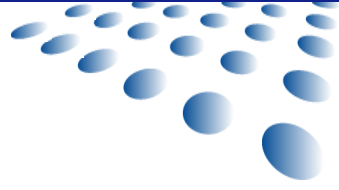




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Guidance document for the protection of  
**the young audience**





**“ The fact of granting  
a particular interest  
to childhood is in the heart  
of the true investment  
in our human resources  
in order to prepare them to take up  
the challenges of the future. ”**

Extract of the message of H.M. the King Mohammed VI  
to the National Commission in charge of the preparation  
of the extraordinary session of the General meeting of UNO  
devoted to the Child  
Marrakesh, January 5, 2001



## The President's word

### Why a guidance document for the protection of the young audience?

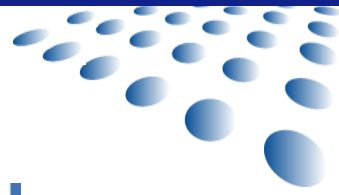
Nowadays, the audio-visual media occupy a dominating place within the society in general and the family in particular. By their omnipresence, the diversity and the nature of their contents, they constitute a subject of concern, of questioning and even of divergence of opinions. Many surveys, undertaken in several countries, tried to evaluate the impact or the influence of these media on the individuals. Certain studies dealt, particularly, with the bond of causality between the audio-visual messages and some behavioural disturbs of the children and the teenagers.

If it is certain that one should not yield to the temptation of accusing the audio-visual media of all the evils of our society, one should not, either, underestimate their impact on the most vulnerable and the most easily influenced among us, namely the age brackets ranging between zero and eighteen years, which constitute what is called commonly the young audience.





In a context of change induced by fast and new technological developments on the one hand, and by the liberalization of the national audio-visual field on the other hand, it is not easy to determine with certainty the influence of the audio-visual media known as traditional (radio, but especially television) on the psycho-affective construction of the children and the teenagers personality. In the absence of statistical data relating to the consumption that the Moroccan families make of the audio-visual media, we can only privilege the preventive approach apt to enable us to counter possible risks and to secure the young audience against the potentially harmful audio-visual contents.

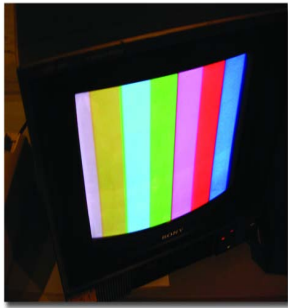
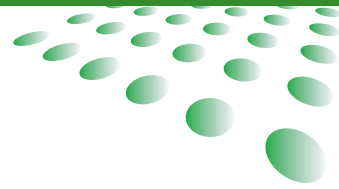
This guidance document is addressed firstly to the broadcasters and it is intended for be a tool at the disposal of the stakeholders, in particular the parents and the carers. It is supposed to heighten their awareness and to bring some reference marks to ensure a certain balance between the interests of the various parts and to reconcile the freedom of speech and the protection of the young audience. It also tries to answer a question which is today at the centre of our common attention: How can our youth benefit from the opportunities offered by the current media environment, without undergoing its more or less disastrous consequences?

**Ahmed Ghazali**



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## **The exposure of the young audience to the audio-visual media: What are the dangers?**

In spite of the emphatic assertions on the dangers of the audio-visual media, exacerbated these last years in several countries of the world by the multitude and the diversity of the supports placed at the disposal of the children and the young people, it is legitimate to wonder about the cogency of these manifest apprehensions.

In Morocco, because of the lack of quantitative information on the matter, one can only estimate the impact of the audio-visual media according to two kinds of factors: factors relating to the quantity and the quality of the existing audio-visual offer, and factors depending on the socio-familial environment and individual sensitivities.

The examination of these factors makes it possible to establish a preliminary report. Indeed, our youth is less exposed to the dangers related to the audio-visual media than the youth of the Western societies, mostly because of a certain number of obvious reasons : a relatively limited audio-visual offer due mainly to years of public audio-visual monopoly, a more solid hierarchy of values thanks to stronger family reference marks, a weaker average of exposure because of low rates of literacy and equipment... etc.

Paradoxically, if the young Moroccans are not completely subjected to "the world media tide", they cannot be completely preserved from it, being in majority badly prepared to receive many new audio-visual contents and thus more vulnerable and more malleable toward the potential risks of an exposure, more or less prolonged, to the audio-visual messages conveyed by the new media.

So, it is possible to assert that the young Moroccan audience, in its relation to the audio-visual media, is exposed to certain risks relating, mainly, to violence in all its forms, to sexual contents, to commercial publicity, to the revelation of the identity of minors in difficult situation, to the image of family conflicts and sometimes to the use by the audio-visual media of offensive language.



## Violence

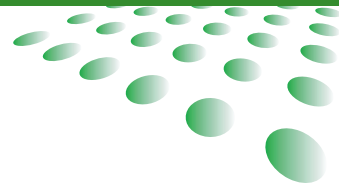
The omnipresence of violence, in all its forms, in the media coverage of the wars and the conflicts or in the fiction programs, sometimes even intended for the young audience, caused, these last decades, many scientific works in the countries known as " Northern countries ". The objective being to determine the nature and the range of the impact of violence in the media on the children and the teenagers, only a minority of studies concluded that the exposure of the young people to violent contents had the advantage of securing them against the aggressive behaviours, thanks to a certain cathartic effect. The majority of these studies clearly established that violence in the media, in particular audio-visual media, induced a favourable climate to the development of violence among the young people.

## Sexual contents

The exposure of the minors, at an early age, to various representations of sexuality, diffused by the TV channels, in particular by satellite, is a predominant educational concern. The majority of the experts on the matter confirms the harmfulness of these programs for the children and the teenagers and opts for their prohibition. Indeed, the pornography, and especially the representation of perverse or degrading sexual practices, distorts the perception of human relations by the young people. This statement is more alarming if we consider that the Moroccan socio-cultural context does not favour a genuine sexual education within the family or in the school programs.

## Commercial publicity

Given the fact that publicity in the consumption societies is characterized by the use of creativity, aesthetics, seduction, temptation and fashion effects, the issue of its impact on the children and the young is very complex. The transformation of the young people into advertising targets, especially in the modern societies of consumption, is generally based on their credulity, their limited capacity of telling good from bad and on the influence that they can have on the consumption choices of their parents. In addition, parallel to the simple promotion of a product, audio-visual advertising conveys messages relating to the manner of being, of thinking, of acting, and thus has a major impact on the psychological construction of the young people.



### **○ The revelation of the identity of minors in difficult situation**

The daily activity of the audio-visual media requires the coverage of the brief news items likely to appeal to the audience, particularly those relating to a legal procedure or those in which the minors are, more or less, involved. However, the presentation of a minor in difficult situation is a source of potential risks of moral prejudice that he could particularly incur if he comes to be identified by his entourage.

### **○ The image of family conflicts**

The family conflicts, especially when they become manifest through domestic violence or are the subject of media shows, have a destroying impact not only on the direct victims, but also on the image that the children could conceive of the family and the society in general. The wave of "real TV" of these last years gave place, in several countries, to some "overstepping" because of the public, exaggerated and prejudicial exhibition of the family conflicts, in contradiction with the principle of the minors protection.

### **○ Offensive language**

The central position occupied by television in the contemporary family made that the audio-visual programs influence the language of the audience in general, and of the young, in particular. It should be noted that in spite of the relative preservation of our linguistic inheritance in the audio-visual media, certain programs, of local or foreign production, contribute to generalize offensive language, insults, abuses and verbal threats without worrying about the infantile sensitivity, vulnerability and innocence.

Though not pretending to be exhaustive, this list enumerates the most prominent possible dangers generated by the exposure of the children and the teenagers to the audio-visual media. There are other potential risks related to some regional or national specificities, in particular the decline of the sociability of the young people in the countries where the exposure to the audio-visual media is primarily individualized, or the progressive loss by the young people of the reference values of their own society. Perhaps is this the case of our new generation which is, generally, quartered between the system of values of the Moroccan society and that of the "virtual" societies presented in the audio-visual media?



## Which legal and institutional framework for the protection of the young audience?

Either at the level of the fundamental law of the Kingdom, the international treaties which it signed and ratified or the penal code, Morocco gradually established a general legal arsenal intending to promote the minors welfare and their physical and mental health, in addition to protect them from criminal behaviours or practices likely of take advantage of their psychosocial vulnerability.

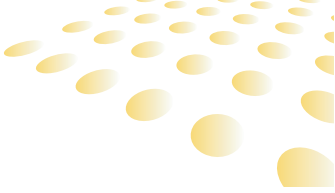
The Dahir bearing creation of the High Authority for Audio-visual Communication and the law n°77-03 relating to the audio-visual communication came to supplement this arsenal by stating the rules and general principles intended for guarantee the protection of the young audience.

### ○ The regulator : missions and tools

The legislator expressly charged the High Authority for Audio-visual Communication (HACA), in the person of its General Manager, on authorization of the Higher Council's President and after deliberation of the latter, "to act in justice" and "to address the proper administrative, legal and professional authorities ", when it is brought to its attention " facts that constitute an infringement to the laws and rules in force, particularly practices contrary to adolescence and childhood protection ". Thus, the legislator clearly decided to privilege the function of «relay/controller" of the regulator while choosing to imply all the proper administrative, legal and professional authorities.

### ○ The role of the HACA

Some clarifications need to be stated: the law n° 77-03 relating to the audio-visual communication having set up the freedom of communication as an immutable principle, the HACA could not act on the programs before their broadcasting. It is by no means a censure authority. The audio-visual operators remain masters of their editorial choice and programs and they assume the whole responsibility for them. Nevertheless, if editorial freedom is a right, it could not be exerted at the detriment of other rights quite as fundamental, such as the right of the young audience to be protected from all that would be likely to harm its psychological balance and mental or physical health. The mission of the HACA is thus to control, after the broadcasting of a program by an operator, the respect of the legal, lawful and contractual provisions in force.



It is however necessary to specify that the choice to privilege the function "relay/controller" of the regulator and to adopt a collective approach does not alter the sanction capacities granted to the HACA by the Dahir bearing its creation.

### **The HACA's field of intervention**

The control of the respect due to the young audience in the audio-visual media, and its protection from the aforementioned risks, supposes a regulation of the contents of all the programs, whatever their nature, their target audience or their broadcasting schedule. This induces an additional difficulty to the daily work of the High Authority, because of the width of this task and the relative effectiveness of the computer tools and logistics in this field. Yet, the High Authority is conscious of the importance of parental control and the contribution of the various concerned entities.

In addition to the numerous ranges of potentially dangerous audio-visual contents, the diversity of the types of violations (inadequate broadcasting time, defects of rating, under rating of the programs...) raises, in other terms, the question of the gravity of the sanction and the opportunity, for certain types of violations, of opting for an approach based on dialogue and assistance instead of sanction.

### **The contractual dimension**

The specifications of the various audio-visual public and private operators comprise provisions dedicated to the young audience protection, varying only according to the nature of each operator, and referring mainly to programs scheduling, their contents, the hours of broadcasting, the use of ratings, the respect of the private life and anonymity of the minors in difficult situation and the putting in place of follow-up internal entities (the Advisory Commission of Program Deontology and the watching committee).

## Pragmatic management: tools and approach

### Assistance to the operators

When the Higher Council of Audio-visual Communication (CSCA) establishes a violation relating to the protection of the minors, several possibilities, discussed previously, are offered. First of all, the CSCA can, "address the proper administrative, legal and professional authorities ". It can, then, decide to implement the coercive arsenal placed at its disposal by its constitutive Dahir and the law n° 77-03. It can also draw the attention of the concerned operator to its observations.

The latest option, largely privileged by the CSCA today, supposes a relative flexibility of the regulator and calls for voluntarism on the part of the operators and for a permanent attention of the adults, especially the parents and carers.

The rating system developed by the HACA is a crucial tool made available to the operators so that they can fulfil their obligations regarding the protection of the minors, but its implementation requires a true policy of pedagogy and assistance.

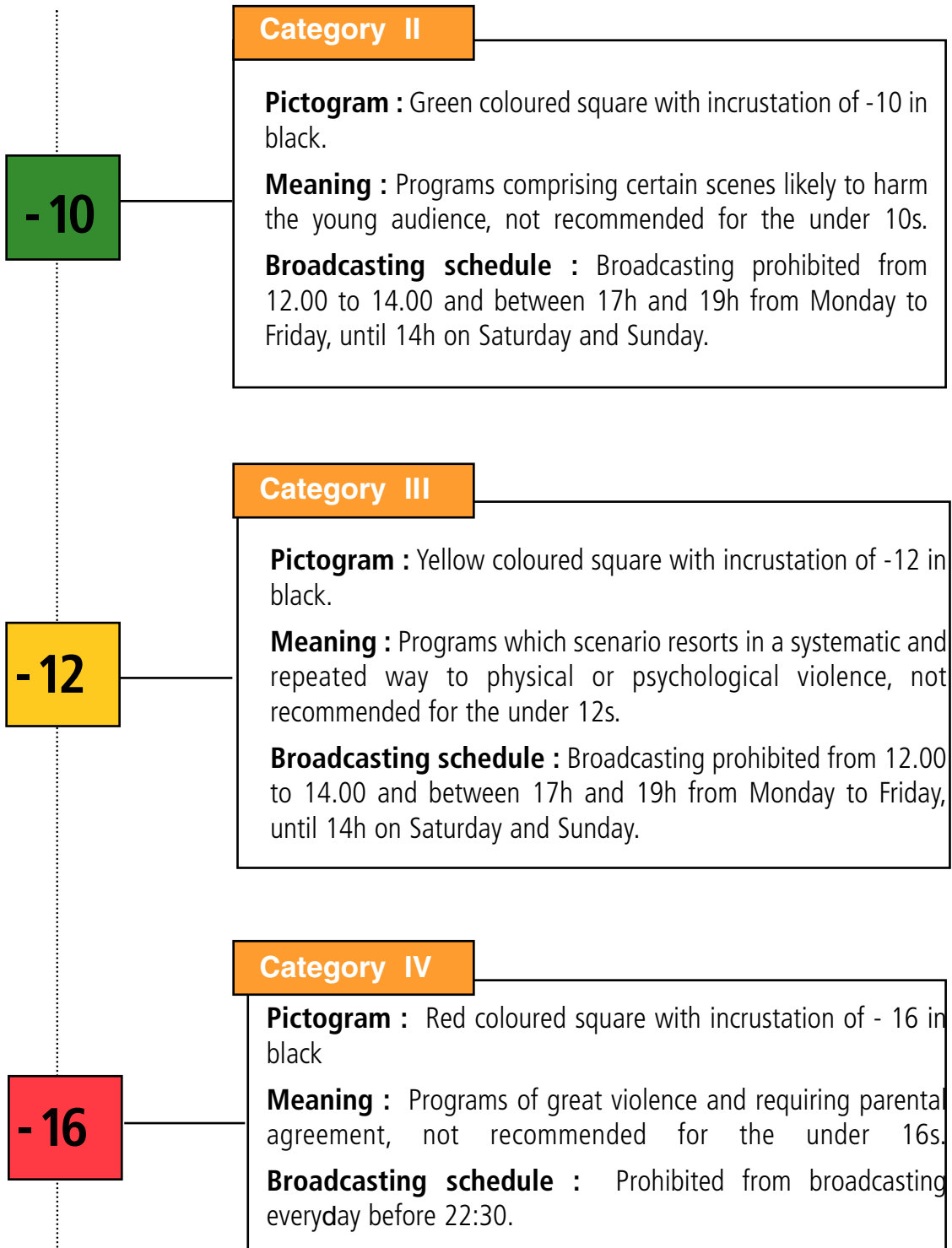
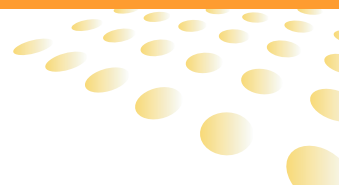
### Ratings

The rating system consists of visual signals affixed on the programs (throughout their broadcasting, on the trailers and scheduling communicated to the press) intended, mainly, to alert the adults about the contents likely to disturb their children.

It belongs to the operators, and more precisely to their watching committees, to appreciate individually the adequate rating for each program, according to a classification pre-established in four categories :

#### Category I

<b>Pictogram</b>	: None
<b>Meaning</b>	: All audience
<b>Broadcasting schedule</b>	: no particular regulation



These ratings must be presented on TV for the whole duration of the program. They are also made available to the audience during the trails and the program schedules communicated to the press. They must be accompanied, immediately before the beginning of the concerned program, by a sound warning in the language of the program.



## Who is concerned with the matter?

Taking into consideration a strictly legalist interpretation of the legal texts applicable on the matter, the guarantee of the young audience protection in the audio-visual media in Morocco is the regulator's responsibility. However, the experiment and an in-depth reflexion on the complexity of the issue clearly showed the need for a concerted approach and a global strategy associating all the concerned parts.

### ○ The audio-visual operators

The greatest part of responsibility in the protection of minors from the potentially harmful audio-visual contents falls to the operators, considering the freedom which they enjoy in preparing their programs. To ensure that this freedom is not exerted at the detriment of the young audience protection, the specifications of the operators envisaged a certain number of mechanisms aiming at setting up the working procedures of the operators and their relations to the audience.

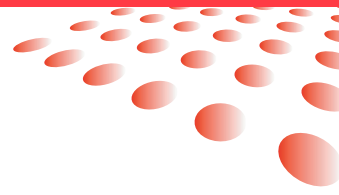
The specifications provide, firstly, the implementation and the publication of deontological charters containing ethical and professional outlines that the operators must observe, as well as the general standards aiming at the protection of the young audience.

They envisage, secondly, the creation and the activation of the internal follow-up committees in charge of the effective implementation of the deontological charters' content.

In the same spirit, the specifications give a great importance to the mediation which allows a true interaction between the operators and their audience.

### ○ The sector's professionals

The role of the artists, the producers, the presenters, the journalists and the advertisers, and more generally of all the audio-visual program makers, is crucial, whether in the choice of the themes to be dealt with or in the way of presenting them on air.



### **○ The parents**

The role of the parents is all the more significant as the natural authority that they exert on their child makes it possible for them to preserve the latter from the possible dangers of the audio-visual media. They are, to some extent, the last rampart, but also the only stakeholder whose effectiveness on the matter need not to be proved. The paramount challenge is thus to make them aware of these problems and the means of protecting their children, in particular through the use which they have to make of the ratings and the possibility to address the operator through its mediator.

### **○ The civil society**

Parallel to the public action on the matter embodied mainly by the role of the regulator, and considering the economic constraints often leading the broadcasters to submit to the market laws which are not necessarily in phase with the requirements of the general welfare, the vigilance of the civil society remains a factor impossible to circumvent in the implementation of an efficient system for protecting the young audience.

### **○ The proper public entities**

The installation of a global, coherent and effective system for the protection of the young audience is largely dependent on the complementarities between the public entities concerned with the matter, namely, the state departments in charge of national education, justice, youth, health, solidarity and childhood, culture and communication, each one according to its prerogatives and the strategic dimension of its mission.

### **○ The researchers and experts**

As we already noted, reliable studies and statistical data must be available to all the stakeholders concerned with the protection of the young audience, so that they can perform their respective roles with full knowledge of the facts and in the best conditions.



## Which prospects for a proactive protection of the young audience?

The on going changes of the national audio-visual field, in interaction with the current international context, can only be understood by considering the communication global market trends characterized, in particular, by the competition between the traditional media and the new technologies of communication, the convergence of these technologies and the concepts supporting "the marketing" of the contents and the targets at the same time.

Whatever are the new game rules imposed by this market at the national level, the protection of the minors from the illicit or potentially dangerous media contents rests on the shared and differentiated responsibility of all the concerned parts. It requires, therefore, a global strategy based on the dialogue and the coordination of all the stakeholders' efforts.

Initially, the High Authority for Audio-visual Communication achieves its role of regulator upstream in order to consolidate the tools offered by the national and international Law against the broadcasting of contents likely to be harmful to the physical and moral health of the minors. In addition to its traditional missions of regulation, control and sanction, it should undertake specialized studies on one hand, and initiate awareness campaigns intended for the parents in order to enable them to understand the rating system and to regulate correctly their children's viewing, on the other hand.

As far as the audio-visual media, the school and the family are concerned, they have to accomplish complementary educational missions. In fact, they must contribute to the development of the young people's critical spirit toward the audio-visual contents, thus enabling them to have the adequate decoding keys of the audio-visual messages which are dedicated to them, and to avoid, ideally on their own, the exposure to those which are not intended for them.

Ultimately, the issue of the young audience protection in the audio-visual media requires everybody's awareness of the social, economic and educational stakes relating to children and teenagers exposition to these media, as consumers of contents, advertising targets, and sometimes even actors in audio-visual productions and spots.

## CONTACTS

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“ In Morocco, like elsewhere, the need for protecting the minors from the potential dangers of their exposure to the audio-visual media is a subject of major concern. At the era of the information society and the multi-media convergence, it is not easy to locate the benefits of the media known as traditional in order to make the children and teenagers profit from them, nor to distinguish the "risky contents»to preserve this young audience from them. Without claiming to exhaustiveness, this guidance document adopts the taxonomy-based approach in defining the potentially harmful audio-visual contents. It presents the legal and institutional framework for the protection of the young audience in Morocco, and briefly exposes the HACA's procedure in handling this issue, implying, in particular, the responsibility of the operators and the parental control.

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