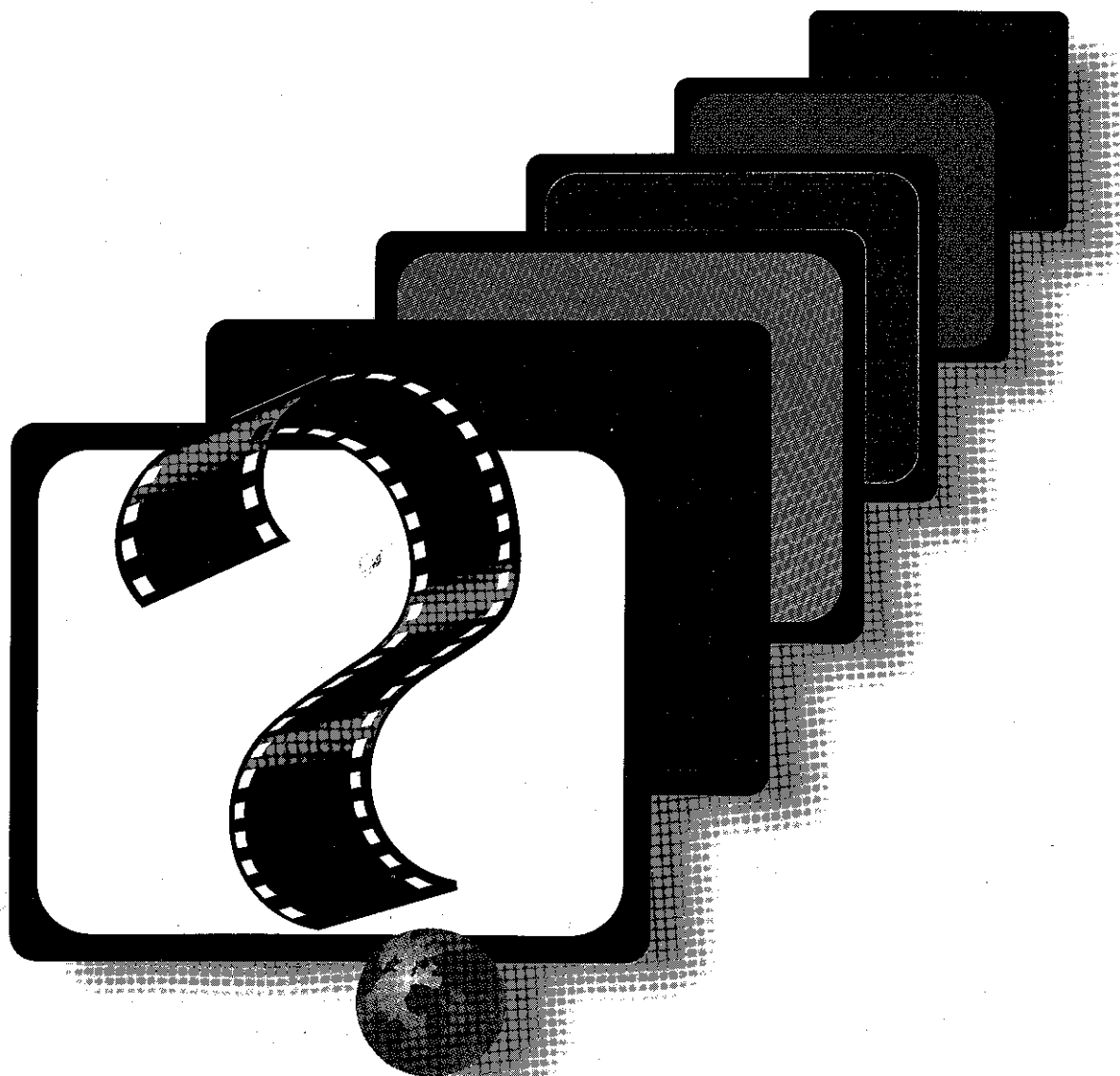


CREATING A SPACE FOR CHILDREN – Volume 2

**CHILDREN'S FILM AND TELEVISION  
IN  
CENTRAL AND EASTERN EUROPE**



Joan Irving and Connie Tadros

CENTRE INTERNATIONAL DU FILM POUR L'ENFANCE ET LA JEUNESSE

INTERNATIONAL CENTRE OF FILMS FOR CHILDREN AND YOUNG PEOPLE

# **Creating a Space for Children**

**Volume 2**

# **Children's Film and Television in Central and Eastern Europe**

**Joan Irving and Connie Tadros**



**CIFEJ**

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

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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 child-oriented 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 coun-

sel. 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 post-modern 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?

### 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-leave-it" 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

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.\*

\* 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-to-view 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-

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Annie E. Jolicœur to publish *Systemized Summary of Canadian Regulations Concerning Children and the Audio-visual 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 con-

sideration 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:*

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 cut-outs, 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**

# 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

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# 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.

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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

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Semenchenko, Tatyana. Letter dated 22 April 1997.

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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 post-war 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 produced "in-house" 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 programming, with some entertainment 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

## Bosnia and Herzegovina

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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.

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# Bulgaria

(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

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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.

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# 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.

### Television

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.

### Sources

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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.

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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Taberyová, Kristina. Letter dated 18 March 1997.

Tibitanzlová, Ivana. Letter dated 5 March 1997.

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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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# 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 children'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.

## Source

Chigogidze, Grigo. E-mail communication dated 20 June 1997.

## Address

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# 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 Scántó, "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 Alapítvány [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, men-

tal 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."

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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## Addresses

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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

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 Neatkarīga Televīzija (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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Stikans, Daris. Letter dated 16 May 1997.

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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

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 children
- 15:05 to 17:00 repeat of the morning educational programme
- 19:00 to 19:20 cartoons

### *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

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.

## Sources

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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 Pîrţac.

### Source

Pîrţac, Constantin. Letter dated 27 March 1997.

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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

## Poland

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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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# 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

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 or vulnerability;
- b. must not incite minors to urge their parents or others to buy the said goods or services;
- c. must not take advantage of the confidence minors 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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# Russia

## (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 cinema-goers 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

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-

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 [above].

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 *Kriváň*). 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

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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# 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 co-financed 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, film-related 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:

There is no rating system for cinema access or for video films that protects minors from view-

ing 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

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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.

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# 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

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."

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# 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 Pipefox*, is currently being prepared by the Bikić Studio in Belgrade. This studio, according to Srđan 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.

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# Appendices

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## Appendix A

# Convention on the Rights of the Child

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*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.*

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## 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 belong 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.*

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## Appendix B

# The Children's Charter

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*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.

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## Appendix C

# The Bratislava Resolution

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*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.*

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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.

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## Appendix D

# Children, the UN Convention and the Media

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*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 non-governmental 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?*

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

## Children, the UN Convention and the Media

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.<sup>1</sup>

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.

1. *Aftonbladet* 25 August and 3 September; *Expressen* 20 August, 26 August and 3 September.

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.<sup>2</sup>

### *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.<sup>3</sup>

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 could commit that outrageous act: from what homes did they come?<sup>4</sup>

2. See also Peter Adamson, "Attacking problems of development," *First Call for Children*, UNICEF, New York 1991.

3. *Der Spiegel* 3 July 1995.

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.<sup>5</sup>

5. *Newsweek* 7 August 1995.

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.

### 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.<sup>6</sup> 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

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:

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.<sup>7</sup>

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

7. 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 Audio-visual 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-

## Children, the UN Convention and the Media

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 ever-increasing 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.<sup>8</sup> 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. "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."<sup>9</sup> 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 Göteborg<sup>10</sup> 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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10. Nordicom, Nordic Information Centre for Media and Communication Research, Göteborg University, Sprängkullsgatan 21, S-411 23 Göteborg, Sweden. Phone: (4631) 773 12 19, Fax: (4631) 773 46 55. E-mail: nordicom@jmg.gu.se

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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 chil-

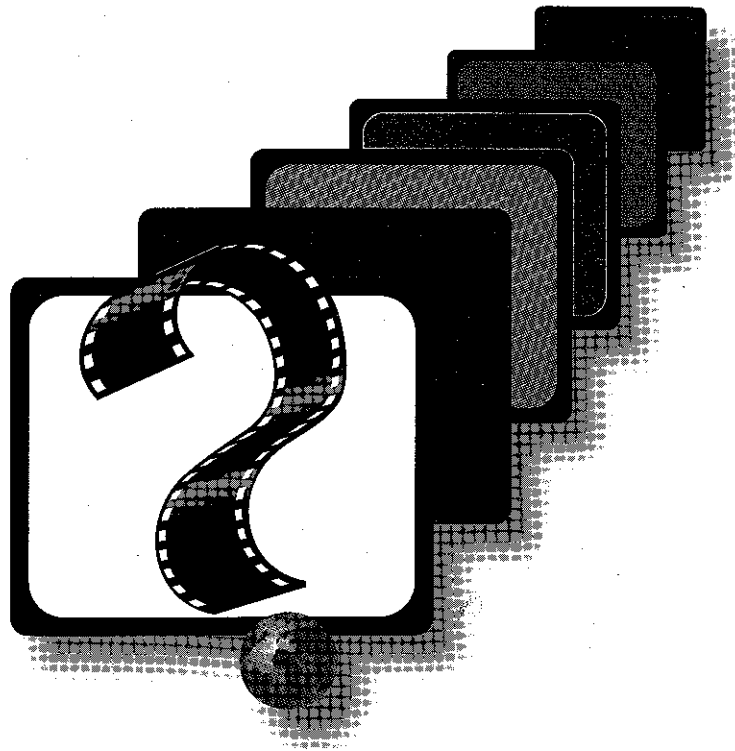
dren at risk in Poland, Peru, Mozambique, the Philippines, and Taloyoak, Canada, to create their own three-minute stories. The Latin American Tour brought feature films from Canada, Denmark, Germany, India, Iran, and Sweden to children in Argentina, Brazil, Colombia, Mexico, Uruguay, and Venezuela. The 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 75% 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* is a series of publications quantifying national legislation and regulations affecting films and television programmes for children around the world. These publications are a basis for action to ensure that children are provided with high-quality 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 JEUNESSE**  
**INTERNATIONAL CENTRE OF FILMS FOR CHILDREN AND YOUNG PEOPLE**