media.

Why is CIFEJ Necessary?

CIFEJ is a network which draws on the varied strengths of its diverse members and puts them in the service of children. Because no single profession predominates, its focus on the needs of children remains sharp. That the international community needs the services and information which CIFEJ offers is reflected in the phenomenal growth of its membership. Over the past four years membership has grown by 755% and the number of countries represented by 294% (from 18 members in 18 countries in 1990).

CIFEJ offers the place where North and South meet, where every child carries the same weight, where financial preoccupations do not yet set the agenda. It is also a modern organization, restructured in 1990 to deal with current realities, be they economic, political, or ethical.

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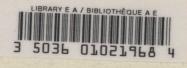
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CREATING A SPACE FOR CHILDREN is a series of publications quantifying national legislation and regulations affecting films and television programmes for children around the world. These publicationsare a basis for action to ensure that children are provided with highquality audiovisual productions geared to their specific needs. CIFEJ welcomes comments on these publications as well as suggestions for activities to enhance its international work.



CENTRE INTERNATIONAL DU FILM POUR L'ENFANCE ET LA JEUNES INTERNATIONAL CENTRE OF FILMS FOR CHILDREN AND YOUNG PEO



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