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**Presentation on  
“THE NEED FOR A UNIFORM RATING SYSTEM AT EUROPEAN LEVEL”  
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**INTRODUCTION**

At the core of every parental control mechanism lies its rating or labeling system. Ratings can be used to empower consumers, giving them a greater ability to choose media content consistent with their personal tastes and values.

Recognizing the special needs of children as viewers and the importance of protecting them from harmful content, the audiovisual policies, both at international and European level, have always been sensitive on the issue of the protection of minors.

The principle of the protection of minors is ensured through the following measures:

**1. Technical Device on TV sets**

Blocking out programmes with potentially harmful content, with the aid of channel pins, channel filters and programme filters.

**2. Rating Systems**

Systems that both identify the appropriateness of media content for children and determine the means by which children's access to that content may be controlled.

This presentation will deal more with the rating systems later on.

**3. Family viewing policies**

Most of the EU countries have developed watershed rules (broadcasting certain material at a time when it can be assumed that most children will not be watching).

However, watershed rules have been revised in order to take into account the specific characteristics of encoded services, as subscription to specific thematic channels or broadcasting services (such as pay-per-view) implies an active consent from the viewer towards the nature of the content and the time to be displayed.

#### **4. Media education**

According to the Recommendations addressed to UNESCO adopted by the Vienna Conference entitled **“Educating for the Media and the Digital Age”**, in April 1999, Media Education, inter alia, enables people to gain understanding of the communication media used in their society and the way they operate and ensures that people learn to analyse, critically reflect upon and interpret the messages and values offered by the media.

### **RATING SYSTEMS**

**“The Television without Frontiers Directive”** 97/36/EC of the European Parliament and of the Council of 1997 amending Council Directive 89/552/EEC, instructs the use of three predominant rating practices; a) selection of the time of the broadcast (watershed), b) an acoustic warning before the beginning of programmes and c) a visual symbol, thereby imposing a basic rating framework across Europe (Article 22).

### **IMPORTANCE OF RATING SYSTEMS**

The major reasons and justifications for classifying programmes are the protection of minors and young people and the protection of the whole society from hard-core pornography and extreme violence or from any infringement of basic rights (i.e. racial hatred or national or sexual orientation).

Furthermore, it is important to stress that viewers have the right to always be informed about the content of the programme they watch. As a result, content providers have the responsibility to ensure that right, by the fair use of rating systems.

Rating systems determine whether a programme:

- Cannot be shown

- Can only be shown on encrypted or subscriber channels
- Can only be shown within the watershed
- Can be shown within the family zone

Rating systems also define:

- How a programme should be encoded for a specific technical device
- What type of visual or acoustical warning system should be used

### **DIVERGENCE IN RATING SYSTEMS**

As the recent **Study (May 2003) on the Practice of the Rating of Films Distributed in Cinemas, Television, DVD and Videocassettes in the European Union and European Economic Area Member States** points out, ratings tend to be different between states and within states across different media and modes of distribution. There is often discrepancy between competitors on the same media platform, i.e. between different television channels.

Even where the rating system is in use, there are divergences as to the design and what it represents across the European countries and within some countries. This divergence reflects significant cultural differences between and within countries, which are, nonetheless, subject to common directives regarding transfrontier broadcasting.

The foundation does not exist, at this point, for extensive harmonization.

### **SUGGESTION FOR A UNIFORM SYSTEM**

The issue of implementing a uniform rating system has long concerned the European Audiovisual Policy.

**The Communication from the Commission to the Council, the European Parliament and the Economic and Social Committee of 19 July 1999 on the Study of Parental Control of Television Broadcasting** suggests that drawing up common descriptive criteria would allow audiovisual content to be described in

similar way, whilst leaving the **evaluation** of such content to the competent national and regional authorities.

On 20 February 2002, **the European Parliament adopted a report on the Evaluation Report from the Commission to the Council and the European Parliament on the application of the Council Recommendation on the protection of minors and human dignity**. The report calls on the Member States to develop an approach which establishes common criteria for a comparable description of audiovisual content while stressing that the **assessment** of content should – not least in the light of cultural differences – remain the preserve of national or regional authorities, while assessment **systems** for the various media should be better coordinated.

### **BENEFITS OF HARMONISATION**

European Harmonisation concerning the rating systems would bring the following benefits:

- Development of common tools or concepts on labeling of content contributing to the establishment of shared applications for classification systems in each of the four media sectors concerned (film, video, television and internet).
- Common system would allow content to be described in a consistent and coherent way, avoiding (if not limiting) confusion among consumers.
- Implementation of a common audiovisual policy in ratings will further strengthen the development of Europe's cultural identity.
- Cross-border broadcasting is a fact, thanks to satellites. European co-operation or co-ordination of on-screen icons should be considered to increase the acceptance of transfrontier distribution of European works.
- Elimination of the heterogeneity of ratings between countries  
Visitors, students and tourists visiting another country will no longer be confused when exposed to the different rating system used in other countries. It will also bring less confusion to those involved in the audiovisual industry, i.e. film distributors and exhibitors.

- Elimination of the heterogeneity of ratings between media platforms and the discrimination amongst different media
- Horizontal treatment of the protection of minors across media and eventually better protection from harmful content in audiovisual media

### **LIMITATIONS IN IMPLEMENTATION**

- Because of social and cultural differences, rules in respect to the issue of protection of minors differ from one European country to another, both in terms of what is considered to be harmful content and of acceptable technical methods to ensure that minors will not normally see such programming.  
For example, visual icons have not been adopted in all European Union countries and are far from being adopted in some of them. In the North of Europe (Denmark, Finland, Norway, Sweden), as well as the United Kingdom, the use of visual signals is not welcomed as it is often felt that visual icons end up with the reverse effect of triggering the curiosity of viewers instead of deterring them (forbidden fruit effect).
- Complex and different legal provisions that exist on the national level for each media sector pose difficulties in applying the same rating mechanism to all media across countries.
- In comparing the age classification systems used, there is significant overlap between age categories across countries.

### **MODELS OF HARMONISATION**

According to the above-mentioned **Study on the Rating Practice used for audiovisual works in the European Union**, there are three models for harmonisation:

- Homogenise **systems** (use of the same colours and size of visual symbols, number and level of age categories) but preserve heterogeneous standards (the way content is assessed), **across all media and countries**.

An example of this model is the uniform system of rating which applies across the four Nordic countries of Norway, Sweden, Denmark and Finland. These countries

have all incorporated the same age rating categories (Norway and Finland have an additional rating category). Although each country retains its own standards and rates films differently, the films are rated on the same “scale” (using the same system), which allows for greater ease of understanding between countries.

- Homogenise both **systems** and **standards** in a particular **media** (across countries).

The only sector where a significant common rating system has been established at European level is that of videogames. The ISFE system represents a total homogeneity –of systems and standards –even if in a specific content platform.

- Homogenise both **systems** and **standards** in a particular **country** (across media)

The Netherlands’ NICAM scheme provides uniform rating of content across distribution platforms. It also provides readily understood content descriptors (symbols) so that audiences may understand the reason for the rating.

Our suggestion is harmonization according to the first model, that is homogenise systems but not standards, allowing the horizontal treatment of four media (film, video, television and internet) at the pan–European level. That is, homogeneity as far as the visual symbols and the age categories used but not homogeneity as far as the assessment, the way content is evaluated.

As Commissioner Viviane Reding points out in her speech entitled “**Television without Frontiers: Amending the Directive**”, delivered on 22 June 2001, “*a uniform rating system does not imply that all European countries should attach the same age rating to a particular television programme or computer game or film. But when age ratings are attached to these products, they should be attached on the basis of the same criteria and according to a common system for all electronic media*”.

Implementing a rating system that would also homogenise **standards across countries** would pose problems, mainly because of social and cultural differences.

The European Commission itself recognized that there is a wide gap between the various European countries on what level of nudity or violence, for instance, are acceptable.

At the same length, implementing a rating system that would also homogenise **standards across media** is again difficult: Media differ in terms of the kinds of blocking, selecting and organizing filters practically available to them. Concerning **video**, it is easier to block video cassettes, because cassettes are individual and separate units of consumption and can be put out of the reach for children. However special considerations need to be taken into account, due to the technical capabilities that video technology offers, such as slow motion playing and repetition of dangerous scenes. As far as **internet** is concerned, there are also possibilities of filtering of the content and limiting access to certain disputable pages. It is also easier to control admission to **cinemas**. The box office manager can refuse admittance to a person because of the unsuitability of a film to his or her age.

Special considerations need to be, if not already taken, concerning the variations among the different **television** services (free-to-air television, encrypted services, subscription channels), taking into consideration the amount of access consumers, including young viewers, have to these services. For example, stricter regulations need to apply to open-air television, because these offer free access to all viewers, regardless age. Encrypted services, such as pay-TV, pay-per-view and video-on-demand, may enable a greater control of access by blocking programmes which have certain broadcaster-assigned-ratings. For example, with “pay-per-view”, given their stricter security systems (PIN Code, credit card), access can be denied to children.

### **UNIFORM SYSTEM APPLIED**

The uniform system needs to be simple, efficient and easily comprehensible.

#### **Symbols vs. numbers:**

**Symbols** can be vivid and lively, but viewers need to decode their meaning. This may cause a number of problems. For example, viewers may not recall what the

symbols represent or their meaning may not be interpreted correctly, as decoding involves subjective elements, leading to confusion among viewers.

### **Numbers (Age classification system)**

Age classification systems use numbers to categorise content according to its suitability for children, allowing parents to make a single, simple, age-based choice. Generally, these systems are easily understood.

**Our suggestion is that the “Age classification system” could be the basis for a European wide and cross-media rating system that would apply to the audiovisual industry as a whole.**

### **CYPRUS RATING SYSTEM: NUMBERS & COLOURS**

An example of the age classification system is the rating system used in Cyprus. It is evaluative –judgmental with an emphasis on age descriptions. In fact, the Cyprus Rating System combines numbers with colours (**Annex 1**). We believe that this combination is both effective and efficient. We have applied in practice this system since January 2000. The feedback we get from viewers shows that parents are aware of the existence of the rating system, interpret it correctly and take it into consideration, when choosing the viewing policy of their families.

### **General Provisions:**

According to Reg. 22(1) of the Radio and Television Stations Regulations of 2000, broadcasters must provide the viewers with a) written warning in the daily press and the radio and TV guides, b) acoustic warning before the beginning of every broadcast and c) visual indication every ten minutes, regarding the nature and the content of programmes, as follows:

**(K) in green letters for programmes suitable for general viewing**

**(12) in yellow letters for programmes restricted to minors under 12**

**(15) in blue letters for programmes restricted to minors under 15**

**(18) in red letters for programmes restricted to minors under 18**

**(A) for programmes with intense sexual content (for encrypted services only)**



### **The progressive value of the watershed:**

Nine p.m. is the “watershed”, but it does not mark a “waterfall”, meaning that there is not a sudden switch to wholly unsuitable material. After the family zone ends, material unsuitable for children will be shown only progressively, with the more unsuitable programming shown at progressively later hours.

### **Acoustic warning and visual icon:**

A combination of acoustic warning and visual icon combines their strong points, while eliminating their weaknesses. **Acoustic warnings** are generally seen as more likely to avoid the negative effect of the “forbidden fruit” phenomenon (contrary effects associated with visual symbols). **Visual Icons**, when repeated at frequent and regular intervals, are not limited in time. If viewers missed the rating at the beginning of a programme, they will have the ability to be informed on the potential detrimental effect of a given programme later on.

### **Control:**

The Cyprus Radio Television Authority is the control body in charge of supervising the appropriateness of the rating performed. Indeed, the rating system has been given particular emphasis by the Authority. Investigations are conducted by the Authority in order to assess the compliance of the stations and sanctions have been imposed for violations (inter alia, broadcast within the family zone violent or sexually explicit material, indecent use of language and improper behaviour, or rating of a programme in a way that it does not correspond to its actual content).

## **CONCLUSIONS**

As Commissioner Viviane Reding has stated in a recent speech delivered on September 10, 2003 entitled ‘**Minors and the media: towards a more effective protection**’, *“the responsibility to protect minors from harmful effects of the media is a shared one. Regulators, the audiovisual industry and parents all have to play their part to achieve the goal. Media literate children and parents supported by efficient self-regulatory and rating systems are best equipped to prosper in the audiovisual world of the future.”*

However, no rating or labeling system is a total substitute for broadcaster responsibility. Broadcaster responsibility standards must be sustained at present levels. In addition, broadcasters need to conduct campaigns to further inform parents on the correct interpretation of the rating system and the operation of the technical devices available.

At the same time more parental involvement in children's media habits is required: Parents need to exercise control on their children viewing habits (establish limits on allowed hours of viewing per day, ensure that children view television only within the family zone and develop family guidelines for programme selection).

Furthermore it is important that parents watch television with their children, explain and discuss what is shown, exchange opinions and try to help their children to critically analyse the content and the principles implied in it.

The goal is to make television viewing an intentional and shared activity, rather than using channel-hopping as a diversion or recreation in itself.

Better rating systems improve parental supervision and improved parental supervision yields better young people and better citizens.

A society that invests in the protection of its children, invests in its future!

Annex 1:

**Cyprus Rating System:  
Age Classification System  
(Numbers and colours)**

**(K)**

The following programme is suitable for general viewing

**(12)**

The following programme is restricted to minors under 12

**(15)**

The following programme is restricted to minors under 15

**(18)**

The following programme is restricted to minors under 18

**(A)**

The following programme has intense sexual content