

MIRACLE

Machine-readable and interoperable age classification labels in Europe

Grant agreement no: 621059

Implementation Strategy Report

The Czech National Safer Internet Centre (NCBI)

January 16th 2015

Editors: Jiri Palyza (palyza@saferinternet.cz)
Zdenek Zalis (zalis@saferinternet.cz)



Contents

Policy background.....	3
About the NCBI	3
Legal background and political context	3
The self-regulation organisations in the Czech Republic	4
The Council for Radio and Television Broadcasting (RRTV, http://www.rrtv.cz)	4
SPIR (Association for Internet Development, http://www.spir.cz).....	5
Association of Television Organizations (ATO, http://www.ato.cz)	5
The Czech Association of Communication Agencies (AKA, http://www.aka.cz).....	5
Association of mobile service providers (APMS, http://www.apms.cz)	6
Next steps and recommendations	6
Recommendations, strategy	6

Policy background

About the NCBI

The National Safer Internet Centre (NCBI) has been established in 2007 as a non-profit association of legal entities to support activities of the *Safer Internet project* in the Czech Republic. Since 2009 the NCBI is managing the national awareness centre of the Safer Internet projects co-funded by the European Commission in the frame of the Safer Internet program. The NCBI is organizing professional conferences, workshops and campaigns striving to empower children, parents, teachers, professionals working in crime prevention, social workers, etc. in safer use of the Internet. A very important part of its activities is the education and work with children and youths. The experiences and breadth of activities implemented now create a new goal for the NCBI – to create a platform for cooperation on promoting safer use of online technologies.

Currently NCBI coordinates the Safer Internet project and implements a number of another, mostly international projects in the field of raising awareness of safer use of the Internet. Among them the *Social Web Social Work* has been focused on development and support of online skills of social workers in this area, the aim of the *POSCON project* was to promote and encourage the creation of positive online content for children. *Proti nenavisti* is a project against hatred on the Internet (No hate speech movement) initiated by the Council of Europe and implemented by the NCBI in collaboration with the Ministry of Education. Very important in terms of promoting standards for safe use of online technologies in schools and public places of the Internet access is *eSafetyLabel* project initiated by the European Schoolnet network of Ministries of Education, which is realized in the Czech Republic by the NCBI. In addition, a number of projects have been organized by the NCBI in cooperation with public authorities – for instance the traditional *Prague-safely online* project.

Legal background and political context

In the Czech Republic does not exist any common system of the pictograms for labelling audio-visual content. The main expert, organisation or institution for content classification are primarily Association for Internet Development (SPIR), The Council for Radio and Television Broadcasting (RRTV) and Association of Television Organizations (ATO). On the Czech market is PEGI system accepted, but only as the system for age and content rating in the frame of videogames available on the market.

In the Czech Republic operates a large number of audio/video content providers: operators of public performances, TV broadcasters, DVD distributors and sellers and various individual audio/video providers, which offer personalised audio-visual services either on the internet or mobile networks.

Providers in the Czech environment are by groups and based on historical differences also in different positions in the legislation that governs their existence and established practice of different classifications, which doesn't lead to unification so far.

The channel TV and internet provider HBO uses its own good quality rating and labelling system. It is good example of the “best practice” in the self-regulation field.

System of classification of audio-visual content in the Czech Republic is currently legalized in media law only regarding cinematographic works.

In terms of the appropriateness of its content for children and adolescents are movies classified as:

- **available** without restriction,
- **unsuitable** for children under 12 years,
- **inaccessible** to children under 15 years of age,
- **inaccessible** to children and adolescents up to 18 years.

This classification does not reflect basis and grounds for determining the accessibility for a given movie. It means, it is not clear what kind of problematic elements are parts of the movie.

In spite of this classification system for movies the broadcasters (mainly TVs) only guarantee, that potentially harmful content won't be broadcasted between 6 am and 22 pm. But this kind of restriction is vague and insufficient.

In the next part we bring short overview of existing organizations on the Czech Market, which are very close to internet governmental activities and content regulations, age classifications as well as content and traffic monitoring as a part of their main activities.

All things considered is honestly to say that the usage of the audio-visual content as well as whole internet environment in the Czech Republic is very liberal and restrictions and content regulations are weak. We could imagine – close to our main focus related to online safety and cyber security – more strictly defined rules and regulations on the Czech online environment, labelling and classification model. Considering this situation, we see big potential for MIRACLE project implementation.

The self-regulation organisations in the Czech Republic

The Council for Radio and Television Broadcasting (RRTV, <http://www.rrtv.cz>)

The Council for Radio and Television Broadcasting (RRTV) of the Czech Republic is the body responsible for the regulation of broadcasting in the Czech Republic. The function and responsibilities of the RRTV are set out in the Broadcasting Act 2001.

RRTV is the central State administration body, which performs administration in the area of radio and television broadcasting (hereinafter "broadcasting") and taken over broadcasting, and in the area of audio-visual media services on request provided under Act No. 132/2010 Coll. It supervises on adherence to and development of plurality of the program offers and information in the area of broadcasting and taken over broadcasting.

To the extent of its sphere of action, it cooperates with legal persons established in accordance with the legal rules of the Czech Republic, subject of activities of which includes self-regulation in some of the areas modified by this Act, or by special enactment 1e), and broadcasting operators, operators of taken over broadcasting, providers of audio-visual media services on request participate actively on this self-regulation (hereinafter "self-regulation authorities"), if cooperation of self-regulation authority is requested in writing,, and it especially in formation of effective self-regulation systems, and in implementing provisions in support of medial literacy; it makes public the list of cooperating self-regulation authorities (hereinafter "list of self-regulation authorities") in a way enabling remote access (Art. 5, letter x)

RRTV also cooperates with the bodies of the European Union and with regulation bodies of member states of the European Union with analogous factual sphere of action, especially in handing over and obtaining data and information stipulated by law, decisions issued under the rule of law, or legal acts

of the European Union, and fulfills other tasks, which follow from the membership of the Czech Republic in the European Union in areas of regulation of audio-visual media services on request (Art. 4, paragraph 2, letter e) of Act No. 132/2010 Coll.)

[SPIR \(Association for Internet Development, http://www.spir.cz\)](http://www.spir.cz)

SPIR is a professional association active in the field of internet advertising since 2000. The membership base of the association currently has a total of 58 members. Alongside operating integrated, widely respected research into visitor numbers and sociodemographic profiling of internet visitors via NetMonitor, it also implements an internet advertising monitoring project, AdMonitoring, and the IAC professional conference on internet marketing, and provides expert analysis of internet market development in the Czech Republic.

SPIR offers lot of services on the Czech market, especially covering internet audience monitoring, socio-demographic research of visitors, analysis of online advertising campaigns available on the Czech market and is also very active in the self-regulation content activities. SPIS has 55 members, representing mostly publishing houses, but also ISP organisations and commercial subjects especially from the ICT market.

[Association of Television Organizations \(ATO, http://www.ato.cz\)](http://www.ato.cz)

Association of Television Organizations has a status of SIG (Special Interest Group) of legal entities. ATO was established in 1997. The function of this Association is to protect and implement the common interests of its members, in particular: electronic television audience measurement in the Czech Republic using the TV metre method (electronic measurement project; hereinafter the "PEM"); commercial use of the PEM data; publicity and advertising; publishing and editing; analyses and negotiation of technically standardizing, legislative and related measures in the field of broadcasting operation that are in the common interests of its members; and self-regulation.

The scope of activity of the Association comprises protection and implementation of common interests of members of the Association, consisting especially in ensuring of common electronic measurement of TV ratings in the Czech Republic with the method of TV meters (the project of electronic measurement is hereinafter called "PEM"), in commercial utilization of the PEM results, in publicity and promotion, publishing, further in preparation of analyses and negotiation of technical-standardization and legislative-legal and related measures in the area of operation of broadcasting which lie in the common interest of members, and the self-regulatory activity.

[The Czech Association of Communication Agencies \(AKA, http://www.aka.cz\)](http://www.aka.cz)

The AKA is the trade body for leading agencies in the Czech advertising, media and marketing communications industry accounting for 85 % of the 20 billion CZK media market and similar amount in marketing services. 78 member agencies cover the Creative, Media, Sales Promotion Direct Marketing and Digital sectors. AKA membership is organized into 5 councils: Full service, Media, iBTL, CRM/DM and Digital.

The principal mission is to promote effective advertising, high professional standards and awareness of the contribution of the commercial communications in a free market economy. AKA was one of the founders of the Advertising Council (Standard Authority) and initiated the adoption of the Ethical Codex, respect for which from all member agencies is the basis for self-regulation of commercial communications in the Czech Republic.

AKA represents the Czech Republic in the European Association of Communications Agencies (EACA) and AKA's iBTL section is member of the Integrated Marketing Services Council of EACA.

Association of mobile service providers (APMS, <http://www.apms.cz>)

APMS aims to create optimal conditions for the development of public mobile telecommunications networks and the provision of public mobile telecommunications services in the Czech Republic. The Association protects the common interests of its members. Given that the optimal conditions for the development of business activities of members of the Association are based on open competition, the Association promotes and protects the open market of electronic communications in the Czech Republic based on respecting the common rules of fair competition.

Next steps and recommendations

The main players in the content regulations and classifications field has been contacted. NCBI introduced them the aim of the MIRACLE project and the reasons, why content classifications is so necessary to implement in the Czech online environment in the close future. The members of the "core" working consortium for implementing MIRACLE are instead of **The National Safer Internet Centre** (NCBI) also **Association for Internet Development** (SPIR) and **The Council for Radio and Television Broadcasting** (RRTV) in these days. However NCBI still proceeds with mapping the situation and asking potential partners for cooperation throughout MIRACLE project.

Chamber of Deputies Parliament of the Czech Republic just discusses the Act on Czech TV (<http://www.ceskatelevize.cz/english/act-on-czech-television/>), which could update rules and regulations of the TV Broadcasting as well as setting system of the broadcasted content.

Implementation of a uniform labelling and classification system in the Czech Republic in general is hindered with different current legal and regulatory status of the subjects covered by the obligation of classification (broadcast providers, audio-visual and multimedia content providers, distribution channel, cinemas and audio-visual content providers).

Recommendations, strategy

NCBI suggests following steps regarding implementation of the MIRACLE labelling in the Czech Republic:

1. To check, if the labelling implementation will be mandatory and defined by the Czech law in the early future.
2. In the frame of the project consortium and with close cooperation with it to define implementation model.

There are two possibilities of implementation approach:

- a. To set and maintain **central database** including labelled content.
- b. Labelling of the content **will be provided by** (approved) **content producers**. This approach would have potential complications for the publishers – related costs for labelling would be paid by them. That means, publisher and providers should cover all related costs. However the system of labelling and classification is based on self-

regulation, for the wide and basic acceptance and adopting is necessary to have it on mandatory basis.

It is highly recommended to have a **contribution from the government** to cover (at least part) of the costs.

3. NCBI will **set and maintain contact** with **First Deputy Minister of Culture Czech Republic, Mrs. Katerina Kalistova**. She is competent with labelling and content rating issues.

Throughout the MIRACLE project NCBI will maintain close contact with all potential implementation partners, especially:

- **SPIR**
- **RRTV**
- **ATO**
- **Ministry of Culture**

In close cooperation with the project consortium NCBI will strive to implement related regulation into the Czech law. NCBI will also promote the labelling necessity under whole audio-visual as well as multimedia content provided by online services.