The Rights of Children
and the Right to Media

**Strengthening convergences in
legal frameworks and public policies**

The Rights of Children
and the Right to Media

**Strengthening convergences in
legal frameworks and public policies**

CONTENTS

INTRODUCTION

In 2008, ANDI and ANDI Latin America produced a research study in partnership with Save the Children Sweden that revealed serious gaps in the continent's media laws and regulations in regard to children and youth. Titled Regulação de Mídia e Direitos das Crianças e Adolescentes: uma análise do marco legal de 14 países latino-americanos, sob a perspectiva da promoção e proteção (Regulating the Media and the Rights of the Child: An analysis of the legal frameworks of 14 Latin American countries from a rights promotion and protection perspective), the study examines the existing legislation and proposed laws now under consideration in the survey countries.

One of the study's key conclusions is that the instruments and mechanisms currently in place to organize the media ecosystem generally lack, with specific respect to the needs of the youngest population segments, technical consistency and have failed , moreover, to keep pace with the progress achieved in countries which have traditionally given priority attention to the issue – Great Britain, Germany, France, Sweden, Canada, and Australia, among others.

The reasons for this are easily explained. In Latin America, the vestiges of a colonial past combined with the legacy bequeathed by the authoritarian regimes of the 1970s and 1980s hindered the consolidation of stable and lasting democracies.

This uniquely Latin American experience led to the development of democratic media systems firmly moored to the principles of pluralism and diversity. Whether due to State interference or the pressure exerted by powerful economic interests, there remains to this day a powerful sense throughout the region that free expression as a fundamental right on a must be promote and defended continuous basis.

In recent years, social movements calling for consistent regulatory frameworks and media policies have begun to emerge, a response primarily to intensive and ongoing mobilization campaigns by civil society organizations and democratic consolidation in many countries. As a consequence, issues previously ignored in the public discourse – by virtue, in large measure, of the restrictions imposed by media organizations and political actors directly benefiting from the status quo – have taken on increasing importance and become an integral part of the public agenda.

This publication, made possible by a partnership with Petrobras, is based on *Infância e Comunicação: Referências para o marco legal e as políticas públicas brasileiras* (Children and the Media: References for the Brazilian legal framework and public policy), published by ANDI – Communication and Rights, in partnership with the Secretariat for Human Rights of the Federative Republic of Brazil. The text gives continuity to the efforts of ANDI and the member agency of the ANDI Brazil Network and the ANDI Latin American Network to contribute to strengthening the relationship between the media field and children's and youth rights.

The original publication was updated and additional information incorporated to reflect the Latin American setting, including a chapter on the initiatives of the ANDI Latin America Network, which in 2013 will celebrate its tenth anniversary – further augment the importance of the publication, which offers contributions to societies across the region on assessing the best means to address the democratic deficit in this extensive and complex sphere and building legal frameworks closely bound to public policies of effective reach and scope.

Carlos Mamani Jiménez . **Mario Chamorro** . **Marta Benítez** . **Veet Vivarta**

Members of the Coordinating Committee of the ANDI Latin America Network

ANDI Latin America Network

TEN YEARS. ONE DREAM.

Soy el desarrollo en carne viva,
un discurso político sin saliva.
Soy la sangre dentro de tus venas,
soy un pedazo de tierra que vale la pena.
Soy América Latina. Un pueblo sin piernas,
pero que camina.

Calle 13

With an estimated population of 523 million people, almost half of which are boys, girls, and teenagers,[a] Latin America is a continent of stark contrasts.

Marked by a changing political landscape and economic growth in recent years which has transformed a number of the region's countries into drivers of the global economy, the continent, however, is still home to more than 19 million children who are forced to interrupt or abandon their education altogether to work.[b] Of these, 8 million are engaged in activities defined under the worst forms of child labor.

Moreover, due to a skewed process of economic growth a full 32 million Latin American children live in extreme poverty, subject to an array of consequences ranging from precarious housing and the unavailability of potable water or adequate sanitation to chronic malnutrition and limited or no access to the education system.[c]

In a region in which the per capita income of the richest 20% is 20 times greater – on average – than that of the poorest 20%,[d] inequality remains a stark reality for large swathes of the population, producing poverty levels which, although reduced in recent years, continue to have a dramatic effect on the lives of more than 167 million people.[e]

---

a Marco referencial Violencia. Coord 090608. Page 15.

b ILO, Construir futuro, invertir en la infancia. Estudio económico de los costos y beneficios de erradicar el trabajo infantil en Iberoamérica (Building the future, investing in children. Economic study of the costs and benefits of eliminating child labor in Ibero-America). September 2005.

c Child poverty in Latin America and the Caribbean. ECLAC – UNICEF. December 2010. Page 39. http://www.unicef.org/lac/Libro-pobreza-infantil-America-Latina-2010%281%29.pdf

d Presentation by Dr. Jorge Freyre. Executive Secretary of REDLAMYC

e Social Panorama of Latin America – ECLAC. http://www.eclac.org/cgi-bin/getProd.asp?xml=/prensa/noticias/comunicados/8/48458/P48458.xml&xsl=/prensa/tpl/p6f.xsl&base=/tpl/top-bottom.xsl

Among the handships impacting boys and girls with particular cruelty is violence in all of its forms, a phenomenon that has reached epidemic proportions in Latin America. A full 28.7% of murder victims on the continent are 10-19 years of age. Another 6 million children have been abandoned and/or subject to severe abuse, while 80,000 youth under the age of 18 die every year from violent acts perpetrated by their own parents.[f]

THE URGENT NEED FOR ACTION

Despite some targeted improvements over the last decade, this sad and painful reality continues to subject a large portion of Latin American children to suffering and systematic rights violations. In response, a group of social organizations across the region coalesced around a shared vision and urgent objective: to transform society's view of children by undertaking decisive action to promote, , initiatives and policies to guarantee the segment's basic rights, through information and communication initiatives6.

With this objective in mind, the representatives of NGOs from various countries outlined a common strategy, based on the successful experience of ANDI – Brazilian News Agency for Children's Rights in Brazil (subsequently renamed ANDI – Communication and Rights). In September 2003, the participating organizations laid the foundation for an innovative working model designed to effect a direct impact on the promotion and defense of children's rights through the use of the media and news coverage as a strategic tool for social change.

Thus was born the ANDI Latin America Network, united by a commitment which has been expanded and consolidated over time and which led to the constitution of an action nucleus that has directly influenced the policy agenda of individual countries over the past ten years by framing a number of key issues directly connected to the rights of children and youth and reshaping, in the process, the perspectives and views of hundreds of print and broadcast journalists, in addition to ensuring the necessary visibility to issues of critical importance to the lives of thousands of children throughout the continent.

Although at the time the ANDI Latin America Network's was founded each organization already boasted a recognized track record in its country of origin, they all quickly realized the singular opportunity offered by marshaling their efforts around common methodologies and practices.

THE END AND THE MEDIA

Beyond the diversity of their origins, activities, and backgrounds, the member organizations of the ANDI Latin America Network succeeded from the outset in forging a consensus view that communication is an essential element of inclusive and sustainable development in all contemporary societies.

Since the Network's formation, it has been clearly understood that the entity's central axis of action would be the media, seen as a critical social actor with the capacity to influence the social agenda and promote, qualify, and drive public debate in democratic societies.

A CONTINENTAL ALLIANCE

The ANDI Latin America Network is composed of representative organizations from Argentina, Bolivia, Brazil, Colombia, Costa Rica, Ecuador, Guatemala, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela. This coalition of these 12 nations strives to promote and guarantee the rights of girls, boys, and teenagers through information and communication initiatives.

FAR-REACHING IMPACT

"In my view, it would not be possible to exercise significant, representative influence through isolated action. I do not believe any single organization would be capable of having a sustainable, far-reaching impact on its own".

VEET VIVARTA, EXECUTIVE SECRETARY OF ANDI AND A KEY PROPONENT OF THE ANDI LATIN AMERICA NETWORK

---

f Presentation by Dr. Jorge Freyre. Executive Secretary, REDLAMYC.

Overseeing government initiatives, transforming deeply rooted social views, giving form to crucial elements of the rights of minority segments, and fostering broad and high-level discussion on public policy are, in the view of the ANDI Latin America Network core duties of the media.

At the same time, the quality of news coverage is contingent on forging an ethical and professional dialogue between newsrooms and the officials and authorities with primary responsibility for implementing the measures, programs, and policies that provide the raw inputs for news stories. In this light, the ANDI Latin America Network has sought since its inception to build ties with stakeholders in the field of children's and youth rights by offering tangible support to their strategic role as sources of information.

Political force

"Being a part of the Network has allowed us to develop a broader and more in-depth analysis of the Latin American context and boosted the political capital of our organizations in a way that would not have been possible if we had continued operating independently or in isolation."

Mario Chamorro, Director of the Nicaraguan based organization Dos Generaciones

STRENGTHS AND WEAKNESSES

As successive news monitoring surveys conducted by the ANDI Latin America Network have demonstrated, the Latin American media has made a series of contributions to the policies enacted to promote and defend the rights of the youngest population segments.

A notable example is the emphasis given to issues associated with Education, the coverage of which has expanded and improved in the vast majority of countries – a reflection of the trend toward consolidating universal education as a tool of social inclusion and sustainable development. Questions relating to health and sexual violence against boys and girls have also garnered increasing attention from newsrooms.

However, there are other issues in the field of children's rights on which the news media continues to fall short. In these cases, far from fulfilling its responsibility to provide quality, open, and transparent information, many outlets in the region all too frequently have succumbed to old temptations, offering only the most superficial coverage, report ingor sensationalist stories, or reproducing stigmatizing stereotypes of children.

Of even greater concern, in an alarming number of cases the news media has failed to exploit the opportunity to focus on problems which any impartial observer would define as clear and unmistakable violations of the fundamental rights of children and youth. These issues have simply not been translated into news stories – much less into investigative reports of far-reaching impact.

Learning from differences

Widely recognized in their respective countries, the 12 member of the organizations of the ANDI Latin America Network can be divided into two basic categories:

1) Those rooted in the struggle for children's rights, including CECODAP, Venezuela; Global Infancia, Paraguay; DNI, Costa Rica; Dos Generaciones, Nicaragua; El Abrojo, Uruguay, and Yupana Foundation, Ecuador.

2) Those dedicated to the media field, such as ANDI, Brazil; Periodismo Social, Argentina; Eco Jóvenes, Bolivia; PANDI, Colombia; Equipo Uno, Peru, and Centro Civitas, Guatemala.

While these differences may have initially appeared to represent a potential source of tension, the two groups quickly found that they had much to learn from each other, a realization that allowed them to turn their divergent experiences into valuable commodities and their differences into assets.

MAPPING CHALLENGES

What is the reason for this? Is it the ignorance of journalists? Is it the indifference of editors? Is it the decision of news organizations to place business interests above their responsibility to provide comprehensive information to the public?

To be sure, there is no easy answer to these questions and the respective explanations must often take into account the nuances and subtle differences between media platforms, individual countries, and different time periods. What is clear to the ANDI Latin America Network is that, regardless of the obstacles posed, there is always ample opportunity to provide sources of information with the necessary support, educate journalists, and assist media organizations in more effectively fulfilling their fundamental duty to drive the public debate on policy initiatives in an area of vital importance to all societies, as well as to the welfare of girls and boys.

For this reason and with a view to addressing the challenge, the member organizations of the ANDI Latin America Network decided to make journalists, reporters, and media outlets the center of its efforts and activities, striving from the outset to forge a solid alliance with these actors as a means to achieve the strategic goal of transforming society.

TOOLS FOR CHANGE

The efforts of the ANDI Latin America Network are organized around a three-pronged strategy: media monitoring, social mobilization, and training/education for journalists.

In regard to the first component, since 2004 the member organizations have performed (at different time intervals, according to each specific case) in-depth analyses of the leading Latin American media outlets. The research project[g], which consolidates data relating to the first three years of coordinated activity (2005-2007), reveals the sheer scope and reach of the initiative: a total of 795,765 storiesy published in 130 newspapers in 12 countries selected, read, and classified.

The methodology has allowed each organization to clearly identify the primary characteristics of its country's domestic news coverage and to offer journalists and sources of information, as well as the rest of society, a clear snapshot of the progress and shortcomings in the news media's coverage, with a view to fostering more qualified debate and ensuring better public information.

The issues given more and less coverage, the diversity of the sources cited, the analysis of public policies, the focus on solutions to the problems addressed, the use of pejorative language, gender biases and prejudice, and the neglect or trivialization of everyday and manifest violations of children's rights are measures filtered under the magnifying glass of objective and impartial monitoring and reflected back, serving, in this way, as a substantive contribution to profound, ongoing, and productive dialogue.

Contrary to what might have been expected, in a majority of cases the submission and presentation of the outcomes and findings deriving from the monitoring analyses have been generally welcomed by journalists, edi-

CAPACITY OF INCIDENCE

"The dialogue between the agencies with a background in the media field and those dedicated primarily to the rights of children has helped converge the two perspectives and proven invaluable in strengthening each entity and the Network as a whole."

MARTA BENITEZ, EXECUTIVE DIRECTOR OF PARAGUAY'S GLOBAL INFANCIA

BACKGROUND

ANDI, as the underlying inspiration for many of the activities and products implemented by the ANDI Latin America Network, is a Brazilian organization founded by journalists in 1993, which has grown to become one of the country's leading channels for education and mobilization on issues to children's and youth rights.

ANDI's strategies are founded on the view that achieving high levels of sustainable and socially inclusive development requires a dynamic, qualified, and independent media system. The organization's work has gained international prominence in the field of communication for development.

---

g ANDI; REDE ANDI AMÉRICA LATINA. Direitos, Infância e Agenda Pública: Uma análise comparativa da cobertura jornalística latino-americana 2005-2007. Brasília, 2009.

tors, and the heads of news organizations in the member countries. For the most part, rather than reacting to these instruments as if they represented some form of accusation or denunciation, the news media has embraced the information as an opportunity to refine its coverage. Another contributing factor to this process has been the recognition of the ANDI Latin America Network commitment to cooperating closely with news organizations and its status as a key component of the interface between journalism and children's and youth issues.

In addition to offering systematic and objective platforms for debate, the monitoring surveys conducted in the member countries of the Network have made it possible for the first, through the application of a common methodology, time to compare the news coverage between individual countries and identify differences and similarities at the regional level, forging and expanding, inthis way, the bases for substantive professional and political debate.

STRENGTHENING THE POLITICAL DEBATE

The training/education and mobilization initiatives launched by the ANDI Latin America Network – the other two components of the entity's strategy – include a wide range of activities spanning national and regional investigative journalism awards and the organization of professional workshops, to the production of reference guides on specific issues, visits to newsrooms, and a continuous flow of recommended topics for news stories and reports. Additional efforts include the "Friend of the Child" program and the consolidation of relationships with universities to promote the development of journalism programs and social agenda issues, as well as others initiatives.

These activities, nourished, supplemented, and enhanced by the contributions, initiatives, and lessons of each ANDI Latin America Network member organization, have served to strengthen ties with leading journalists and media outlets in individual countries and fostered relationships based on collaboration and team work.

Regional presence

"Ensuring a regional presence, taking positions, writing and saying 'holdon, this is what the ANDI Latin America Network thinks, we are here, we represent this, we believe in this', is of fundamental importance for implenting the initiatives undertaken in our countries".

Rebeca Cueva, Director of ACNNA agency, Ecuador

Research findings

The comparative analyses of the monitoring studies published in individual ANDI Latin America Network member countries from 2005 to 2007 yielded a number of conclusions on the Latin American news media's coverage of children:

- While a steady increase in the number of stories in which boys, girls, and teenagers appear as protagonists was verified, the research revealed that the coverage was generally superficial and rarely examined the public policies connected to the events described or the responsibilities of the State to ensure more inclusive development.

- One highly positive development regarded of the coverage of issues relating to the promotion and defense of children's rights. Education received the greatest focus, appearing in more than 22% of all the stories on children in 2005, 2006, and 2007. For as is widely recognized, confronting the challenges of inequality and social exclusion requires giving priority to education policies.

- In a more or less consistent manner, the news media's reporting on children has tended to give priority to issues relating to violence and health, to the detriment of other questions, including child labor, migration and displacement, homelessness, or disabilities, which were referenced in less than 3% of the stories reviewed in the comparative analysis.

- With an average of 1.27 sources cited per story, the Latin American news media still does not offer a genuine plurality of sources in its reporting on children's issues. Further, there is a recurring tendency to cite official sources, which represented 33.2% of all references in 2007.

For journalists, meanwhile, the existence of social organizations not only capable of discerning the realities of their individual countries, but committed to working with them for the development of professional practices more closely associated with and better equipped to address the problems of children, has enhanced coverage of the key social agenda issues of the day. In this light, the ANDI Latin America Network's entities have become indispensable sources of advice and exchange.

Similarly, social organizations, experts, government officials, and activists in the field of children's issues have found a partner in the ANDI Latin America Network committed to building bridges capable of ensuring their specialized knowledge reaches mass media outlets more effectively and with greater power, thereby contributing to elevate the quality of the public debate on questions of interest to them.

FROM A COUNTRY TO A REGION: CAPITALIZING ON DIVERSITY

As could only be expected, the basic package of activities – as initially developed by ANDI for implementation in Brazil and made available to the Network – has required, a number of changes over time to take into account the different national realities of the individual Network organizations.

Issues such as forced migration or the participation of children in armed conflict in Colombia, the status of native peoples in Bolivia, or the impact of environmental degradation in Peru or Ecuador were just some of the serious issues confronting the ANDI Latin America Network at the time of its establishment and to which the entity has responded over time by broadening its focus and adapting its work methodology through incorporation of this full of range of concerns, without, sacrificing the Network's systematic approach or regional scope.

To this end, the heads and technical staff of the member organizations have invested countless hours in face-to-face and online discussions, in which consensus has not always been reached easily and sharp disagreements have, on more than one occasion, posed an imminent threat to the entity's consistency and unity. However, the majority of ANDI Latin America Network members have found common ground in their various interactions, helping to strengthen the group as a whole and disseminate the knowledge and experiences that have so enriched the individual organizations.

Will you be my friend?

The "Child Friendly" award, bestowed in a number of countries by ANDI Latin America Network's member organizations, confers public recognition on those professionals deemed to have developed high quality news coverage of children's issues.

Selected journalists – of which there are nearly 500 throughout the region today – receive specialized materials and publications, invitations to take part in training workshops and seminars, and, additionally, spealized dedicated support from their country's ANDI Latin America Network member organization.

An independent evaluation conducted in Brazil found that 97% of selected journalists believe the initiative contributes to enhancing news coverage and stimulates media outlets to devote more space to children's issues.

Disclosures and solutions

The ANDI Latin America Network provides support to responsible journalism, which, in conjunction with coverage of the problems facing girls, boys, and teenagers, has the capacity to offer contributions and input to the process of social change – for example, by producing investigative reports on how similar issues are addressed in other parts of the world, incorporating, to this end, voices capable of imparting a more holistic perspective on the subject at hand or putting the information into a context that enables clear identification of the multiple responsibilities involved in a given situation.

As Paulo Baleato, representative of Uruguay's Voz y Vos, notes, "The journalist is not put in the position of having to offer specific solutions to the issues on which he or she is reporting. Journalists are not confused for social activists or policymakers. But we do believe that it is the journalist's role to offer quality coverage, as a means to help society move forward in addressing the problems depicted."

RECOGNIZING INNOVATION

A year after its creation, the ANDI Latin America Network was recognized as one of the three most innovative development projects in the world. The award was bestowed by the Japanese Government and The Global Development Network, a World Bank sponsored initiative.

MORE A WINDOW THAN A MIRROR

"Beyond highlighting the different profiles of the participating youth, the study reveals in the clearest terms that young people with disabilities rarely see themselves reflected on television – either because the information and entertainment products offered give scant attention to this segment or because the participating youth fail to identify themselves in the coverage."

A PASSAGE FROM *MORE A WINDOW THAN A MIRROR*, WHICH ANALYZES THE OUTCOMES OF A STUDY OF THE SAME TITLE PERFORMED BY THE ANDI LA NETWORK

This unifying vision of pursuing a strategy of continuous growth, exchange, and refinement of the ANDI Latin America Network's core work methodology has provided not only for a monitoring system that effectively encompasses and takes into account the specific realities of individual countries, but fosters mobilization and training efforts through the incorporation of successful initiatives linked, for example, to the active participation of children and youth in news stories, training and capacity building for journalists, the development of university academic programs, public participation in the legislative process, and the production of media content with, by, and for children, among other measures.

"Our organizations work together," says Veet Vivarta, "yet each one pursues its own agenda. The fact that we are members of a Network does not mean we share an immutable position, without the freedom to take our own decisions and evolve in the direction we deem most appropriate, based on the prevailing circumstances in our respective countries. The only requirement is that the individual strategies not conflict with the ethical principles of the Network's broader agenda."

A DECADE OF ACHIEVEMENT

While Latin America's many countries are marked by significant differences, they are bound by shared and widespread iniquities that affect children and youth throughout the region.

Sexual exploitation, violence in all of its forms, and the exclusion and stigmatization of girls and boys with disabilities are just some of the causes that have spurred the ANDI LA Network to joint action in recent years and to implement monitoring, mobilization, and training strategies across the region.

Below we offer a selection of initiatives undertaken by the ANDI LA Network to demonstrate the potential impact and effect of systematically integrating specialized teams committed to a common strategy. In addition to the continuing series of national events organized to bring journalists and representatives of social organizations together, the following substantive efforts warrant mention.

1. PROJECT ON NEWS MEDIA COVERAGE OF THE RIGHTS OF PERSONS WITH DISABILITIES

The Project involved the organization of capacity building workshops for journalists by new agencies of the ANDI Latin America Network, with the objective of influencing the views and outlook of news professionals and shining a light on a phenomenon normally concealed or stereotyped and stigmatized – Costa Rica, Guatemala, and Nicaragua (Central America), Argentina, Bolivia, and Paraguay (Southern Cone), and Colombia, Ecuador, and Venezuela (Andean Region).

Implemented from 2006 to 2008, the initiative included a conference with 67 participating girls and boys to discuss how their realities are depicted in the media (especially on TV). The outcomes of the effort are laid out in *Más una ventana que un espejo* (More a window than a mirror),[h] a

h ANDI; ANDI Latin America Network; Save the Children Sweden. **Más una ventana que un espejo:** *La percepción de adolescentes con discapacidad sobre los medios de comunicación en Argentina, Brasil y Paraguay*. (**More a window than a mirror:** *The views of adolescents with disabilities on the media in Argentina, Brazil, and Paraguay*) Brasilia: ANDI, 2008.

publication offering substantive inputs on the formulation of public policies to defend and safeguard this vulnerable population segment.

2. Project on the media's role
in the issue of child labor in Latin America

The initiative consisted in monitoring 47 print media outlets and the organization of national journalism events, involving the participation of 240 reporters and more than 80 representatives of organizations engaged in advocacy work and as news sources.

The project's events drew 20 girls, boys, and teenagers who tooh part in open and direct discussions with journalists and shared the hardships of their association with child labor.

Executed in 2009 and 2010 and coordinated by Colombia's Pandi organization, the initiative brought together representatives from the ANDI Latin America Network in Guatemala, Uruguay, Peru, and Nicaragua, in addition to NGOs from Panama and El Salvador. The "Pido la Palabra" ("I Request the Floor") workshop, a key component of the project, offered 258 boys, girls, and teenagers the opportunity to hone their journalism skills and develop their own media platforms to serve as channels of self-expression.

3. Training and education workshops on the issue of violence

Aimed at journalists and news sources in 17 Latin American countries, the 2006 initiative grew out of a partnership between ANDI, the ANDI LA Network, Save the Children Sweden, and Save the Children Norway. The effort involved workshops at the sub-regional level designed to enhance the discussion on the quality of the news media's coverage of violence against children and youth.

Strategically scheduled to coincide with the launch of the *UN Secretary-General's Study on Violence against Children and Young People*,[i] the initiative centered on offering a more qualified approach to this serious global kuestion, a phenomenon that continues to "resist the upgrade in quality achieved in the coverage of other issues," according to the publication in which the pertinent survey data is compiled in order to assess existing training and capacity building processes.[j]

To be sure, the positive impact of the effort was immediate, as suggested by the observation of an Argentine news editor, who stated, "Workshops of this type invariably serve to stimulate and to educate: they provide new sources, enable the cross-referencing of experiences, and foster contact with experts who provide new perspectives on highly complex phenomena."[k]

But only to a point. As another news editor based in Colombia noted, "It is unlikely that participating in a workshop alone can produce a diametric change within a media organization, when, in fact, greater collective consciousness is required among the group of people working in the same environment – the fact that information is socialized (disseminated) does

Exchanges

"Joining the ANDI Latin America Network has brought significant benefits, helping us expand our horizons and meet new people and new organizations. The ANDI LA Network's key asset consists of the work conducted with the news media, coupled with the incorporation, of organizations dedicated to individual rights. These include NGOs such as Dos Generaciones, Nicaragua, which focuses on legal issues and the civic participation of boys, girls, and teenagers; Cecodap, Venezuela, an organization engaged in participatory action devoted to changing the existing legal framework. Our relationships with these organizations have been a critical element, allowing us to draw valuable lessons from their activities. Serving as a member organization of the ANDI LA Network here in Bolivia has been a gratifying experience."

Carlos Mamani, Executive
Director of Eco Jóvenes, Bolivia

i UN. **UN Secretary-General's Study on Violence against Children and Young People**, August 29, 2006.

j ANDI; ANDI LATIN AMERICA NETWORK; SAVE THE CHILDREN SWEDEN; SAVE THE CHILDREN NORWAY. **Mídia e violência contra crianças e adolescentes:** Diálogo com jornalistas latino-americanos – Avaliação de resultados (**Media and violence against children and young people:** A dialogue with Latin American journalists – Evaluation of outcomes). Brasilia: ANDI, 2008.

k To facilitate the evaluation, the names of the participating professionals were not disclosed.

not necessarily mean there are no consequences; change does not happen from one day to the next."

In sum, the assessment document includes comments that point to "evidence that localized and intensive workshops with journalists and sources can contribute to lighting a fuse and prepare actors to fight the good fight. However, if the necessary fuel is not offered on a continuous basis, the routine of daily news processes may gradually dilute the positive outcomes yielded by these initiatives."

Workshops, sources for change

"It was a fantastic experience that helped open my mind: I met people from other countries with whom I corresponded periodically. There is no question that the exchange allowed me to see things differently [...]. Before participating in the workshop, I had some built-in approaches to issues. Through the workshop, I was able to frame things in a different way."

Uruguayan journalist on the children's violence media coverage workshops

EXPANDING HORIZONS

The implementation of the initiatives above required significant coordination and complementary action, as well as the mobilization of dedicated teams in the participating countries, tasked with the responsibility of bringing journalists, experts, social organizations, and government officials together. Each achievement secured has helped consolidate an exceptional system of coordination and teamwork – today, perhaps, one of the ANDI Latin America Network's most valuable assets.

The project's outcomes have more than vindicated the effort and revealed the significant opportunities available for redefining the media's coverage of important issues based on more conscientious, informed, and open journalism capable of shining a spotlight on subjects traditionally receiving little or no visibility.

The study assessed the coverage of children in 130 newspapers in 12 member countries of the ANDI Latin America Network,[1] pointing to a significant increase in the number of stories on issues affecting the youngest population segments: in 2005, an average of 1,961 stories on children's issues were published per outlet. In 2006 and 2007, the total reached 2,372 and 2,180, respectively.

The study found a number of other positive trends in individual countries:

- **Brazil** – From 1996 to 2007, the number of stories on children and youth published in the 50 newspapers monitored by ANDI rose more than 1,000%, from 10,700 to 146,640 stories per year;

Journalists and violence

In New York, October 2006, the Secretary-General of the United Nations submitted his Study on Violence against Children in.[*] To stimulate informed debate on the various issues considered in the document, initiatives were launched to provide journalists with information on the key points laid out in the report, spur reflection on the Latin American news media's coverage of violence, and promote joint implementation of recommendations and suggestions capable of producing a qualitative leap in the media's performance in this area over the medium and long terms.

In 2011, as a member of the Latin American and Caribbean Chapter of the Global Movement for Children (GMC-LAC), the ANDI Latin America Network provided support to the media and communication activities of the sub-regional follow-up meetings on implementation of the recommendations in the study, in which government and social organizations from 17 countries on the continent participated.

_____
* UN. **United Nations Secretary-General's Study on Violence against Children**, August 29, 2006.

---

1 ANDI; ANDI LATIN AMERICA NETWORK. **Direitos, Infância e Agenda Pública**: Uma análise comparativa da cobertura jornalística latino-americana 2005-2007 (**Rights, Children, and the Public Agenda:** A comparative analysis of Latin American news coverage 2005-2007). Brasilia, 2009.

Youth voices at the forefront

Weighing the views of teenagers and young people through a full hearing of their opinions and desires, with a view to contributing to more effective interaction and representation of these vulnerable segments in the media. This was the underlying mission of an ambitious mobilization campaign launched in 2012 by the ANDI Latin America Network and Petrobrás* involving eight Latin American countries and approximately 300 teenagers and young people 15-25 years of age.

Coordinated by ACNNA, Ecuador, and founded on the concept of media education, the initiative promoted critical analyses of the media, the identification of appropriate parameters of interaction between youth and newsrooms, and the development of media products by teenagers and young people. With a view to contributing to the production of quality content, socially relevant themes were selected, including child labor, sexual exploitation of children, teenagers, and young people, violence among children, within families, in the context of education, and against the environment.

Over the course of four months, girls, boys, and teenagers used different products, mediums, and communication strategies to produce reports, interviews, photographs, news stories, and programs on various platforms, including radio, print formats, video, and digital technologies (Facebook, blogs, Web...), and others. Suggested subjects of interest to these population segments were submitted to newsrooms. The resulting media products were disseminated and debated with media professionals and journalists, generating measurable outcomes.

IMPACT – While it is still early to measure the impact of the initiative with any definitive precision, the representatives of the participating entities** believe that beyond the developments triggered in the media field in several countries, in addition to the resulting benefits deriving from the effort, both at an individual level and in terms of strengthening youth groups, the initiative will serve to leverage the technical and political impact of the media for development strategies formulated by the ANDI Latin America Network. "The initiative will, without question, have a multiplier effect at the regional level and a significant impact in the decisions adopted on citizen participation and the public voice of Latin American boys, girls, teenagers, and young people," says Rebeca Cuevas, the initiative's coordinator.

_____
* Brazilian Petroleum Company.
** In addition to ACNNA (Ecuador), ANNI (Bolivia), ANDI (Brazil), Dos Generaciones (Nicaragua), Centro Civitas (Guatemala), Vos y Voz (Uruguay), Global Infancia (Paraguay), and DNI (Costa Rica) participated in the initiative.

Venezuela

In 2007, Venezuela's Agencia Pana created the Niños, Niñas y Adolescentes Comunicadores – NNA Comunicadores (Boy, Girl, and Adolescent Communicators) group, the objective of which is to promote and strengthen education and strategies on enhanced communication within families, educational establishments, and communities through dialogue and exchanges. In addition, participants receive training in the development of media products.

Nicaragua

Nicaragua's Red Nacional de Comunicación por los Derechos de la Niñez y la Adolescencia (National Communication Network for the Rights of Children and Youth) has mobilized more than 200 girls, boys, and teenagers to participate in consultations on news coverage in Nicaragua – fostering direct dialogue between children and youth and journalists.

Ecuador

The Red de Niñas, Niños y Adolescentes Comunicadores del Ecuador (Ecuadorian Network of Child and Youth Communicators), established by the Yupana Foundation through the ACNNA Agency, strives to expand and consolidate the participation of Ecuadorian children and youth in the public agenda by means of news stories and reports prepared by young people themselves.

- **Colombia** – Analyses conducted by the Pandi agency in the period 2006-2008 identified an 8% increase in the number of news stories appearing in the country's leading newspapers in which the views and observations of children and youth were included;
- **Paraguay** – The efforts of the Agencia Global de Noticias (Global News Agency) over its first six years of activities contributed to an improvement in the quality of the news coverage, specifically with respect to the percentage of stories in which potential solutions were considered and presented (9% to 21%) and in which public policies were cited (12.7% to 21.7%).

The Network by the numbers

- *130 newspapers monitored*
- *15,000 journalists capacitated through informational bulletins*
- *3,809 sources entered in news source databases*
- *87 publications prepared*
- *4,830 journalists trained in workshops and seminars*

Passage from *ANDI Latin America Network – News Agency for Children's Rights*

Moreover, the activities of the ANDI Latin America Network have had an important "domino effect" – as reflected in the tangible experience of Argentina. The Periodismo Social (Social Journalism) agency helped establish a network of 12 newspapers in the country's interior regions aimed at exchanging content on children's issues and establishing quality standards for the investigation, production, and editing of the related stories.

A good example of this work is described by Edgardo Litvinof, editor of La Voz del Interior, Córdoba, Argentina. "We have organized a number of training workshops for news professionals, spurring them not only to recalibrate their vocabulary, but to look at issues from a different perspective, to assess what types of stories are worth publishing… This has had a direct impact, above all, by opening journalists' minds, even if just a little, to the possibility of adopting a more comprehensive approach to issues of children and gender."

FOCUSING ON PUBLIC POLICIES

Another important accomplishment in this decade the ANDI Latin America Network's participation in crucial legal and public policy debates in a number of countries.

Issues such as lowering the age of legal accountability, media laws, and the coverage of violence have enabled agencies to deploy mobilization strategies, while offering direct contributions to legislative bodies on reforms in connection with the rights of children and youth.

Rewarding ideas to combat sexual exploitation

The need to call attention to the press and society at large in regard to the serious problem of sexual exploitation and sexual abuse against girls, boys, and teenagers inspired the launch of the Tim Lopes Contest in Investigative Journalism (Concurso Tim Lopes de Investigación Periodística) in Brazil. The initiative inverted the traditional logic of recognizing the best reporting on a given issue by opting, instead, to select the best "proposed stories," that is, the most promising projects for a future investigative piece.

Aware of the difficulties in securing the necessary human and financial resources for a good investigative piece, the Tim Lopes Contest not only provides winners with the funding to execute the most complex stages of the investigative process, but also furnishes selected journalists with permanent technical consultants with expertise on the proposed topic.

"As far as I know, the Tim Lopes Contest is the first to invest in the production of investigative reports. This has been of critical importance for newspapers, to the extent it offers them the possibility to publish high quality stories," says Ana Dubeux, editor in chief of the Correio Braziliense.

To date, six editions of the contest have been held in Brazil. The ANDI Latin America Network organized the first regional edition of the contest in 2009 and 2010 with the participation of journalists from Argentina, Uruguay, and Paraguay.

The permanent engagement of member entities under the ANDI Latin America Network banner has provided lawmakers, journalists, and the media in virtually every participating country a valuable reference point rooted in the group's singular expertise on the Media-Development interface – representing yet another of the Network's important achievements.

A particularly important effort involved the far-reaching survey conducted by ANDI and the ANDI Latin America Network to map the laws and pending bills in 14 Latin American countries on the promotion and protection of the rights of children and youth in the media field. Available in Portuguese and Spanish, the publication[m] is a valuable source for political action in the region.

A number of indicators produced by the initiatives adopted in individual countries are provided below:

- **Argentina** – The Agencia Capítulo Infancia, part of Argentina's Periodismo Social (Social Journalism), took part in preparing ten essential components for the development of quality children's and youth television programming that were incorporated in the new audiovisual services law passed by the Argentine Congress in 2009;
- **Brazil** – ANDI – Communication and Rights participated in formulating the federal government's Audiovisual Ratings System from 2005 to 2007, engaging in working groups, organizing public debates, and preparing supporting documents for the Ministry of Justice;
- **Uruguay** – The Voz y Vos Agency was directly involved in the development of the country's Audio Visual Media Services Law (Ley de Servicios de Comunicación Audiovisuales) in 2012 as a member of the Technical Advisory Committee (Comité Técnico Consultivo – CTC), composed of representatives of government, media groups, journalists, advertising agencies, and civil society organizations brought together to formulate recommendations for the government.[n]

THE CHALLENGES OF COORDINATING A NETWORK: FROM START-UP TO SUSTAINABILITY

Once the decision to move toward the constitution of a compact social action group at the regional level was made, the first challenge faced by the ANDI Latin America Network consisted of getting the new entity up and running.

Following the inaugural meeting in Brasilia in September 2003, the representatives of the new organizations, who formalized their ratification on the occasion returned to their countries tasked with raising funds and generating the internal conditions to spur what was then referred to as a "basic package" of activities.

While the initiative received the full backing, support, and encouragement of institutions such as Unicef (through the Fund's regional office in

QUANTITATIVE AND QUALITATIVE EVOLUTION

"Progress has been made in all countries and at the regional level in terms of the evolution of Latin American journalism and its approach to children based on the monitoring initiatives undertaken in each nation. In virtually every country in which the methodology has been applied, greater attention has been given to issues affecting children and youth – as reflected in the expanded available quantitative data.

Clearly, the progress secured to date has not been due solely to the efforts of the ANDI LA Network – it would be highly presumptuous of us to attribute these gains exclusively to our work – but we believe we have contributed significantly to the increase in awareness and heightened attention given to the respective issues. Additionally, a number of other quality indicators have registered positive movement: greater sensitivity to the terminology used in the coverage, heightened focus on issues that continue to be under reported, enhanced understanding of the importance of adopting a public policy approach, in addition to increased demand for training initiatives..."

PAULA BALEATO, COORDINATOR OF THE VOS Y VOZ AGENCY, URUGUAY

---

m ANDI, ANDI LATIN AMERICA NETWORK; SAVE THE CHILDREN SWEDEN. **Regulação de Mídia e Direitos das Crianças e Adolescentes**: Uma análise do Marco Legal de 14 Países Latino-Americanos, sob a Perspectiva da Promoção e Proteção (**Regulating the Media and the Rights of Children and Adolescents:** An Analysis of the Legal Framework in 14 Latin American Countries from a Rights Protection and Promotion Perspective). Brasilia: ANDI, 2008. Available at: www.andi.org.br. Accessed: February 8, 2003.

n Technical advisory committee on the rights of boys, girls, and teenagers, freedom of expression, and media. **Final report and recommendations**. Montevideo, November 20, 2012.

Latin America and the Caribbean), Save the Children Sweden, and the Avina Foundation, all strong advocates for the creation of a network of these characteristics, ultimately it was the efforts and steps taken by the participating organizations themselves in each country within a very short timeframe, moreover, that laid the foundation for the strategy pursued without interruption since inception of the initiative, now entering its 10th year of active and effective implementation.

Not only did the necessary funding have to be raised to ensure operation of the participating agencies, but, more importantly, technical teams capable of performing the tasks inherent to the field of journalism – had to be formed, undertakings which were by and large foreign to most children's rights advocacy organizations.

Despite the apparent difficulty of getting a project of this magnitude up and running within a period of less than six months, the majority of ANDI Latin America Network organizations were prepared and willing to assume the respective responsibilities.

THE NETWORK GROWS

Shortly after its founding, the group, initially composed of organizations from Argentina, Bolivia, Brazil, Colombia, Guatemala, Nicaragua, Paraguay, and Venezuela, added three new members from Ecuador, Mexico, and Peru, followed by an additional entry, 2007, from Uruguay.

While the effort of incorporating the ANDI LA Network's culture and methodology had to be renewed with each arrival, the new members, for their part, offered the group a singular opportunity to capitalize on the wealth of knowledge, experience, and capabilities they brought to the table.

To be sure, a number of obstacles had to be overcome to accomplish the original goal. The group had to learn over time to navigate highly complex hurdles, including those resulting from pioneering organizations which had either discontinued their activities or, for different reasons, were unable or unwilling to stay on as members of the ANDI Latin America Network.

Yet, through the incorporation of new organizations and the efforts of broad alliances, the ANDI LA Network has succeeded in remaining active in every original participating country – with the exception of Mexico, which is not currently represented – as it prepares on the eve of its tenth anniversary to add a new country to the initiative: Chile.

FROM SPOKE SYSTEM TO "NETWORK"

The LA Network's first steps involved an active coordinating effort implemented largely through a top-down approach by ANDI Brazil. As the key cog in the methodological transfer, technical training, organization of regional meetings, and coordination of and assistance for monitoring, mobilization, and capacity building activities, the strategy formulated by ANDI was essential to get the LA Network up and running in a clear, consistent, and purposeful manner in its initial years of activity.

Yet, once the ANDI LA Network had developed its own underlying framework, designed a strategic plan, and asserted and consolidated its engagement in the participating countries, a need was recognized to move toward an in-

An achievement!

"The ability to conduct systematic media observations is in and of itself an achievement. Successfully coordinating this joint effort across many countries seems to me an even greater achievement, as we all are well aware that conditions in Latin America do not always allow for this" [...]. "The mere existence of the Latin America Network, its survival, represents an achievement."

Evelyn Blanck, founder of La NANA, Guatemala

A powerful idea

"At first sight, putting such a demanding project in terms of human and financial resources into place might seem like insanity. However, it was a powerful idea that did not take long to draw partners. Within four months of assuming the commitment, we had launched monitoring activities of the first media outlets."

Ricardo Andrada of Periodismo Social on the creation of the ANDI LA Network and the Argentine experience

dependent operating structure and to leave behind the tutelary model that had proved so important in the group's incipient stages, with a view to forging horizontal relationships and a more open and shared governance model.

A transition process to a spoke system (with all points lying equidistant from the nucleus, represented by ANDI) was thus launched, a system referred to within the LA Network as a "network" model. This migration, which demanded continuous dialogue among the member entities and included, to be sure, a number of unsuccessful efforts, tested the initiative's maturity, requiring the partner entities to forgo the guiding hand of ANDI and put in place a system of shared responsibility through which every organization would work actively to ensure the technical, political, economic, and financial sustainability of the ANDI Latin America Network.

Said another way, under its new configuration the Network assumed the challenge of governing itself in a more decentralized manner and through more open and shared decision-making procedures, with the attendant advantages and disadvantages.

THE ECONOMIC CHALLENGE

As with any social organization, and in particular a Latin American civil society coalition, financial sustainability has been a driving concern of the ANDI Network since the beginning.

Similarly to the strategy adopted at the operational level, the group soon discovered that in regard to financial matters the "network" model offered significant benefits, provided a shift was effected away from the existing arrangement, in which one organization (ANDI) accounted for the bulk of fund-raising, to a system of shared responsibility among the member entities.

While effective implementation of this decentralization process has been slow and sporadic, there are examples within the LA Network of other organizations that have succeeded in formulating projects, raising the necessary funds, and implementing their initiatives at the regional level through the engagement of social organizations.

A project launched by Pandi in Colombia, 2009-2010, in partnership with Fundación Telefónica to monitor media outlets and mobilize journalists, sources, and boys and girls against child labor in seven countries is a prime example of this (*for more information on the initiative, see page 13*).

In addition, we can cite the efforts and fund-raising activities coordinated by organizations such as Dos Generaciones (Nicaragua), DNI (Costa Rica), Global Infancia (Paraguay), and Eco Jóvenes (Bolivia), which have introduced the ANDI LA Network to international organizations over time and undertaken projects aimed at obtaining financing for future actions.

That said, ANDI Brazil remains an important catalyst for the group's fund-raising efforts, although it is no longer the only nor the primary source in this area, as the Network has increasingly assumed a joint role in identifying financial opportunities.

Beyond the support provided by the various partner organizations responsible for incentivizing the initiative's creation and their critical support in the initial years of operation – Unicef, Save the Children Sweden, and the Avina Foundation – Petrobras's sponsorship of the ANDI Latin America Network in recent years, at a time when the group faced the challenge of

A REGIONAL MODEL

"The ANDI LA Network has become a model in the journalism field, offering guidelines on the proper approach to covering social issues and on the way girls and boys should be regarded and defined in the framework of the media's agenda. I believe that the Network is recognized as a regional model in every relevant discussion forum on children, in large measure due to the monitoring methodologies adopted. Whether at Unicef or United Nations level or in international cooperation forums, the ANDI Network occupies an important position as a result of the experience amassed in the fields of communications and rights."

FERNANDO PEREIRA, GENERAL COORDINATOR OF CECODAP, VENEZUELA

JOURNALISM: SHARING RESPONSIBILITIES ON THE PUBLIC DEBATE

ANDI and the organizations making up the two networks which are founded on its methodologies – Brazil and Latin America – believe that different actors should be directly involved in building a more solid, democratic, and pluralistic public sphere.

While not intended to exhaust the possibilities contained in the issue, the list below assures recognition to the sectors that are – or should be – engaged in producing truly efficient public information.

Media Groups: These entities need to offer journalists fair working conditions; support and recognize reporters who cover social and development issues; stimulate investigative journalism; offer additional opportunities for capacity building; and ensure news reporting focuses on local realities. In addition, media groups should guarantee the "right of reply;" establish mechanisms such as ombudsmen, readership committees, and codes of ethics – and ensure their Corporate Social Responsibility Policies include journalism departments. Close relationships with political and/or economic groups should be disclosed to the public in a transparent manner.

Journalists: They should be aware of the limitations of their personal experience and academic training, and that they assume a professional and ethical commitment to provide quality information. Journalists should view a plurality of information sources as a means to more contextualized coverage and invest in ongoing capacity building.

State: The state should establish a consistent regulatory framework that guarantees the freedom of expression and of the press, while concomitantly defining the limits and responsibilities of the various actors. The State should guarantee full access to public information and, further, assure the highest ethical standards in its investments in State publicity. The Judiciary must undertake to build capacity to anchor the debates on potential conflicts regarding the freedom of the press and of expression.

Professional Associations and Training Institutions (unions, associations, federations, and institutes): The role of these entities is to mobilize on behalf of the rights of workers; working conditions which enable quality journalism; and capacity building opportunities. They should also, on their own initiative, offer their membership opportunities for qualification.

Companies (advertisers): These organizations should respect the freedom of expression by not attaching conditions to their investments in a specific medium to the presence or absence of investigative reporting that could influence public opinion – whether positively or negatively – of specific advertisers.

Universities: Institutions of higher education should include social and development issues in their undergraduate and graduate journalism programs in order to contribute to the preparation of communication professionals. As part of their activities, universities should also invest in research on communications and the social agenda.

Media Accountability Systems (media watch and others): These entities should monitor the media's editorial content; offer critical reviews of the coverage and develop methodologies capable of increasing awareness among the public, journalists, and media companies of the key issues on the social and development agenda. They should also monitor structural problems within the media.

Alternative Media (community radio and TV, newspapers,blogs, and so forth): When sufficiently robust, these actors contribute to pluralism in the communications sphere, ensuring publicity to issues and perspectives that often encounter difficulty in penetrating the agenda of mass media outlets.

Social Actors (civil society, business, international agencies, specialists): The role of these actors is to offer transparency as sources of information; build capacity in order to forge closer ties with the media; offer opportunities for training, awards, and other incentives to provide contextualized coverage of the issues on the development agenda.

Private and Public Education System: The school system's its function is to incorporate basic content and classes into the primary curriculum which cast a critical eye on the media and to interact with civil society organizations and the academy to this end.

Citizens: Individuals should offer critiques of editorial content through permanent interaction with editorial rooms (via letters, emails, and telephone call-ins). Citizens can also take advantage of the opportunities created by media implemented "citizen journalism" efforts.

securing a sustainable financial model capable of responding to its distinctive dynamic, has been of fundamental importance.

The company has not only contributed to consolidating the Network through its regional scope and scale, but has also invested in the implementation of a series of initiatives ranging from news monitoring to journalist training and capacity building and media content development projects with youth participating. In addition, it has provided critical support to the Network's transition stages, in the context both of the group's sustainability and internal governance model.

THE GOVERNANCE CHALLENGE

While at a certain point in the ANDI LA Network's evolution the need to move toward a more open and decentralized governance model became abundantly clear to everyone, the form the new system should take and the organizing agenda and implementation methodology it should adopt were by no means evident to the participating members.

Although this issue had been raised previously, it constituted the central question at the Network's 9th Management Board Meeting held in June 2009 in San Bernardino, located near Asunción, Paraguay.

Following discussions that extended for several days, the representatives of the ANDI LA Network's 12 member entities took the decisive step of adopting a new governance model through the creation of a Coordinating Council composed of representatives from four member organizations.

The quest to ensure equal representation among the Andean, Central American, and Southern Cone regions, as well as the need for the presence of consolidated organizations at the national and regional levels with the necessary capacity to perform the respective tasks, resulted in the selection of Dos Generaciones, Nicaragua; Global Infancia, Paraguay; and Eco Jóvenes, Bolivia, as the first member entities of the Coordinating Council.

As such, in 2009 the ANDI Network inaugurated a new stage of self-organization, one that reflected the maturity of its member entities, the consolidation of its methodologies, the strength of its achievements, and the fraternal bond of the individual members auguring well for the coming years, which are sure to produce new and significant challenges.

THE FUTURE

From the debates and laws on media property rights to the emergence of new communication paradigms 2.0, from the current political realities to the economic revival many Latin American countries appear to have inaugurated in recent years, we can point to a host of reasons to lend support to the argument that the setting in which the ANDI LA Network was forged a decade ago has undergone profound changes.

Driven by emerging issues such as journalism's new social role, the threat to press freedom in some countries, media concentration, and the new priority agendas of international cooperation agencies for the continent, a majority of the Network's members recognize today that a process of deep reflection on the group's work methods, funding systems, and organi-

Necessary sustainability

"Financial, technical, and methodological sustainability, in addition to tracking and follow-up of every country to ensure the quality of the work performed and rigorous application of the consolidated trademark methodology, are some of the key immediate challenges before the ANDI LA Network."

María Silvia Calvo, technical coordinator of the Executive Secretariat of the ANDI Latin America Network, based in Paraguay

Changing vision

"Membership in the Network has meant discovering innovative strategies for promoting closer relations with the media, above and beyond the disclosure and reporting process on which the entity's work centered previously. We began tracking the media in a manner that was at once more diligent, more humane, and founded on the professionalism of the journalist's craft."

Virginia Murillo, executive president of DNI Costa Rica

zational model is needed, as is a thorough examination of its achievements with an eye to the future.

Conducting periodic evaluations of the Latin American setting in order to adapt and contribute to a more substantive dialogue with the media; reviewing and consolidating the political sustainability of the initiative based on international experience in the 20 years since approval of the *Convention on the Rights of the Child*; adapting the respective monitoring activities to Information and Communication Technologies (ICTs); and applying social networks as the underlying logic and principal tool for mobilization and capacity building initiatives are just some of the elements highlighted by the members of the ANDI LA Network as essential factors for measuring future performance.

The changes identified raise a series of challenges for the Network, which despite its position of leadership, prestige, and influence among media professionals, governments, and social organizations throughout the region, faces the task of sustaining its innovative character by incorporating these new realities within the bases and structures consolidated to date.

Of greatest importance, however, is that beyond the internal and external changes achieved to the present day, Latin American children continue to face, as stated at the top, a reality marked by pain, suffering, and vulnerable rights. This setting continues to pose a challenge to the Network and society as urgent, dramatic, and imminent as it was ten years ago when the ANDI Latin America Network was founded.

Now, as then, millions of girls, boys, and teenagers throughout the region seek and clamor for clear answers. Because childhood does not wait, nor does it lie somewhere in the future. It represents the here and now. And it needs us today. ■

KNOWLEDGE TRANSFERS

"For the Pandi Agency the knowledge transfers provided by our partners in Latin America during our consolidation as an organization dedicated to Children's and Human Rights issues was of fundamental importance. In terms of our growth, sustainability, and capacity to impact events, we have found fertile soil in each of our Network partner Agencies."

XIMENA NORATO, DIRECTOR OF AGENCIA PANDI, COLOMBIA

COMMUNICATION:

A MATTER OF RIGHTS

It would be easy to study the relationship between children, youth, and the media from a Manichean perspective, a "bad guys" vs. "good guys" framework: the media has a negative impact on the lives of boys and girls and, as such, we need to protect them from its content. However, as important as it is to prevent, identify, and punish media abuses – including its penchant for stimulating consumerism and early sexualization – this approach is inadequate to address the interrelationship between the media and the rights of children and youth.

Television programs, cartoons, Internet sites, film, and journalism can also contribute in a positive way to the development of children, stimulating creativity and critical thinking. In this light, the discussion on the media and children involves two ideas that, far from contradictory, are inherently complementary: protecting rights and promoting quality content.

Moreover, an approach centered solely on protecting rights fails to take into account the media's role in socializing boys and girls. The Internet, mobile phones, and other devices have expanded this potential, which in the past was confined primarily to television. Today, not only do children access information, engage in conversation, and express opinions at home, in school, and at church, but also through a range of new filters, to borrow the expression of Mexican professor Guillermo Orozco.[1]

Denying children the right to interact with or through the diversity of media is to deprive them of an important platform for exchanging experiences and, by extension, building personality and pursuing knowledge. Again, it is not a matter of ignoring the risks of this process (which are many and require our attention), but of understanding that boys and girls have the right to access media – and to interact with media in the most effective way possible.

To ensure contact with the media contributes to the development of girls and boys, it is not enough to give them a user manual on how to operate modern devices. To be sure, children today tend to handle new technology instruments very effectively – often better than their parents or teachers – notwithstanding the strides that still need to be made toward securing digital inclusion. These segments are what American researcher Marc Prensky calls "digital natives,"[2] that is, generations immersed from birth in screens, networks, and keyboards with an appreciation for inductive discovery.

The use children make of media depends on their capacity – education – to analyze data and facts and to make decisions. Ensuring this correlation

GLOBAL TREND

This publication draws together experiences aimed at harmonizing public and private interests at the interface between the media and children. The data reveal a global trend toward the consolidation of a "regulatory ecosystem" involving three mechanisms and spheres of power: self-regulation (private sector); regulation (State); and accountability/control (civil society). Beyond the application of this mixed regulatory model, a number of countries have adopted two additional instruments: a consistent legal framework integrated within a web of effective public policies; and a specific administrative mechanism incorporating the three spheres of power described above.

is fostered in an edifying environment with the support of adults is a shared duty of the State, families, civil society, and media organizations. In addition, preventing this relationship from flowering would reflect a limited understanding of the principle of children as individuals with rights. For although their bodies and intellects may still be in the development stage, they are ultimately individuals with the full rights of citizens.

MEDIA AND DEVELOPMENT

Interaction with the media, which begins in childhood, extends throughout the lives of citizens – contributing to the development of society and full guarantee of human rights. This conception stems from the general consensus of scholars in a variety of fields that the media serves as platform for the exercise of democracy.

Population growth and the increasing complexity of modern-day societies have generated obstacles to direct citizen participation in the local and domestic policy decisions affecting them. In this setting, the media has become an important channel in elections – not only as a platform through which to learn about candidate proposals, but also to track the day-to-day activities of elected representatives to ascertain whether they are contributing to meeting the larger interests of society.

Through the media, above all the news media, we are able to monitor the decisions taken by government agencies and expand our capacity to reflect on public interest issues. Yet, the news media needs to provide pluralistic and contextualized information to help the population better understand the implications of reported news, the causalities underlying the decision to adopt a particular format or direction, and the interests and rights connected to the question addressed.

MEDIA DEVELOPMENT

The media's long list of functions in the pursuit of a more democratic and more equal society can be severely undermined, unless we have a consistent media system free from unwarranted interference by the State and the narrow business interests of media groups. To be sure, the concern with audience share, advertising, and profits is legitimate, as long as that concern does not violate established social rights – among them those of children and adolescents.

To ensure this balance, the development of an adequate legal framework and effective communication policies is critical. Among the measures democratic countries have adopted is state regulation of broadcasting services, reflected, for example, in initiatives such as audiovisual ratings, protection of political minorities, and restrictions on media concentration.

In Latin America, however, a highly fragmented policy setting persists in the media field (with limits on the establishment and institutional development of independent regulatory agencies) and a diffuse body of norms (the absence of integrated public policies and laws), in an area requiring clear and consistent regulatory frameworks.

Further, actors involved in this debate continue to resort to a recurring argument that associates any regulatory initiative with censorship.

Broadcasting model

"The question of public concessions is particularly relevant in Latin America – which, in general, replicated the model originally adopted in the United States. The majority of countries in the region do not have a robust public television system, in contrast to Europe, for example. That system would make it possible to broadcast a lower volume of potentially harmful content to children and a higher volume of productive content."

ANDI and ANDI Latin America Network – Regulação de Mídia e Direitos das Crianças e Adolescentes: Uma Análise do Marco Legal de 14 Países Latino-americanos, sob a Perspectiva da Promoção e Proteção (Regulation of the Media and Rights of Children and Adolescents: An analysis of the legal framework in 14 Latin American countries), 2008.

Frequently, this assertion serves to stymie and muddy the debate. A brief look at the regulatory frameworks of the world's leading democracies indicates that regulation coexists in harmony with the fundamental right at free expression. Or as a document sponsored by the United Nations Educational, Scientific, and Cultural Organization (Unesco) argues, regulation of the media walks hand in hand with the guarantee, promotion, and protection of freedom of expression. "In fact, the objective of regulating the media should always be to protect and expand that fundamental right."[3]

SHARED RESPONSIBILITIES

With specific regard to broadcasting activities, there is an addition factor at play, namely that the related service is generally provided through public concessions, operated on a "platform" owned by society as a whole and which is finite (that is, not everyone wishing to use the platform can). As such, radio and TV concessions include the obligation to promote pluralistic debate that protects the rights of social groups and individuals, in particular children – in their capacity as citizens in the development stage.

State regulation, however, does not diminish the importance of self-regulation by media organizations, based on clear parameters established to govern the sector's pertinent activities. A concept that has helped leverage initiatives of this kind is Corporate Social Responsibility, by which organizations undertake not only to focus on their business interests, but on the impact these cause on the environment and society as a whole.

What the Convention says

The United Nations Convention on the Rights of the Child includes specific articles on the media. Article 13 states, "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."

THE NEWS MEDIA HAS A STRATEGIC ROLE

In the field of media studies, agenda-setting theory sustains that while the news media cannot tell people what to think it has the power to influence the issues they should think about. Thus, if television programs or newscasts began discussing the need to establish rules on children's advertising, the public would likely take up the question in other venues and settings, including the halls of legislative and executive power.

Discussing issues of social relevance, however, represents only part of the media's contribution to a country's development. The respective discussions can be greatly enhanced if the issues addressed centered on the different demands of social actors and groups, leading to a pluralistic agenda capable of giving voice to the diversity of interests in society.

The accountability of governments in regard to the effectiveness of public policies is another fundamental aspect for a country's development and one which the media can leverage. Through the information transmitted by the news media, we are able to follow the announcement and execution of government plans, demand course corrections, or stimulate the adoption of additional measures and programs. The idea, therefore, is not only that civil society demand results, but that it work with the State to ensure far-reaching policies are established and implemented in a successful manner.

In sum, within democratic systems the primary role of the news media includes the capacity to:

- Offer reliable and contextualized information to ensure citizens are able to participate actively in political life, overseeing and demanding the promotion of their rights.
- Adopt a pluralistic approach to the development of a discussion agenda, ensuring the relevant issues of human development feed the public debate by laying out (and legitimating) the positions of a larger number of stakeholders.
- Exercise accountability in respect of the State and public policy, so as to contribute to making government leaders (as well as the private sector and civil society) more accountable for the formulation, execution, and evaluation of actions and programs.

Lastly, and no less significant for a balanced media ecosystem, organized civil society must pursue quality media. This can be achieved in different sectors: demand for enhanced legal frameworks, production of community and alternative media, campaigns and mobilizations on specific issues (for example, regulation of children's advertising), establishment of viewer associations to track programming, media observatories, and others.

CURRENT SETTING

The current moment has proved propitious for discussing media-related issues – yielding tangible results for movements on behalf of the democratization of media (or the right to communication). Examples of initiatives of this type have been undertaken in Argentina, Brazil, and Uruguay, where government and society have mounted vigorous efforts to promote changes to the media sector.

This progress reflects, in large measure, the efforts undertaken by civil society organizations over many years on behalf of the implementation of regulatory frameworks and public policies aimed at ensuring democratic media.

Another example of the efforts adopted in this area is the work of the Rapporteurs on Freedom of Expression of the Organization of American States (OAS) and the United Nations (UN), which have advocated the need to expand and strengthen rights in the media field. A recent publication of the United Nations Development Programme (UNDP) and the Organization of American States (OAS) – *Our Democracy* (2010) – notes that one of the region's persistent shortcomings resides precisely in the relationship between democratic governance and the media, an issue deemed "central to the public debate on democracy."[4]

These principles are also part of Unesco's mandate, which has encouraged the consolidation of indicators to evaluate media development in several countries[5] – driver by the view that a free, independent, and pluralistic media environment is essential for promoting democracy.

KEY QUESTIONS

We offer below a brief overview of the principle issues for debate examined in the pages that follow. The identification of ten priority issues was based on dozens of studies reviewed by the organizers of this publication, as well as the mapping of regulatory measures in 14 Latin American countries undertaken in 2008.[6] The list does not encompass the totality of the subject at hand, which is complex and permeated by a diversity of cross-cutting issues. The intent is to shine a light on a series of questions considered in the international debate in this area that warrant particular attention in the effort to implement media regulations centered on protecting and ensuring children's rights.

Each chapter in the book is organized around three axes:

1. "Overview": describes the general setting for each topic, focusing on the views of a broad range of experts;
2. "Why the subject is important": underscores the principal arguments and studies demonstrating the relevance of the issue under discussion;

3. "International experiences": provides concrete experiences adapted by Latin American countries and other democracies to address the challenges described.

MEDIA EDUCATION

The first chapter argues that media literacy for children and adolescents is essential to ensure the segment interacts in an independent and participatory manner with the media – and continues to do so throughout the course of their lives. These educational proposals strive to support children and youth in their efforts to better understand the various stages that go into building media products (and identifying the motivations underlying each stage) and to value materials that contribute to more pluralistic socialization.

The intention here is not to recommend specific academic content for teachers or to incite war on the media. Rather, the idea is that there is a need to implement State policies in this area based on successful experiences executed in other countries and projects developed by civil society organizations and universities. This includes changes in academic curricula, training for educators, and initiatives to encourage girls and boys to produce their own media content. Family and civil society must also be part of this process, to the extent media education is a continuous effort which cannot be confined exclusively to the classroom.

PRODUCTION OF QUALITY CONTENT

This section discusses how to achieve a media setting with an abundance of good formats and attractions that foster the development of boys and girls. The respective incentives should focus on the domestic media industry – which represents a minority of all television programming – and be funded by the State or with the financial resources of private institutions.

Yet, primary responsibility in this area resides with radio and television broadcasters, which must prioritize the development of products of excellence for children and youth. For its part, organized civil society can, through media observatories, demand changes or stimulate continued good practices – many of which already exist and are described in these pages.

REGIONAL AND NATIONAL PROGRAMMING

Chapter three raises the need for a specific legal and regulatory framework that ensures more space for national, regional, and independent media productions. Countries with diverse cultures and ethnic traditions, for example, have laws requiring the broadcast of a minimum percentage of programming produced domestically or in a particular language.

The issue takes on greater importance to the extent the discussion on the socializing role of the media is revisited. If the media is a factor which directly impacts the construction of children's values and personalities, it is critical that the content it broadcasts include a variety of faces, accents, and worldviews. This allows everyone to recognize him or herself in media productions and, at the same time, to gain exposure to diversity and differences.

References and sources

With a view to systematizing the numerous sources used to prepare this publication, a decision was made to number the bibliographical references at the end of each chapter in order of citation in the text.

Comments and clarifications are cited in letter form at the end of each page.

Finally, a substantial portion of the bibliographical references was published in languages other than Portuguese. The specific passages from those references translated by ANDI and ANDI Latin America Network staff are indicated in the respective citations.

CHILDREN PARTICIPATING IN THE PRODUCTION OF CONTENT

Chapter 4 advocates greater participation by boys and girls in building media products. This approach is employed by non-governmental organizations in a number of countries, yet the significance of the media in the everyday lives of children suggests that the related measures should be the focus of public policies.

Engaging girls and boys in the development of media projects is a strategy for fostering participatory communications (a point expressly incorporated in the UN *Convention on the Rights of the Child*) and enhancing media education, the subject of Chapter 1. This measure would serve to ensure children a leading role not only in projects developed for alternative medias sponsored by the third sector, but in the mass media (through editorial boards, for example, involving the participation of children and/or youth) and the classroom as well.

BROADCASTING IMAGES OF CHILDREN AND ADOLESCENTS

The need to preserve the identity and integrity of children and youth in the media is the focus of Chapter 5. While the vast majority of Latin American countries have enacted restrictions in this area (including concealing the faces of children involved in violations of the law or victimized by acts violence), unacceptable abuses and exposure are still found – especially in true crime programs and publications. In addition, boys and girls of different socioeconomic classes continue to receive unequal treatment: the poorest are often represented in a negative light.

However, strengthening existing laws is not sufficient. Good practices and training must be promoted among media professionals, while entities and groups organized to oversee the media's compliance with the applicable laws must be established.

IMPACT EVALUATION OF SPECIFIC CONTENT

The sixth chapter examines a critical component of the construction of quality media: research. Without it, regulators will remain in the dark in their effort to strengthen laws and standards governing the media and children. As such, this section points to the need to establish study centers and enhance the work performed by learning institutions and civil society organizations through the allocation of additional resources.

Research cannot be limited to measuring the potential effects of the media on children and youth, but must endeavor to understand how this segment interacts with the media: their exchanges, the context in which these occur, how they rework the content with which they interact, and the tools they need to develop greater independence within the framework of this relationship.

ESTABLISHING PROGRAMMING TIMES AND AGE CLASSIFICATIONS

Audiovisual ratings, including recommended programming times (in the case of television), is the focus of Chapter 7. The issue has been the subject of previous studies by ANDI and its partners, in particular the publication

A STRUGGLE OVER SEMANTICS

The term "social control" is a recurring concept used in the context of social movements, which has generated widespread confusion and resistance by virtue of its very ambiguity. Borrowed originally from the field of sociology, the term has come to be associated over the centuries with at least three definitions in the context of global political action:

- *State control of society;*
- *Societal control of State actions;*
- *Control of social groups by other social groups through the State.*

In this light, advancing the public debate on the media ecosystem's impact on children and youth requires that we specify, where possible, the meaning of the concept – which in this context refers to societal control of the actions and measures adopted in the public sphere.

Classificação Indicativa: Construindo a cidadania na tela da tevê (TV Rating System: Building citizenship on the small screen) released in 2006 as a contribution to the discussion on the implementation of this particular method of content regulation.

The experiences and advances spurred by the policy in Brazil serve as references for strengthening the related instruments and mapping potential improvements – including partnerships between government institutions and organized civil society to monitor programming.

REGULATION OF ADVERTISING

The concern with the exposure of girls and boys to content that fuels consumerism has emerged as a priority issue of media regulation in numerous countries. In this light, Chapter 8 discusses the need for co-regulation instruments (State, advertisers, and civil society) to establish clearly defined limits on the marketing of products and services to children and youth.

The chapter concludes that small children have not yet developed the full capacity to evaluate and discern in a critical manner the advertising content to which they are exposed. This vulnerability requires that boys and girls be kept away from advertising aimed at marketing potentially harmful products, including foods high in calories, cigarettes, and alcoholic beverages. A solution could reside in enacting a total ban on this type of advertising at specific times or in establishing stricter rules than those currently adopted by many Latin American nations.

CHILD ENTERTAINERS IN THE MEDIA

Child performers who sing, act, or host programs on television are generally not viewed as workers, but as prodigies. What this perspective conceals, ultimately, is the fact that the rights of girls and boys can be severely jeopardized by excess work and exposure. For many of these young artists, the time devoted to school, play, and privacy is relegated to the background.

Given that child labor is vigorously condemned and combated throughout Latin America, particularly in the light of the destructive poverty and inequality that still pervades the region, employing boys and girls in the media is a highly disputed matter, with some segments calling for its prohibition and others arguing for rules requiring special court authorizations/orders to engage in the related activities. The chapter analyzes the possibility of adopting balanced rules, while striving to ensure the right of children to artistic expression is not unduly stymied.

NEW TECHNOLOGIES: INCLUSION AND PROTECTION

New technology devices have expanded the possibilities for creativity and learning by children and youth. However, these same digital instruments have increased the risks of victimization by pornography and pedophilia networks and harassment, including bullying – and, in addition, of children and youth engaging in these online practices without thoroughly assessing the consequences of their actions. As such, this new social setting requires an effective regulatory environment that guarantees and protects the rights of children and adolescents without limiting free expression.

The full access to digital culture should serve as the basis for discussions about the Internet. In short, children should be guaranteed the use of

THE MEDIA ECOSYSTEM

The field of media communications – referred to as the "media" – is not a homogenous whole, but a complex, multidimensional system with different levels of power, mediums, and communication strategies. In addition to journalism, for example, it includes entertainment and advertising; in addition to print, radio, and TV media, the concept encompasses the Internet and social networks; in addition to journalists and media groups and companies, this ecosystem includes State officials and civil society organizations.

information and communication technologies and a role as active participants in these mediums within a safe environment. As mentioned above, this requires a partnership between the State, family, schools, and business working together to respond to the challenges of, and identify the pathways to, development. ■

REFERENCES

[1] OROZCO, Guillermo. **Entre pantallas, nuevos roles comunicativos de las audiencias**. Manuscrito, 2009.

[2] PRENSKY, Mark. Digital Natives, Digital Immigrants. On the Horizon. NCB University Press, Vol. 9 No. 5, 2001.

[3] MENDEL,Toby. SALOMON, Eve. **Freedom of Expression and Broadcasting Regulation**. Brasília: UNESCO, Debate Series CI No. 8 - February 2011. Available at: www.unesco.org.br. Accessed: September 5, 2011.

[4] UNDP, OAS. **Nuestra democracia**. Mexico: FCE, UNDP, OAS, 2010 (Passages translated by ANDI for this publication).

[5] UNESCO. **Media Development Indicators**: a framework for assessing media development. Brasília: UNESCO, 2010.

[6] ANDI; ANDI LATIN AMERICA NETWORK, SAVE THE CHILDREN SWEDEN. **Regulação de Mídia e Direitos das Crianças e Adolescentes**: Uma Análise do Marco Legal de 14 Países Latino-americanos, sob a Perspectiva da Promoção e Proteção. Brasília: ANDI, 2008. Available at: www.andi.org.br. Accessed: June 10, 2011.

[7] ANDI, ANDI BRAZIL NETWORK. **Infância e Comunicação**: Uma agenda para o Brasil, 2009. Available at: www.andi.org.br. Accessed: September 5, 2011.

Chapter

Media education in the school system

01

"We live in a world where media are omnipresent [...]. Rather than condemn or endorse the undoubted power of the media, we need to accept their significant impact and penetration throughout the world as an established fact, and also appreciate their importance as an element of culture in today's world." The preamble to UNESCO's 1982 Grünwald Declaration[1] on Media Education identified the need to stimulate a critical understanding of the media from an early age.

Nearly 30 years after the Declaration, there remains much to be done on this front. The regular and consistent introduction of media education in school curricula is a good example of the type of challenges countries must address. These steps require, however, taking into account issues as varied as investments in training for educators and incentives to media literacy efforts beyond the classroom.

To be sure, the latter front does not represent a blank canvas. As we will see in this chapter, civil society organizations and universities have developed an array of initiatives to promote critical analysis of the media and foster in children and adolescents an interest in participating in the production of media content. The efforts of innumerable professionals could be further strengthened through formulation of a State policy to promote media education.

While it is necessary to implement and/or expand public policies based on established international parameters, it is important to recognize that the introduction of new media and technologies has generated an increasing range of challenges in regard to media education – a process, moreover, that interfaces directly with the complex debate on the most effective means to regulate new platforms.

OVERVIEW

THE MEDIA AND THE IMPORTANCE OF EDUCATION

Children spontaneously develop specific abilities to interact with the media irrespective of the existence of structured policies to promote this objective. In fact, the recognition that children and youth are today increasingly comfortable with the various media platforms, particularly in relation to adults, is abundantly clear.

The development of technical abilities to access the different platforms, however, is not sufficient, according to a number of experts, to ensure a healthy and independent relationship with the media – which, as is widely known, are among the primary socialization instruments for boys and girls today (*see introduction*).

As argued by Spanish researcher Victoria Camps, skills based on social or moral values or based on the principles of citizenship must be developed. "Technological reductionism is one of the greatest dangers of new technologies. Learning to use media means more than technical manipulation; yet, the ability to distinguish the quality of junk, good information from bad, to learn not to be carried away by the excitement of advertisements and to resist the tendency to absorb media content passively."[2]

The resources to support children and youth to distinguish bad content from high quality content – conventionally referred to as "critical analysis of the media" – represents only one step in the process. For Swedish experts Ulla Carlson and Cecilia Von Feilitzen, media education should also involve efforts to intervene in content production mechanisms and, in this way, the social context, with the participation of children and youth. "The right to media and information, the right to free expression and the right of individuals to express their opinions on issues affecting them must, in modern-day society, mean media participation."[3] (*see more on the participation of children and adolescents in Chapter 4*).

Media language

The manner in which media are appropriated by children and adolescents has been the focus of a series of studies dating back many years. The experiences delivered through interaction with the media spur the formation of a "media vocabulary" among children and adolescents, from the earliest age. Understanding that zooming does not mean that an object has actually increased in size, recognizing cuts and editing, knowing when a program begins and ends, discerning the difference between programming and advertising, and even understanding the most complex conventions, such as that flashbacks represent elements built over time, converge to build a repertory for the interpretation of media content.

Subsequently, more refined abilities are developed as well, such as how to predict particular developments in a plot or the motivations of specific characters, how to make judgments on what is and what isn't real, or how to distinguish central events from secondary plot lines. "As we have noted, children become aware at a comparatively young age of the fact that television advertising and programmes have been deliberately produced. However, it takes rather longer for them to become aware that the producers may have particular intentions or motivations in mind, whether they be to sell or to persuade," notes British researcher David Buckingham.

Psychologists have noted, in addition, that the understanding and processing of television content for example, depends on the stimuli presented in each individual's development path. Yet, it is essential for purposes of this equation to take into account the social context and practices involved, including family relations and experiences within the school and other environments. According to Buckingham, "However, as we have shown, age differences are a significant factor when it comes to identifying levels of media literacy. We would not expect a five-year-old to be as media literate as a fifteen-year-old [...]. Moreover, there are other social factors that play a part in the development of media literacy, and might be seen to impede or to enable it."[4]

There are multiple facets which have focused on understanding and building knowledge based on the "education" factor – which manifests itself through specific conceptual perspectives, including "media education," "media literacy," "edu-communication," "edutainment," "audience education," or "critical analysis of the media." Irrespective of the strategy adopted, what is in play is the common perception shared by multiple sectors that critical and participatory reception of media content/information should be promoted among children and adolescents. This chapter seeks to lay out a broad overview of these questions.

WHY IS THE SUBJECT IMPORTANT?

THE ROLE OF THE STATE AND SCHOOLS

Despite the central role families play in educating children, the importance of the media in our society has prompted national States to develop specific policies to promote sustained media education – whether through formal educational programs or complementary activities.

As British researcher Eve Salomon has argued, to the extent different countries regulate media content to ensure the respective regulations reflect the generally accepted standards and expectations of society it makes sense for the State to encourage citizens to learn about the criteria adopted. As such, "The regulator has a key role to play not only in developing sound and appropriate responses to regulatory policies, but also in disseminating a practical understanding of those policies to audiences."[5]

Media education as a public policy is therefore a fundamental factor for guaranteeing a well structured process based on publicly defined parameters. As youth communication and culture expert Roxana Morduchowicz argues, there will always be individual educators using media and teaching students how to analyze, interpret, and use it creatively. Yet, these initiatives, according to the author, are not sufficient to offer students a structured learning process. "The idea, when media education becomes part of public policy, is to move beyond individual initiatives and turn these private efforts into a State commitment,"[6] says Morduchowicz.

Education "by the media" or "on the media"

There is a significant distinction between education "by the media" and education "on the media." "Newspapers, television, and the Internet are frequently used in schools as a means of teaching particular subjects or curricula. This emphasis is particularly important in relation to the contemporary enthusiasm for new technologies in education – where media are frequently seen as neutral means of delivering information."

In the view of British researcher David Buckingham, professionals dedicated specifically to media education have "sought to challenge the instrumental use of media as 'teaching aids,'" exploring the representations they provide of the world: "[...] even the ICT curriculum in schools seems to focus primarily on 'functional' literacy (the manipulation of hardware and software tools) rather than on critical questions about how to evaluate information. It is these latter questions that are the primary focus of media education."

Challenges of media education currently

Media education provides the critical knowledge and the analytical tools that empower media audiences to function as autonomous and rational citizens, enabling them to make informed use of the media, argues Abdul Waheed Khan, Assistant Director-General of UNESCO's Communication and Information Division. In Waheed Khan's view, however, this new convergence requires increasingly broad efforts. "With the rapid growth of ICTs and the resulting convergence of new and traditional media, it is necessary that media and information literacy be considered holistically and applied to all forms of media, regardless of their nature and the technologies used."[7]

Researcher Eve Salomon agrees that the role of media literacy and education will grow as a result of new technologies and digitalization. "Because, regardless of the growth in the number of media channels or the method of delivery of those channels, there will remain the desire to ensure that our most important conduit for understanding the world remains fair, honest, decent and true."

Irrespective of the model adopted, schools have a critical role. Including media education as part of school curricula is a strategy warranting close consideration by society and the State alike. However, the formal initiative of providing media education must be supplemented with significant investments in the initial training of educators. "Basic training of teachers in media education remains pending practically worldwide," contends Morduchowicz.

UN Convention

"With respect to the media, in addition to addressing the right of children to information, free expression, and opinions on questions affecting them, the UN Convention on the Rights of the Child encourages the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being (article 17). While these guidelines should be offered by society, the media, and the country, media education, for its part, should endeavor to build critical thinking and the participation of children as another form, so to speak, of protection."

Cecilia Von Feilitzen, researcher for the International Clearinghouse on Children, Youth and Media, a Unesco supported research center

INTERNATIONAL EXPERIENCE

PROGRESS ON THE GLOBAL FRONT

Despite the clear trend worldwide in recent years toward strengthening media education measures, this type of strategy is not new. A number of examples from recent history are provided below to demonstrate the long-running concern with this issue:

- In Great Britain, the tradition of media education dates to the British Film Institute (BFI) established in the 1930s. As in other countries, the initial focus was on film studies. In the 1960s, the Institute broadened its analyses to encompass various media expressions;
- In Canada, high school level film courses were introduced in the late 1960s, out of which the first wave of media education in that country was launched under the banner of "big screen education";
- In Australia, the first mass media education courses were developed in the mid-1970s;
- In Finland, media education was introduced in primary school curricula in 1970 and in high school curricula in 1977;
- In Sweden, media education has been mandatory since 1980.

Recently, international consensus and parameters in this area have expanded. On the European continent, a number of institutions, media professionals, professors, and educators joined forces to develop a media education framework based on three principal elements:

1. Access to media content;
2. Critical approach to or capacity to decipher media messages or awareness of how the media works; and
3. Development of skills to create, communicate, and produce media content.[a]

In December 2007, the European Commission released *A European Approach to Media Literacy in the Digital Environment*. The Commission emphasized the gradual increase in the importance of media education as part of the public policy agenda of the continent's communication and media sectors.

---

a "In general, media literacy has been defined as the ability to access the media, to understand and critically evaluate different aspects of the media and media content and to create communications in a variety of contexts" – official definition of the European Commission.

> ┌─ **Media education:** ─┐
>
> **Key international frameworks**
>
> ***Grunwald Declaration (1982)*** – In 1982, the declaration issued by the 19 participating nations of the UNESCO Media Education Symposium addressed the importance of integration between all stakeholders involved in media education strategies.
>
> ***Alexandria Proclamation on Information Literacy and Lifelong Learning (2005)*** – In 2005, the representatives of 17 countries declared that information literacy is a fundamental right in promoting social inclusion, calling for, in this light, the development of specific policies and programs to this end.
>
> ***Paris Agenda or 12 Recommendations for Media Education (2007)*** – Held 25 years after Grunwald, the Paris conference centered on re-evaluating the media education sector, resulting in the development of 12 recommended priority measures to promote media education.
>
> ***European Commission: A European approach to media literacy in the digital environment (2007)*** – The European Commission developed, in collaboration with various institutions on the continent and regional and national officials, a policy to ensure and incentivize media literacy focused on the challenges of new technologies.
>
> ***Directive on Social Audiovisual Media Services*** – In 2007, the European Commission undertook a review of the Television without Frontiers Directive, for the purpose of adapting and modernizing existing rules and incorporating relevant issues in national media education policies.

The approach is advocated by the United Kingdom's regulatory authority the, Office of Communications (Ofcom), which defines "media literacy" as the capacity to **access** media, to **understand and critically evaluate** different aspects of the media and media content and to **create** communications in a variety of contexts.

In contrast to other countries, in the United Kingdom – which has one of the oldest and most consolidated systems in the world – the regulatory authority is tasked with the specific duty of promoting media literacy. The principal legal instrument governing communications, The Communications Act (2003), sets out the responsibilities of the regulatory authority in promoting media literacy, with particular emphasis on electronic media, the access to electronic media, and the informed use of electronic media.[b]

For its part, France has developed media education activities as part of the broader educational curriculum. Media education is mandatory for children and teenagers aged 6-15 years. French educators are supported by the Centre de Liaison de l'Enseignement et des Médias d'Information (Liaison Centre for Education and Information), a component body of the Ministry of Education specifically charged with training educators in media education. Similarly, a specific media education curriculum running from preschool through professional training programs was developed.[c]

Recent documents on media education around the world point to a wide range of strategies and methodologies, with varying degrees of institutionalization. According to Eve Salomon, "Regulators in a number of countries are taking an interest in media literacy, including Australia, Canada, Israel, New Zealand, Chile, Romania and Turkey."

MEDIA EDUCATION IN LATIN AMERICA

Important initiatives in this area can be found in Latin America as well, notwithstanding their limited incorporation, according to experts in the field. In the view of Mexican communications expert Guillermo Orozco, the "institutionalization" of media education has been pursued in only a few countries, among them Chile, Uruguay, and Argen-

b Available at: www.legislation.gov.uk/ukpga/2003/21/section/11. Accessed: October 29, 2010.

c The French experience could serve as an initial model for including media education in Brazilian education curricula. The French document is available at: www.clemi.org/fichier/plug_download/13341/download_fichier_fr_education.aux.ma.dias.dans.les.programmes.8.juillet.2010.doc. Accessed: October 29, 2010.

tina, while the introduction of the discipline in existing educational systems has only occurred sporadically. "Where this has been done, it has been accomplished through a pilot or experimental project, invariably subject to the mistrust of all and under the microscope of education authorities, who have never been fully convinced of its benefits," notes Orozco.[8]

In Argentina, the *Escuela de Medios (Media School)* was established by the Ministry of Education in 1984 to serve the city of Buenos Aires. Developed to teach children – who to that point had lived under an authoritarian regime – about the concepts of free expression, freedom of the press, and the right to information, the project was expanded in 2000 to schools throughout the country. The idea is to strengthen the cultural capital of children and youth by increasing their access to cultural goods (such as film, television, radio, photography, and newspapers) and enhancing their ability to engage in critical analysis and the production of texts. The project's objectives include:

- Promoting Media Education for all primary and secondary schools across the country;
- Boosting the cultural capital of students, in particular those from lower income households;
- Improving the representation of children and adolescents in the media;
- Spurring children's participation by offering them the opportunity to express themselves;
- Raising awareness among families on the issue and offering them tools with which to provide guidance to young people on the media and technologies.

In Brazil, a long-standing effort has been pursued by various non-governmental organizations, universities, and news and telecommunications companies, in addition to agencies at the different levels of government, to develop media education initiatives.[d]

At the national level, the Ministry of Education operates an initiative to prepare educators in education with and for the media: the Media in Education project – executed in partnership with universities, in particular the Center for Communication

Edu-communication in Brazilian universities

The Center for Communication and Education of the University of São Paulo's School of Communication and the Arts (NCE/ECA/USP) is considered the primary reference in the field of edu-communication in Brazil, addressing education as a social concept and concrete practice. Among the Center's programs is Educomunicação pelas Ondas do Rádio – Educom.rádio (Edu-communication over the Radio Waves), an initiative developed by Professor Ismar de Oliveira and his collaborators. To date, the effort has drawn 11,000 participants, including students and educators from 455 municipal schools in São Paulo. Implemented by universities, schools, and NGOs, the goal of Educom.rádio is to broaden the meaning of educational practices in different fields of knowledge.

Recently, the University of São Paulo introduced an edu-communication degree program in its School of Communication and the Arts. The purpose of the program is to train professionals to work in schools and the third sector as communication teachers or consultants on educational projects involving the different media platforms: radio, television, newspapers, Internet, film. Professionals will also be qualified to exercise positions in media organization as producers or consultants on educational projects. For more, go to: http://www.cca.eca.usp.br/educom

---

d   Initiatives have been developed outside the educational sphere as well. Media education measures can be executed by a diversity of agents in different contexts, such as NGOs, community associations, and trade unions.

and Education of the University of São Paulo's School of Communication and the Arts (NCE/ECA/USP). "The program is a distance education initiative with a modular structure aimed at promoting continuous training for the educational use of information and communication technologies – TV and video, computers, radio, and print media. The target audience is primary school teachers. (...) The program is operated by the Secretariat for Distance Education (Secretaria de Educação à Distância – SEED), in partnership with local education secretariats and public universities – which are tasked with producing, offering, and certifying the modules and for selecting and training tutors (...)".[e]

However, there remains a long way to go to consolidate a national policy in this area – as noted by Brazilian researcher Laura Seligman, who sees little consistency in the determinations and objectives set forth. "References are modest in number and often represent more a pretext for war on the media than a genuine proposal to include the issue in school curricula,"[9] she concludes.

CONCLUSION

ARTICULATING THE VARIOUS SECTORS

As shown in this chapter, a number of experiences have been adopted – in Latin America and other parts of the world – capable of contributing to well-structured national media education policies. Irrespective of the theoretical and methodological perspective adopted, experts consistently point to the need to strengthen the relationship with schools through curricular programs and reforms aimed at fostering effective appropriation of media content beginning in primary school.

However, this process depends on the participation of educators with the necessary training in the field who can stimulate critical analysis of the different media formats, including entertainment, journalism, and advertising. Similarly, it is essential that media education and edu-communication strategies be coordinated with the active participation of children and youth in the production of content (*a subject we will examine in greater detail in Chapter 4*).

Progress is also contingent on the involvement of civil society sectors dedicated to the media-child interface with the capacity to advocate for and collaborate in the formulation of government policies. After all, the majority of creative and innovative experiences undertaken to date on behalf of a more critical analysis of children and youth and the role of the media in civil society emerged from civil society itself.

Finally, education has an increasingly important role to play in the current landscape of profound changes in the media – a result of the far-reaching impact of digital convergence and new technologies. Over time, media policies must include educational strategies that engage and hold to account schools, families, and society as a whole. ■

---

e   Available at: webeduc.mec.gov.br/midiaseducacao/index6.html. Accessed: October 29, 2010.

REFERENCES

[1] UNESCO. **Grunwald Declaration on Media Education**. Grunwald: UNESCO, 1982. Available at: www.unesco.org/education/pdf/MEDIA_E.PDF. Accessed: October 29, 2010.

[2] CAMPS, Victória. Media Education beyond School. In: FRAU-MEIGS, Divina; TORRENT, Jordi (editors). **Mapping Media Education Polices in the World**: Visions, Programmes and Challenges. United Nations – Alliance of Civilizations; Communication Group, 2009.

[3] CARLSON, Ulla and FEILITZEN, Cecilia von (organizers). **Children & Media**: Image, Education, Participation. SP: Cortez, Brasília: UNESCO, 2002. Available at: unesdoc.unesco.org. Accessed: October 29, 2010.

[4] BUCKINGHAM, David. **The Media Literacy of Children and Young People**: A review of the research literature on behalf of Ofcom. London: Centre for the Study of Children Youth and Media; Ofcom, 2005.

[5] SALOMON, Eve. The Role of Broadcasting Regulation in Media Literacy In: FRAU-MEIGS, Divina; TORRENT, Jordi (editors). **Mapping Media Education Polices in the World**: Visions, Programmes and Challenges. United Nations – Alliance of Civilizations; Communication Group, 2009.

[6] MORDUCHOWICZ, Roxana. When Media Education Is State Policy In: FRAU-MEIGS, Divina; TORRENT, Jordi (editors). **Mapping Media Education Polices in the World**: Visions, Programmes and Challenges. United Nations – Alliance of Civilizations; Communication Group, 2009.

[7] KNAN, Abdul Waheed. Prologue. In: **Mapping Media Education Polices in the World**: Visions, Programmes and Challenges. United Nations – Alliance of Civilizations; Communication Group, 2009.

[8] GÓMEZ, Guillermo Orozco. **Televisión, audiencias y educación**. Colombia: Norma, 2001.

[9] SELIGMAN, Laura. **A escola e a formação do leitor crítico da mídia** - Políticas Públicas no Brasil e em Santa Catarina. Itajaí: UNIVALI, 2008, 103p. Master's Thesis – Master's Program in Education - PMAE, University of Vale do Itajaí, Itajaí, 2008.

LEARN MORE

European Congress on Media Literacy
www.euromeduc.eu

Le CLEMI [Center for Education and Media]
www.clemi.org

Mídias da Educação - Ministério da Educação do Brasil [Educational Media –
Brazilian Ministry of Education]
webeduc.mec.gov.br/midiaseducacao/index6.html

Argentine Ministry of Education - Escuela y Medios [School and Media]
www.me.gov.ar/escuelaymedios

Núcleo de Comunicação e Educação da Universidade de São Paulo
[University of São Paulo Center for Communication and Education]
www.usp.br/nce

Chapter

Stimulating quality audiovisual productions for children

02

Children and youth cannot be viewed as passive consumers of media products. As citizens in the development stage, they need television and radio programs, cartoons, publications, games, sites, and other content that promote a wide range of knowledge, creativity, and critical thinking. Moreover, these materials must be improved upon continuously through a dynamic process closely aligned to the aspirations and needs of this audience.

As such, it is necessary to incentivize the production of quality content through specific financing lines and other resources provided by government agencies or private entities (including contests and awards). In addition, it is critical to leverage successful media critique and monitoring initiatives through non-governmental organizations, consumer associations, and universities – to the extent the participation of society plays a strategic role in fostering the development of quality parameters.

The pages below lay out some of the elements underlying of public policies designed to enhance the media products offered to the youngest population segments. The principle of access to quality audiovisual products is set forth in the UN Convention on the Rights of the Child (1989), which underlines the State's role in ensuring the media broadcasts information of social and cultural interest to this population segment.

Below we analyze successful experiences nourished by a consistent legal system and institutional framework capable of promoting content of recognized value to the development of children and youth. Beyond the important debate on the role of government actors and civil society, the commitment of media companies to the issue is critical as well. Indeed, cooperation between these sectors is a decisive factor to ensure the quality of media products delivered to children and youth is continuously enhanced.

OVERVIEW

MULTIPLE FACETS OF QUALITY

"Quality is a matter of perspective." German professor Lothar Mikos[1] invokes this maxim as the starting point for thinking about the meaning of an appropriate television programming grid for children – a point we can also apply to the quality analysis of other media. However, reflecting on the concept of quality requires that we tak into account the views of multiple observers, including producers, executives, educators, parents, as well as the segment with the biggest stake in this issue: children and adolescents.

In an effort to identify the criteria for audiovisual quality – specifically, television – researchers Victoria Tur Vimes and Cristina Gonzáles Díaz of the University of Alicante, Spain, drew an a series of complementary approaches in the literature on this question. Each approach is equally valid and reflects specific concerns, ranging from material aspects of the media business to the ethical questions surrounding the related content. The parameters listed by the authors include:

- The intrinsic quality of television (scripts, structures, narratives, characters, and other aspects);
- The technical quality of television (lighting, sound, image);
- The quality of the television industry (dynamism of the sector, capacity of broadcasters to draw advertisers and compete in international markets);
- The quality of television from the viewer's standpoint (audience);
- The quality of television from an aesthetic standpoint;
- The quality of television from a sociological standpoint (each social group qualifies television through distinct symbolic frames);
- The quality of television from an ethical standpoint.[2]

Despite the multiplicity of approaches available, there has been no shortage of debate on the issue of quality – in which the specificities of various approaches, are recognized while seeking public consensus on the issue. As argued by professor Mikos, the determination of widely recognized standards is invariably achieved through public debate and requires that society make choices. "[...] Quality does not depend only on the production of style of a program, but has to do with its utility and value to children. This naturally means that quality is also connected to judgment values," argues the professor.

In sum, the idea of quality cannot be analyzed separately from a key question: what kind of children and youth do we want to raise? As noted above, the media is an extremely powerful agent, one capable of influencing – directly and indirectly – the social and cognitive development of children. Our starting point, therefore, should not simply be the assumption that all content involves potential risks to the segment's development. To the contrary, a number of benefits can accrue from interaction with media, and this is the point that has led a number of States to develop specific policies designed to stimulate the production of quality media *(for more on the impacts and benefits of the media, see Chapter 6).*

Plurality of viewpoints

"Quality in the media occurs through experience, practice, discussions between professionals, observation, and public opinion and the voice of organized civil society, experimentation with different formats, young creators, directors, programmers, producers, and advertisers with a spirit of responsibility, careful analysis of the literature, greater knowledge of audiences, respect for viewers, opening of production markets, and, ultimately, investments and greater attention from the sector."[3]

MIDIATIVA ("TO PROHIBIT OR TO REGULATE?", 2008)

WHY IS THE SUBJECT IMPORTANT?

FULL DEVELOPMENT AND THE MEDIA

A starting point for the discussion on international consensus in this area is to analyze the guiding document on the rights of children and youth: the UN *Convention on the Rights of the Child* (1989). In Article 17, the Convention – the provisions of which synthesize various aspects relating to the media – underscores that Member States should incentivize media to disseminate information and materials of social and cultural interest to children and youth, in accordance with the spirit of Article 29. For its part, the latter provision points to the following needs:

a. The development of the child's personality, talents, and mental and physical abilities to their fullest potential;
b. The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
c. The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
d. The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national, and religious groups and persons of indigenous origin;
e. The development of respect for the natural environment.

Although the Convention's provisions offer a specific path toward State action, including with the respect to the development of the media sector, application of the related guidelines faces a number of hurdles. In an analysis of the implementation of Article 17 by Member States, Paul David, regional representative of the UN Office of the High Commissioner for Human Rights (OHCHR), points to a landscape of continuing weakness with respect to the consolidation of democratic media regulation:[a]

> *"Beginning in January 1999, the Committee on the Rights of the Child reviewed approximately 100 reports from Member States, and the results of the effort show that only a few countries adopted appropriate legislation which fully reflects the measures in article 17 of the Convention. Many countries have laws to protect children from harmful information, yet those laws rarely cover private media, which is increasingly active, as well as new technologies, which are rarely regulated by legal norms. In addition, in general these laws do not refer to transnational media owned by companies based abroad. It is even rarer for countries to have laws that ensure children access to information and promote their participation in the media."[4]*

The absence of incentives to quality productions

Limits in this area were identified in Regulação de mídia e direitos das crianças e adolescentes: uma análise em 14 países latino-americanos, sob a perspectiva da promoção e proteção *(Regulating the Media and the Rights of Children and Adolescents: An analysis of the legal framework in 14 Latin American countries from the perspective of the promotion and protection of rights), published in 2008 by ANDI, the ANDI Latin America Network, and Save the Children Sweden. An insufficient number of legal instruments in Latin American countries* are actually transformed into incentive policies, such as specific funds to finance productions or awards to recognize good practices. "Stimulating quality programming – that which values and promotes the human rights of boys and girls – is a highly neglected need,"[5] concludes the report. Recent progress, however, indicates that this setting is beginning to change (see "Good Practices in Latin America," page 44).*

---

*Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Guatemala, Mexico, Nicaragua, Paraguay, Peru, Uruguay, and Venezuela

---

a From 1995 through 2005, he served as secretary of the United Nations Committee on the Rights of the Child (David, 1999: 38-39).

THE ROLE OF CIVIL SOCIETY IN INCENTIVIZING THE QUALITY OF AUDIOVISUAL PRODUCTS

While the role of the State is preeminent – through effectuation of the provisions in the Convention – it is critical that the effort to discuss and refine media products for children involve the participation of civil society entities and media organizations. Similarly to issues relating to communication policies and children's rights, a coordinated joint agenda must be developed by all stakeholders engaged in this area.

In the debate on audiovisual quality, media observatories have emerged as a crucial instrument of participation among civil society organizations and the academic community, by providing critiques of the programming broadcast by media outlets and proposing new strategies.

ORGANIZATIONS PROMOTING QUALITY

Self-regulation is a critical component to ensure media organizations effectively appropriate the discussion on quality in their day-to-day operations. Executives and managers frequently invoke the term "quality standards," although the expression is not generally accompanied by ethical codes and clear and transparent guidelines on the underlying meaning of the term – both essential elements to ensure the concept is adopted in everyday practice.

Examination of quality-related issues can also be promoted through ombudsman units – professionals with primary responsibility for providing internal evaluations and critiques of media organizations – which could have a potentially active role in a far broader set of media outlets. All of these tools gain in importance if viewed against the backdrop of Corporate Social Responsibility, an increasingly prominent concept in the business world, including the media field.

However, media companies face many challenges in the effort to maintain investments in children's programming. In television, a number of simultaneous phenomena have emerged in recent years: children's programming on free to air television has fallen off significantly, as the dissemination and reach of specialized pay-TV channels have increased. Additional developments in recent times include media convergence and rising Internet use, leading to significant changes in the relationship between children and youth with the media.

Promoting quality programming for children and youth also requires addressing the delicate debate on how commercial media are funded. For the business sector, backing national productions aimed at the youngest age segments is contingent on securing advertising revenue, including children's advertising. However, for many sectors of civil society, children's advertising is inherently abusive, to the extent it exploits the less developed cognitive abilities of children and adolescents (*for more on this subject, see Chapter 8, Regulating Media Advertising*). Nor is there any consensus on the potential impact prohibiting children's advertising as a source of revenue might have on media organizations or on whether a measure of this type would inevitably lead to a shortage of funding for children's productions.

While this transitional setting must be understood and studied further, greater coordination is required to ensure the various stakeholders in the

The creation of Media Observatories

An important mechanism to ensure institutional strengthening of media observatories involves sharing experiences through network initiatives. A case in point on this front in Latin America was the development of the "Network Observatories: The Media in Latin America" ("Observatorios en Red: Medios de Comunicación en América Latina") in 2007, aimed at stimulating the private and public media to rethink the role of communications and journalism on the continent, in particular their political aspects and influence on social policy [http://observatoriosenred. calandria.org.pe].

A major initiative in the Brazilian context is the National Network of News Media Observatories (Rede Nacional de Observatórios da Imprensa – RENOI) [http://renoi. blogspot.com.br/], created in 2005 to contribute toward enhancing the Brazilian media and forging a stronger relationship between society and the media. The effort has led to a number of valuable media monitoring efforts, including the News Media Campaign.

Through a focus on the rights of children and adolescents, the ANDI Brazil Network (active in 10 Brazilian states) and the ANDI Latin America Network (engaged in 12 countries across the region) have developed systems to monitor the news media's coverage of children's rights. From the statistical data on the quality of news media coverage specific strategies are developed to mobilize and train journalists and sources of information [http://www.re-dandi.org/].

field can more effectively engage to stimulate the quality and sustainability of media productions for this age segment. It is important to note, at the same time, that pay-TV and the Internet do not yet reach all children and that access to the two platforms remains limited for lower income segments.

INTERNATIONAL EXPERIENCE

HOW DO OTHER COUNTRIES PROMOTE QUALITY CONTENT?

Numerous international experiences have contributed to the examination of quality and addressed the challenge of strengthening the production of appropriate content for children and youth. Some of the most successful initiatives undertaken have involved concerted policies to bolster national productions *(for more on this subject, see Chapter 3)*, guided by clear regulatory frameworks and independent regulatory agencies, in conjunction with investments in research studies to evaluate the respective outcomes of these initiatives – and pave the way for a reformulation of criteria.

Australia offers one of the most highly regarded efforts to stimulate children's audiovisual products.[b] With a view to providing support to the production of content, a research study released in 2007 by the country's regulatory agency, the Australian Communication and Media Authority (ACMA), found that nearly one-third of the funding for children's fictional works derived from government sources – a significant result if compared to the prevalence of other funding sources (the Australian media industry and foreign investors) for adult productions.

The most active funder is the Film Finance Corporation, the leading sponsor of film and television productions in Australia. Since its creation in 1988, the Corporation has been the principal investment source for in children's productions. In addition, there are regional agencies in Australia that provide substantial funding for productions aimed at the youngest segments.[c]

In conjunction with investments in audiovisual productions, the establishment of specific quotas and timeslots for children's programming, provided for in the *Children's Television Standards*, has been a major factor in ensuring the quality of audiovisual works. A mandatory condition for free to air and commercial TV concessions is that, broadcasters exhibit 390 hours of children's programming per year.

According to the *Children's Television Production Project*[6], a study sponsored by ACMA, quotas have played a central role in the industry. In an environment marked by declining drama productions (2001-2005), funding for children's production has remained stable – garnering an increased share of overall investments in the sector.[d]

---

b   The Australian authorities define children as individuals through age 14.

c   The primary agencies are Pacific Film and Television Commission (PFTC); Screenwest; The New South Wales Film and Television Office (FTO), and Film Victoria.

d   "In an environment in which Australian drama productions have been declining, and financing of children's television has become more difficult, the CTS quotas mean the production of children's television plays a significant role in the overall health of Australia's production industry." Children's Television Production Project.

Good practices of media organizations in Brazil

Despite the absence of major incentives in Brazil, there are several examples of quality programming for children and youth produced by private and public broadcasters, which have garnered broad critical acceptance and public approval. "Prior to the 1970s, traditions and models had already been introduced in São Paulo and Rio de Janeiro by the Children's Television Workshop, an American media group and creator of Sesame Street, and national productions, including O Sítio do Picapau Amarelo (The Yellow Woodpecker's Ranch) by Monteiro Lobato. Indeed, there already existed "a vocation for children's programming," notes journalist Beth Carmona,[7] former president of TVE Brasil and programming director for TV Cultura.

In fact, TV Cultura, São Paulo state's official broadcaster and a component body of the Padre Anchieta Foundation, occupies a particularly prominent role on this front, with a number of award-winning productions, including Rá-Tim-Bum, Mundo da Lua, Cocoricó, and X-Tudo, among others. To Beth Carmona, the official broadcaster "effectively practices the concept of public television as inspired abroad, to the exclusion of an excessively didactic model. The effort has been crucial, not only because of the funding provided from the São Paulo State Government, but, more important, the partnerships forged with the private sector as part of a system of cultural incentive."

GOOD PRACTICES IN LATIN AMERICA

Relevant measures to stimulate quality productions in Latin America have gained increasing prominence. Some of the most noteworthy of these are described below.

ARGENTINA: ADVANCES OF THE NEW MEDIA LAW

The recent approval of the Audiovisual Media Law (Ley de Medios Audiovisuales) in Argentina includes an important instrument to foster children's and youth programming: the statute provides for the establishment of the Audiovisual and Children's Advisory Council (Consejo Asesor de la Comunicación Audiovisual y la Infância), a multidis-

World Summit on Media for Children and Youth

An important marker in regard to coordination efforts on behalf of children's participation and the discussion of quality in the media is the World Summit on Media for Children and Youth, now in its 6th edition. To date, Melbourne, London, Thessaloniki, Rio de Janeiro, Johannesburg, and Karlstad have hosted the event.

The Brazilian edition of the Summit was held in 2004 with nearly 3,000 participants, including educators, researchers, media industry professions, and, for the first time, youth representatives. Organized by the Municipal Multimedia Company of the Municipality of Rio de Janeiro (MultiRio) and Midiativa, in partnership with a diversity of national and international institutions – among them ANDI – the event included the participation of 150 girls and boys from 50 countries, who converged on Brazil to discuss and reflect on the content produced for them and the content they would like to see produced.

Letters from Rio

At the end of the conference, adult participants and the 150 youth drafted *the Letters from Rio*, laying out their vision of quality media. Some of the demands included:

- Promoting coordination between children, youth, and adults on behalf of quality media;
- Ensuring control over quality media, through the constitution of ethics and reporting councils in all countries, with a view to:
  - » establishing specific timeslots and/or restrict content of an erotic or violent nature or which promotes alcohol, tobacco, or illegal drug use;
  - » receiving complaints and suggestions from the public on abuses and disseminating the respective information to the general society;
  - » pressuring advertisers to refrain from funding programs deemed of low quality, determined on the basis of reports and complaints submitted by the viewing public;
  - » setting up committees composed of children and youth.
- Urgently developing effective measures and programs to prevent children and youth from accessing pornography on the Internet.
- Educating communicators with a view to enhancing the coverage of news and information produced on children and youth, so as to:
  - » prevent the dissemination of stereotypes that lure children and youth into consumption patterns and standards that are incompatible with their realities or into crime and violence;
  - » prevent the use of inappropriate or discriminatory images of children and youth.
- Introducing spaces and channels in schools for children and youth to learn how to receive, search, and use information in a critical and productive manner, including through special attention to children and youth with physical or mental disabilities.
- Developing children's media channels which reserve space for regional programs produced by children and youth themselves.
- Guaranteeing space for the participation of children and youth in existing media, with a view to the production and broadcasting of content.
- Developing government and private funding policies for media content produced by children and youth.
- Licensing radio and television stations at no charge to schools and organizations that promote educational media productions for children and youth, based on the development of the standards governing the operation of the respective media outlets.

ciplinary federal body composed of experts and the representatives of social organizations with recognized experience in the field, in addition to children and youth *(for more on the participation of boys and girls in the production of content, see Chapter 4)*.[e]

The Council's duties include drafting proposals to improve the quality of children's programming; performing research studies and surveys on the relationship of children to the audiovisual sphere; establishing criteria and diagnostic methods for recommended or priority content; identifying content deemed harmful to children and youth; and strengthening measures to foster critical analyses of the media.

An additional feature of the Law is the creation of a Competition Incentives Fund (Fondo de Fomento Concursable) aimed specifically at promoting the production of quality children's programming and defending the national audiovisual industry.[f]

BRAZIL: DISSEMINATING INCENTIVES

The underlying reference for Brazil's communications and media laws is the 1988 Federal Constitution, which requires that broadcasting meet its mandated educational, artistic, cultural, and informational ends. Notwithstanding the consistency of the parameters provided for in the Constitution, the model in effect today continues to involve the coexistence of a heterogeneous array of State bureaucracies tasked with regulating the broad range of communication and media issues, among them the National Congress, the Ministries of Communications, Culture, and Justice, the Brazilian Telecommunications Agency (Agência Nacional de Telecomunicações – ANATEL), and the Brazilian Film Agency (Agência Nacional do Cinema – ANCINE). By virtue of this fragmented setting, only piecemeal, although significant, progress has been secured to date, including:

- The *Television Ratings System* (for more on the policy, see Chapter 7), coordinated by the Ministry of Justice, provides that desirable content should espouse cooperation and/or solidarity, fostering responsibility and valuing characteristics such as honesty, respect, and dispute/conflict resolution. Also deemed desirable are productions that stimulate cognitive skills, care for the individual's body and health, manual skills, respect for diversity, the culture of peace, and social and emotional skills. In addition, the System recognizes content which values human rights and offers a plurality of opinions/information.
- Launched by the Ministry of Culture in May 2008, the *National Program on Promoting Partnerships between Independent Productions and Television (Programa Nacional de Estímulo à Parceria entre a Produção Independente e a Televisão)*, is aimed at expanding the presence of independent productions on public and private free to air and pay TV networks and supporting the development of the audiovisual industry – as well as stimulating children's programming and strengthening the animated design industry.
- The *National Program to Develop Brazilian Animated Design (Programa Nacional de Desenvolvimento da Animação Brasileira)*, another initiative of the Ministry of Culture, is intended to foster the development of capacity building, production, dissemination, and distribution of animated designs in Brazil and abroad. AnimaTV, a key component of the Program, is a competition aimed at promoting the development of animated productions throughout Brazil, delivering regional training programs to boost the culture of animated productions and cartoons on television, leveraging production efforts between studios across the country, and distributing Brazilian animated productions on the international market.

---

e   For more on this subject, go to: www.consejoinfancia.gob.ar/.

f   Law No. 26522 of 2009 Available at: www.infoleg.gov.ar/infolegInternet/anexos/155000-159999/158649/norma.html. Accessed: October 29, 2010.

CHILE: INDEPENDENT REGULATORY AUTHORITY STIMULATES QUALITY

Established in 1989, Chile's National Television Council (Consejo Nacional de Tele-visión – CNTV) is tasked not only with developing rules to protect children and youth from potentially harmful programming, but, in *addition, promoting instruments to improve programming. The Council's activities include: "Promoting, funding, or subsidizing the production, transmission, or broadcasting of programs of high*

ARGENTINE COMMISSION
LAYS OUT QUALITY CRITERIA

Recently, the Argentine Advisory Board for Audiovisual Media and Children (Consejo Asesor de la Comuni-cación Audiovisual y la Infância de la Argentina) laid out a series of quality parameters on children's television programming. The Content and Research Committee, headed by Mariela Spagenberg, issued the "Quality Criteria for Children's and Youth Television" study. The criteria can be summed up in 12 points::

1. **"Promoting and protecting rights."** Content must be consistent with Universal Rights and the Rights of Children and Youth, the related principles, bases, and regulations (namely, the Convention on the Rights of the Child and National Legislation: the Law on the Full Protection of Children and Youth – Law No. 26061, the Law on Audiovisual Media Services – Law No. 16522, and the National Education Law – Law No. 26206). Content should contribute to the dissemination, understanding, and application of these rights.

2. **"Diversity."** Content should include cultural diversity, gender diversity, a diversity of ideas and ways of understanding the world, diverse skills and capacities, diverse social contexts and socioeconomic reali-ties, diverse beliefs, diverse origins, physical traits, languages, etc. Content should promote respect, avoiding denigrating, disparaging, disdainful, contemptuous language, with a view to respecting the dignity of individuals. Television programming should take into account all forms of diversity, including with respect to gender, beauty, format, and origin, and sources.

3. **"Participation and expression."** Content should encompass the perspectives of Children and Youth, their voices, their opinions, their skills and capacities, their interests, their points of view, irrespective of whether Children and Youth are active participants in audiovisual programming or whether they constitute the central figures of programming in a literal sense.

4. **"Self-Esteem."** Content should incentivize self-esteem and promote Integrity and respect for identity. It should also lay out all of the possibilities available to Children and Youth, including how to contribute to the broader community through ideas and actions or reinforce their capacity to pursue their indi-vidual and collective goals and dreams and their power to overcome and conquer obstacles.

5. **"Critical skills."** Content should stimulate the ability to observe and evaluate reality and its represen-tation. It should provide symbolic and material tools on which to base opinions.

6. **"Curiosity."** Content should foster creativity and spark curiosity in research, experimentation, and knowledge.

7. **"Participation."** Content should stimulate the exercise of rights, citizen participation, social aware-ness, and democratic principles.

8. **"Information."** Content should offer information on realities at the local, national, and universal level; information should have context and be adapted in a manner that contributes to understanding Chil-dren and Youth.

9. **"Entertainment."** Content should promote the right to entertainment, free time, leisure, healthy rec-reation, play, and should stimulate the interest of Children and Youth.

10. **"Target audience."** Content should contemplate the various age groups and categories clearly identi-fied based on to the specific themes as well as language and approaches selected.

11. **"Identification."** Content should spur identification and empathy.

12. **"Leveraging the medium."** The technical and aesthetic potential of media cannot be overestimated – as such, they should be leveraged to the extent possible at all levels through identification of original, creative, and innovative formats.

*cultural content or national or regional interest, as classified by the National Televi-
sion Council. The national budget law will appropriate the necessary resources on an
annual basis."*[g]

Beginning in 1998, CNTV began evaluating the quality of children's programming
based on standardized methodological instruments, which over time were consolidated
as part of a Quality Barometer for Children's Programming on Chilean Free to Air Tele-
vision (Barómetro de la Calidad de la Programación Infantil en la Televisión Abierta
Chilena). The purpose of the instrument is to contribute conceptual proposals to boost
the number of quality children's programs, with a view to enabling the development of
programs that offer entertainment and positive and educational messages on different
topics of interest to the lives of Chilean children and youth.

Another incentive to quality programming is the CNTV Fund (Fondo-CNTV)
created in 1992 to fund the production of television programs. The State provides re-
sources to the regulatory agency (CNTV), which then funds projects through public
selection procedures. Beginning in 2002, priority was given to children's program-
ming in response to the drop in the related content on television. Among the selected
programs was 31 Minutes (31 Minutos), which received international recognition and
was subsequently picked up by Nickelodeon for broadcast in other countries.

COLOMBIA: INNOVATION IN QUALITY TELEVISION

Promoting broad reflection on television programming in Colombia, especially in
regard to children's productions. This is the guiding objective of Quality Television
(Televisión de Calidad), an alliance of scholars, civil society organizations, govern-
ment, and broadcasters established in 2000. Developed through institutional partner-
ships, Quality Television has taken part in legal cases connected to the audiovisual
segment, in addition to stimulating the constitution of networks and promoting pub-
lic debate in its field of action.

Among the measures implemented was the *National Commitment to Quality Chil-
dren's Television in Colombia (Compromisio Nacional por una Televisión de Calidad
para la Infancia en Colombia)*. The objective of the document is to ensure appropriate
television programming for children and youth – specifically, programming which is
compatible with the segment's development and which guarantees the rights set forth
in the *Convention on the Rights of the Child*.

The positive outcomes of the Colombian project fostered the creation of a Latin
American Quality Television Network,[h] serving to extend the debate on social respon-
sibility in the broadcasting sector and on the quality of television programming in the
region to other countries.

CONCLUSION

ONE GOAL, MANY APPROACHES

As we have seen, it is essential to ensure complementarity between the ways in which
quality media is delivered to stimulate the development and knowledge of children and
youth. While "quality" may be a relative concept, there are a number of parameters
which contribute to the concept's development and make up the various technical,

g   For more, go to: www.cntv.cl/link.cgi/. Accessed: October 29, 2010.

h   Available at: www.comminit.com/es/mainpage/338. Accessed: October 29, 2010.

aesthetic, ethical, and educational aspects of media content, in addition to addressing countless other facets.

The experiences and good practices of other countries offer a significant contribution to the development of quality parameters. To this end, stimulating comparative studies on important initiatives – such as the Australian case – could be of value to the formulation of consistent and sustainable policies for Latin America.

Another key challenge is the consolidation of clear and integrated regulatory frameworks, involving the creation of regulatory agencies based on recognized best practices, with primary responsibility for promoting quality children's and youth productions. The current regulatory shortfall is an issue, therefore, which must be addressed across the region – and incorporated in the public agenda at all levels of government, particular y the executive and legislative branches.

At the same time, the responsibility to introduce incentives for quality programming cannot be attributed solely to the State. Civil society can and should engage in developing a joint coordinated agenda on the issue. In this light, media observatories and self-regulation by media organizations are critical tools for proposing new paths and demanding effective public policies. ∎

References

[1] MIKOS, Lothar. Quality is a matter of perspective, in: **Television**. 22/2009/E - What is Quality in Children's Television?.

[2] DÍAZ, Cristina Gonzáles and VIÑES, Victoria Tur. Conteúdos audiovisuais de qualidade dirigidos ao público infantil. In: **Discursos e práticas de qualidade na televisão**. Lisbon: Livros Horizonte, 2008.

[3] MIDIATIVA. **Proibir ou regular?** Available at: www.midiativa.tv/blog/?p=908. Accessed: September 25, 2009.

[4] DAVID, Paul. Os direitos da criança e a mídia: conciliando proteção e participação. In: CARLSON, Ulla and FEILITZEN, Cecilia von (orgs). **A criança e a mídia**: imagem, educação e participação. SP: Cortez, Brasília: UNESCO, 2002. Available at: unesdoc.unesco.org. Accessed: October 29, 2010.

[5] AGÊNCIA DE NOTÍCIAS DOS DIREITOS DA INFÂNCIA. **Regulação de mídia e direitos das crianças e adolescentes**: uma análise em 14 países latino-americanos, sob a perspectiva da promoção e proteção. Brasília: ANDI, 2008.

[6] AISBETT, Kate. **Children's Television Production Project**. Australia: Australian Communications and Media Authority. 2007. Available at: www.acma.gov.au Accessed: September 5, 2011.

[7] CARMONA, Beth. **A marca da TV pública**. Available at: www.cultura.gov.br/site/2006/11/27/a-marca-da-tv-publica-beth-carmona-presidente-da-tve-brasil/. Accessed: September 2, 2011.

Learn more

ACMA - Australian Communications and Media Authority [Australian regulatory authority]
www.acma.gov.au

CNTV - Consejo Nacional de Televisión [Chilean regulatory agency]
www.cntv.cl

Ética na TV - Quem Financia a Baixaria é contra a Cidadania!
www.eticanatv.org.br

Ley de Sevicios de Comunicación Audiovisual [Argentine Law on Audiovisual Media Services]
www.comfer.gov.ar/web/blog/wp-content/uploads/2009/03/ley-final-sin-marcas.pdf

Midiativa
www.midiativa.tv/blog

Rede Nacional de Observatórios de Imprensa – Renoi [National Network of News Media Observatories]
renoi.blogspot.com

Rede TV de Calidad [Colombian network]
www.comminit.com/es/mainpage/338

World Summit on Media for Children
www.wsmcf.com

Chapter

Policies to incentivize regional and national programming

03

Latin America is marked by different cultures, ethnicities, and accents coexisting across a wide geographic area. To ensure the socialization of children and youth takes into account cultural diversity, individual nations must stimulate the exchange of symbolic content and interaction with issues and discussions associated to the daily lives of the region's different population segments. This requires public policies to promote content in which girls and boys are depicted in their rich diversity.

A significant trend across the region has been the substantial increase in air time for international productions. A particularly noteworthy aspect of this process has been the growing prominence and influence of animations – a category of programming regularly accessed by children and youth – produced by the major international studios.

By contrast, the relatively small volume of domestically produced programming is concentrated almost exclusively in the largest metropolitan areas – a trend criticized by experts who advocate boosting the representation of cultural and regional diversity in individual countries.

With this in mind, a selection of initiatives and experiences to address this issue is offered below. Ensuring the enactment of specific laws and the implementation of initiatives aimed at setting aside space and time for regional and independent productions is critical for stimulate domestic media content capable of competing with the leading international conglomerates.
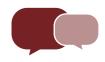
OVERVIEW

MEDIA AND DIVERSITY

In 2005, the United Nations Scientific, Educational, and Cultural Organization (Unesco) approved the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions*,[1] reaffirming the importance of ensuring cultural forms – including media content – are treated as the common heritage of different nations and individual population segments within countries.

Among the document's premises is a call to reflect on globalization and the evolution of communication and information technologies. In Unesco's view, although these innovations have afforded unprecedented opportunities for enhanced interaction between cultures, "They also represent a challenge for cultural diversity, namely in view of risks of imbalances between rich and poor countries."

The concern with stimulating cultural diversity is not recent. Studies in the communication field dating back to the 1970s pointed to the inequality of international information flows as a challenge for the modern world. Among the theories advanced at the time was that the free flow of information would unduly benefit the cultural influence of the developed countries, leading, potentially, to a process of "cultural domination." At the time, the need to formulate national communication policies was identified – including support to alternative forms of communications and the development of local media – as a counterbalance to the "mass media."[a]

More recently, the debate on diversity has reemerged in the face of growing concentration in the global mass media market, as the leading international media conglomerates have extended and consolidated their control over an increasing number of smaller media outlets and organizations. The implementation of regulatory frameworks to address this setting – whether at the international or national levels – is an increasingly complex issue. The regulatory measures enacted by countries face daunting challenges in the effort to define clear limits in connection with the respect for diversity and the unique cultural features of each society.

Yet, the debate on cultural diversity and the media's role should not be considered from a reductive perspective. While the majority of consumers do not have equal access to the global market and most do not have the option to make choices within a media setting marked by infinite possibilities, experts question if in fact the immediate setting is one of "cultural imperialism" – or of direct imposition by the major content producers. According to analysts, this view fails to take into account the diversity and complexity of how children use and interpret the content they receive. For British researcher David Buckingham, children's culture is not characterized by a one-way process of domination, but by unpredictable and mediated relationships between the global and local spheres.[3]

THE GLOBAL COMMUNICATIONS ECONOMY

Experts argue that, far more than an isolated actor, the media is a central cog of the globalization process – reflected in its power to advertise values and accelerate changes and to fuel the process directly through the merger of media groups and the establishment of mega corporations. Today, the seven largest media conglomerates – AOL Time Warner, Viacom, News Corporation, Bertelsmann, Vivendi Universal, Sony, and Walt Disney – control a substantial portion of the global audiovisual segment. In this light, it should come as no surprise that mechanisms to regulate media ownership have emerged as a major issue in regional and global trade negotiations – in particular within the principal global trade forums, including the World Trade Organization.[2]

---

a   This position was expressed most famously in the McBride Report. Published in Portuguese under the title Um Mundo e Muitas Vozes (Editora da Fundação Getúlio Vargas, 1983). The UNESCO sponsored document, originally released in 1980, was drafted by the International Commission for the Study of Communication Problems and chaired by Sean McBride of Ireland. The objective was "to study the totality of communication problems in modern societies," in particular regard to mass media and the international news media through a discussion of issues such as censorship, State monopolies, national communication policies, and the right to communication. The report was not supported by the United States and Great Britain, which withdrew from Unesco in protest in 1984 and 1985, respectively, and only rejoined the organization several years later.

WHY IS THE SUBJECT IMPORTANT?

ONE WORLD, FEW VOICES: NATIONAL PRODUCTIONS IN THE SPOTLIGHT

Current challenges – particularly within the context of the internationalization of culture – include promoting the production of and reserving broadcast time for national content as a counterbalance to the wide dissemination of content from the major producing centers.

The issue takes on greater relevance when viewed from the perspective of children's rights. In an analysis of children's interaction with the media in several countries titled *Perspectivas sobre a criança e a mídia* [Perspectives on Youth and the Media], researchers Catharina Bucht and Cecilia Von Feilitzen found that the quantity and quality of domestic productions are decisive in attracting young audiences: "[...] productions by national broadcasters attract the largest number of viewers, and there is an overall demand for more local programming. However, alternative national productions [...] often do not exist or exist only in small quantities," note the experts.[5]

IDENTITY IN FOCUS: REGIONAL PRODUCTION

As we have seen, a recurring concern in many countries – in the face of the global media market – is to ensure the production of content reflecting the national identity is broadcast to a broad swath of the population, as national content is viewed as an essential cultural form. Therefore, truly plu-

Market concentration

The market for specialized children's TV channels is dominated by Disney (which has a significant share in the adult segment as well, through subsidiaries such as Touchstone and Buena Vista and its controlling interest in ABC), Nickelodeon (owned by Viacom), Cartoon Network (held by AOL Time Warner), and Fox Kids (Murdoch). The four American based companies dominate the children's market: and while they account for more than 30 children's channels distributed across Europe – none has any significant investments in local productions.[4]

IMBALANCE ON DISPLAY

To many experts, a variety of options is the central element needed to strike a balance between exposure to content from around the world and productions that focus on the cultural features of individual nations. "The fact is that audiences rarely have a choice. The majority of countries are overly dependent on imported television programs," say Bucht and Von Feilitzen.

A brief analysis of television programming for children and youth in Brazil reveals the overwhelming predominance of foreign productions, particularly in the animated production segment. A survey by ANDI of the five leading privately owned free to air networks in Brazil (Globo, Record, SBT, Bandeirantes, and Rede TV!) in August 2010 found that of 42 regularly broadcast animations, only one was produced domestically.[*]

Additionally, at the three leading children's networks – Discovery Kids, Cartoon Network, and Disney Channel – a full 97% of the programming was produced abroad and 84% from the United States alone.[**] When children do not watch, for all practical purposes, any national or local productions, socializing them in respect of local cultural specificities becomes far more difficult.[***] From the standpoint of distribution, productions often acclaimed internationally are underrepresented in television programming.

In the view of Alê Machado, president of the Brazilian Film and Animation Association (Associação Brasileira de Cinema de Animação),[****] there is significant creative buoyancy in the country. "Ironically, the related productions receive their exposure at national and international festivals. The shorts produced here have solid international runs. Our participation is significant and we garner numerous awards, but we have not yet secured wide commercial dissemination in movies houses or on Brazilian television. There are some examples, but none that point to the growth of a self-supporting industry," observes Machado.

———————————

[*] The animated series Turma da Mônica, produced by Maurício de Sousa Produções, debuted on Rede Globo in July 2010.
** Survey conducted by the Brazilian Institute for Public Opinion and Statistics (Instituto Brasileiro de Opinião Pública e Estatística – IBOPE) in 2009, published at: www.vcfaz.net.
*** SIMI, Gianlluca. **Freedom na TV**. Available at: www.Observatoriodaimprensa. com.br/news/view/freedom-na-tv. Accessed: September 5, 2011.
**** Shorthand notes. Debate on Bill No. 1821/2003, introduced by Federal Deputy Vicentinho (PT-SP), governing the mandatory broadcast of national animation productions by Brazilian television networks. November 6, 2007.

ralist media should consider specific ways of thinking and acting, models of beauty, the use of idiomatic expressions, and even the accents of particular regions and groups.

In this light, a fundamental element in culturally diverse nations is stimulating regional cultural, artistic and journalistic production and reserving prominent timeslots for their broadcast. Esther Hamburger, a professor at the University of São Paulo (USP), argues that the vertical structure of television in countries such as Brazil replicates the classic film model of Hollywood in place through the late 1940s. Networks produce and distribute the majority of the national content broadcast to the public, severely limiting the opportunities for independent producers. In addition, audiovisual productions outside the major metropolitan centers is extremely weak. According to Hamburger, incentive policies for regional media must consider critical factors, such as:

- Stimulating the diversification of production and the distribution of regionally produced audiovisual works;
- Stimulating independent productions, as well as programs produced by local affiliates of the major networks;
- Guaranteeing the proper training for technical personnel and artists;
- Valuing regional productions, while guaranteeing the inter-regional exhibition of content (that is, ensuring that local content is distributed and aired domestically).[6]

While regional audiovisual productions are central for enriching the representation of a country's diversity, ultimately the quest for quality should always be the determining factor (*for more on this subject, see Chapter 2*). With less access, in general, to financial resources, regional programming frequently promotes violent and sexual content. As such, merely incentivizing regional productions is not sufficient: alternative sources of funding and professional training must be established to enhance the quality of the material produced locally and/or broadcast by networks – indeed, this element should be an integral part of the policies proposed for this area.

INTERNATIONAL EXPERIENCE

HOW DEMOCRACIES PROMOTE NATIONAL AND REGIONAL CONTENT

In democratic countries with significant cultural diversity, incentives to domestic media productions are common. For instance, options exist to strengthen public funding as a strategy to bolster a market decision to promote the production of regional and local programming, in particular content aimed at children and youth[b] (*see report on funding policies in Chapter 2*).

Regional concentration of Brazilian productions

*Produção Regional na TV Aberta Brasileira (*Regional Production on Brazilian Free to Air TV*) a 2009 survey conducted by the Observatório do Direito à Comunicação (Right to Communications Observatory) of 58 broadcasters in 11 state capital cities across Brazil's five regions, generated some rather disconcerting findings: only 10.83% of all programming time is devoted to original local productions. Public broadcasters are more regional in their orientation, while the commercial networks are below the national average, setting aside on the order of 9.14% of their programming schedules for local content.[7]*

The study found that the bulk of the local content identified corresponded to news programming. This was followed by the entertainment category and sport and cultural programs. While entertainment programming was broadcast almost exclusively by commercial networks, cultural productions were broadcast primarily by public television stations.

---

b   The centrality of the funding question raises another important issue in regard to the rights of children and youth: the fact that commercial media products are closely tied to products or advertising directed at this age group (for more on this subject, see Chapter 8).

At the other end of the spectrum, the development of laws and regulations on the minimum percentage of regional and national content in broadcast programming is essential. A Canadian law enacted in 2000 requires that television networks broadcast a minimum of eight hours per week of regional content during prime time. Similarly, since 1999 Australia has mandated that local content occupy 55% of the programming grid, including a minimum percentage during prime time.[8] Other countries, meanwhile, require that broadcasters devote a portion of their programs to local languages – the percentage varies from 25%-50% in countries such as Spain, Portugal, the Netherlands, Greece, France, Norway, Great Britain, and the French Community of Belgium.[9]

Beginning in 1997, the *Rundfunkstaatsvertrag* – an agreement signed by Germany's federal states – established a new regulatory model on broadcasting. As legal scholar Alexandre Ditzel Faraco notes in "Difusão do conhecimento e desenvolvimento: a regulação do setor de radiodifusão ("Dissemination of knowledge and development: regulating the broadcasting sector"), the agreement sets out measures to ensure pluralism in the media. One of these is requiring transmission by the leading broadcasters of independent programming. Independent productions should run at least 260 minutes per week (averaging 37 minutes per day). Of that total, at least 75 minutes should be incorporated in prime time – 7:00 p.m.- 11:30 p.m.[10]

Another notable initiative to regionalize content was implemented in Catalonia – an autonomous region of Spain that maintains a long-standing commitment to preserving its cultural roots. Regulatory activities are pursued by an independent authority, the Consejo Audiovisual de Cataluña – CAC (Audiovisual Council of Catalonia), which exercises jurisdiction over audiovisual service suppliers at the regional and local levels.

The Council is governed by the Ley de Audiovisual de Cataluña (Audiovisual Law of Catalonia – 22/2005), which applies to all sound and image broadcasting activities. The law requires audiovisual communication services distributors to ensure that the majority of channels be made available in Catalan or Aranese (a language spoken in Val d'Aran), to which end public assistance may be secured from the government for this purpose. The regulation further provides that 51% of the programming schedule be set aside for European audiovisual productions (in accordance with European Union directives) and that half of those works be produced in one of the official languages of Catalonia.[c]

With respect to programming for children and youth, some countries require that a specific percentage of the animated programming broadcast by television networks be produced nationally. Italian law mandates that public radio and television licensees must support European programming, including independent productions. Further, service contracts provide for a reserve fund for animated productions – or for the acquisition of independent Italian or European productions – aimed at contributing to the well-rounded education and upbringing of children.

THE EUROPEAN UNION AND PROTECTING NATIONAL CONTENT

The European Union provides a notable example of the effort to promote the dissemination of regionally produced content and measures to strengthen independent productions. Since the late 1980s, a concerted policy has been pursued to value and promote European content and producers through the Television without Frontiers Directive – and the recently approved Audiovisual Media Services Directive of 2007.

The documents restx on two basic principles: the free circulation of European television programs in the internal market and the obligation of television networks to reserve more than half of their broadcast time to European productions. The directive also seeks to address other questions of public interest, such as cultural diversity, the protection of children and youth, and the right of reply.

---

c Law No. 22. 2005. Available at: www.cac.cat/. Accessed: October 29, 2010.

FOCUS ON LATIN AMERICA

BRAZIL

While debate on the issue has been vigorous in recent decades, more than 20 years following passage of the 1988 Federal Constitution a regulation establishing minimum percentages of regional programming has yet to become a reality.

Bill No. 256/91, the most prominent legislative initiative on the regionalization of broadcasting in Brazil, has been stuck in the National Congress for almost 20 years. Drafted by Deputy Jandira Feghali (PCdoB-RJ), the objective of the instrument is to regulate article 221 of the Brazilian Constitution.[d] The proposal centers on measures to ensure radio and television broadcasters devote time and resources to regional programming and, in addition, offer a continuous stream of independent productions. Yet, the bill has languished in the legislature in recent years, as lawmakers have largely neglected and ignored the issue.

The most tangible achievement to date in regard to the establishment of specific quotas for national and independent productions is Law No, 12485/2011, which consolidates the legal guidelines governing Brazilian pay-TV. The new law sets out three types of quotas. The per channel quota requires every channel to broadcast up to 3 ½ hours of regional and national programming each week during prime time, as specified by the Brazilian Film Agency (Agência Nacional do Cinema – ANCINE). Independent productions must make up half of the programming. For purposes of the per package quota, one-third of the channels offered through each package must be Brazilian. Of those, one-third must be independent and two must offer 12 hours per day of independent Brazilian content. The law establishes quotas for news channels: packages with news content must offer at least two different channels to ensure a plurality of information.

BOLIVIA

Recent changes to Bolivian law emphasized important factors in the effort to promote national content and the country's local diversity. Article 107 of the 2009 Bolivian Constitution mandates the importance of the media in promoting the ethical, moral, and civic values of the country's different cultures, in particular the production and broadcast of multilingual educational programs, including alternative forms of language for disabled persons.

In addition, the Ley General de Telecomunicaciones, Tecnologías de Información y Comunicación (General Law of Telecommunications and Information and Communication Technologies) enacted on August 8, 2011, provides that up to 17% of the total distribution of broadcast modulated frequency and analogue television channels at the domestic level must be directed, where possible, to rural indigenous peoples and intercultural and Afro-Bolivian communities – as a measure to expand the diversity of content.

PARAGUAY

The Paraguayan film and audiovisual segment offers an example of a local experience involving support to national programming through a specific fund. The Fondo Municipal de Desarrollo Cinematográfico de la Ciudad de Asunción – Fodecica (Asunción Municipal Film Development Fund) requires movie houses to pay a municipal fee to help promote audiovisual productions.

---

d   In July 2009, the rapporteur of the Committee on Science, Technology, Innovation, Communication, and Computing, Papaléo Paes, submitted a favorable opinion an the bill to the full Senate. The bill now awaits final approval by the body, after which it will be sent to the President for signing.

According to the 2012 Call for Proposals – to select recipient film projects – productions addressing issues relating to national culture, whether historical, documentary, biographical, etc., are given preference. Projects selected through the Fund may be executed in Spanish or Guarani, or both (and may be presented in other languages if accompanied by subtitles in the two principal local languages). A total of 80% of production casts and technical staff must be Paraguayan, while 80% of all filming must take place in Asunción.

CONCLUSION

BETWEEN THE LOCAL AND GLOBAL SPHERES

Despite the difficulties in promoting regional and national programming – in particular through legislative means – the issue has taken on increasing relevance. That said, the discussion on diversity in the face of an expanding global media market is by no means recent or new.

The emergence and dissemination of new information and communication technologies has added additional layers and complexity to the respective challenges. Efforts to preserve and promote local cultural expressions coexist with information flows and media products that reach across the globe – generating, in the words of sociologist Pierre Levy, a planetary and community approach to problems.[11]

In the context of this dynamic and notwithstanding the multiplicity of the solutions and models put forth to date, establishing programming quotas for specific content, in conjunction with tax and financial incentives, has emerged as a promising strategy, which, if effectively coordinated, could contribute to the creation andconsolidation of national and local production systems.

Irrespective of the strategies adopted, the extent to which the issue is essential to the debate on educating and socializing children and youth is clear to of experts in the field. Ultimately, the full development of this segment wuthin a culturally diverse environment should be the primary focus of public communication policies. ∎

REFERENCES

[1] UNESCO. **Convention on the Protection and Promotion of the Diversity of Cultural Expressions**. Available at: unesdoc.unesco.org. Accessed: October 29, 2010.

[2] VIVARTA, Veet (editor) and CANELA, Guilherme (Coordinator). **Mídia e políticas públicas de comunicação**. Brasília: ANDI, Ford Foundation, 2007.

[3,4] BUCKINGHAM, David. Childhood in the Age of Global Media. **Children's Geographies**, V. 5, N. 1-2, 43-54, Fev-Mai 2007.

[5] BUCHT, Catharina; FEILITZEN, Cecília Von. **Perspectivas sobre a criança e a mídia**. Brasília: Editora UNESCO, 2002.

[6] HAMBURGER, Esther. **Observações conceituais sobre a regionalização da televisão no Brasil**. Contributions from participants invited by the commission on the regionalization and quality of programming of the Congressional Committee on Media Affairs in connection with House Bill No. 59 of 2003, drafted by Federal Deputy Jandira Feghali. Brasília, 2004.

[7] VALENTE, Jonas (coordinator). **Produção Regional na TV Aberta Brasileira**. Um estudo em 11 capitais brasileiras. Brasília: Observatório do Direito à Comunicação, 2009.

[8] FILHO, José de Sousa Paz; NAZARENO, Claudio. **Cotas de Programação na Televisão**. Brasília: Biblioteca Digital da Câmara dos Deputados, 2008.

[9] GALVÃO, Alex Patez. **O espaço para a produção audiovisual brasileira independente na TV**. Conselho de Comunicação Social, Brasília, 2004. Lecture. Available at: webthes.senado.gov. br/silo/palestra/CCS20040302-ApresAlexGalvao.pdf. Accessed: October 29, 2010.

[10] FARACO, Alexandre Ditzel. Difusão do conhecimento e desenvolvimento: a regulação do setor de radiodifusão. In: FILHO, Calixto Salomão (coordinator). **Regulação e Desenvolvimento.** São Paulo: Malheiros, 2002, p. 87-123.

[11] LÉVY, Pierre. Cibercultura. São Paulo: Ed. 34, 1999.

Learn more

CAC - Consejo del Audiovisual de Cataluña [Audiovisual Council of Catalonia – Catalonian regulatory authority]
www.cac.cat

Donos da Mídia
www.donosdamidia.com.br

Observatório do Direito à Comunicação [Right to Communication Observatory]
www.direitoacomunicacao.org.br

For the overwhelming majority of children and youth, interaction with media content is a routine everyday activity. We need only observe the extent to which young people's reality and socialization processes are connected to the media – whether through exposure to free to air TV or radio programming, Internet access, or, additionally, in this age of convergence, mobile phones and the related applications.

Through their connection to media – whether analogue or digital, as determined, in large measure, along socioeconomic lines and on the basis of cultural differences – the youngest segments (with or without adult participation or supervision) learn, network, and interact with information, knowledge, and values in a far more open, objective, and direct manner than previous generations. It is through the media that early 21st century children and youth forge ties and spaces to develop identity and a sense of belonging.

In recognizing the centrality of the media, educators and other experts have argued that the participation of boys and girls in producing media content is not only increasingly inevitable, but highly beneficial as well. Moreover, it is a basic right associated to the free expression of ideas and the principles laid out in the UN Convention on the Rights of the Child.

Engaging the segment in the various stages of content production from primary school on can serve as a powerful tool for demystifying the media and expanding social participation, enabling new generations to better understand their times and a historical context defined by an unprecedented audiovisual and digital reality.

This new setting has spurred multiple initiatives, most implemented through civil society organizations dedicated to stimulating the creative use of media by children and youth. Notwithstanding these efforts, however, the consolidation of broader and more systematic public policies and academic studies to effectively address the phenomenon remains a distant goal.

OVERVIEW

THE IMPORTANCE OF PARTICIPATION

We live in an age when children and youth are frequently encouraged to express their opinions, post content and photographs, and participate in social networks, among other forms of interaction with media. This participation, moreover, has grown in step with the dissemination of the Internet and new information and communication technologies.

As the report of the International Clearinghouse on Children, Youth and Media, coordinated by researcher Ulla Carlsson, notes, there is a range of examples throughout the world of media productions developed by children and youth.

> *Nowadays many websites, as well as voluntary and formal organisations, are offering children and young people advice or lessons about how to produce media content – making a short film, setting up a website, etc. There are also several school networks where classes exchange experience online or send 'video letters' about their experiences to other classes in the same or other countries. Moreover, there are quite a number of festivals and awards for short films, videos and websites made by children and young people.[1]*

This profusion of pioneering experiences, as we will see, does not mean that encouraging participation is an inconsequential matter. Recognizing and expanding the voices of children and youth in all media depends on a series of structural conditions and the engagement of a diversity of social actors.

Despite myriad difficulties, experts in the field recognize that participation in creating and producing content – as well as discussing and reflecting on media products – promotes the construction of knowledge and critical, analytical, and investigative skills. According to Márcia Stein, a Brazilian media and education expert, having a command of information and communication technologies and knowing how to produce content translates into the "ability to consciously influence public decisions in society."[2]

In this light, engaging girls and boys in the development of media products represents, an important strategy to draw the segment toward relevant questions on which they can reflect together with adults: enabling them to express opinions on matters affecting them, on the issues they would like to see at the center of the public discussion on the media, and on what they view as the best approaches to those issues. In sum, the respective activities can stimulate the active engagement of this segment in social life as a whole.

INTERACTION WITH MEDIA STRENGTHENS CITIZENSHIP

An examination of the various media projects in which boys and girls are protagonists indicates the existence of a direct relationship between children's participation in the media and in their communities. According to Swedish researcher Cecilia Von Feilitzen, active participation in media production increases children's curiosity, by offering a critical view of the media, enhancing the knowledge of their local communities while spurring social action.[3] To Von Feilitzen, experiences in media participation in more than 50 projects – associated to television, film, radio, Internet, newspapers, magazines, photographs, books – also indicate that:

The Convention on the Rights of the Child and participation

Article 12
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. [...]

Article 13
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. [...]

- Participation **reinforces pride, empowerment, and self-esteem**, to the extent children and youth feel their voices have value, that they belong to a community, that they better understand their own culture, as well as those of others;
- Participation in the media is perceived as something real to them, insofar as the projects are undertaken without adult supervision or control. This spurs **collective action**, including by enabling the use of media to drive improvements in the community life of children;
- Participation in media production is particularly **appropriate to children and youth who do not respond well to the writing culture of traditional schools**. This is also why the activity i a channel for greater social justice.

THE RIGHT TO PARTICIPATION

Stimulating the participation of children and youth in the production of media content is also consistent with the international instruments governing the segment's rights. Articles 12, 13, and 17 of the Convention on the Rights of the Child are critical in this context, as they recognize the need to give voice to children – including through the media.

In a 1996 report on this question, "Children and the media," the United Nations Committee on the Rights of the Child underscored a number of functions the media can play to ensure the Convention's full application – including article 17, which served to expand and broaden the scope of the Convention:

> *The media has an important role in offering children the possibility to express themselves. One of the Convention's principles is that the opinions of children must be heard and taken into account (Article 12). This is also reflected in the articles on freedom of expressions, thought, conscience, and religion (Articles 13 and 14). The essence of these provisions is that children should not only consume information, but participate themselves in the media.*

WHY IS THE SUBJECT IMPORTANT?

STRATEGIES FOR PARTICIPATION

An essential step to stimulate measures and policies capable of promoting the Convention's provisions is to clearly determine the type of participation that is in play. In the case of children and youth, authentic participation should always strive to imbue values and lessons, with a view to ensuring cultural, educational, and citizen education.[4] To this end, sketching a broad outline of this participation is crucial.

At the outset, a distinction must be made between "participation" and "presence." This distinction is essential to evaluate the relevance of a particular experience and the various modalities of children's and youth participation in the media. The significant presence of the segment in the media

– in studios, talk-show audiences, miniseries, and dramas as well as on the other side of the screen (where contact is made directly with direct programming lines or through the Internet) – does not represent effective qualified participation *(for more on this subject, see Chapters 5 and 9).*

At the same time, the means of participation depend on the space in which that participation takes place. There is a vast difference between stimulating participation in production projects tied to schools, such as school radio stations connected to media education programs, and participation on commercial free to air TV networks. In this light, in these pages participation is addressed from a broader perspective, with a view understanding the role and challenges of the different stakeholders in this area, including family members, educators, media professionals, and media organizations.

MAPPING PARTICIPATION

A number of participatory formats involving different degrees of complexity and capable of stimulating, in combination, the expression of children and youth as active content producers are laid out below.

The voice of children and youth: the most common way to strengthen the participation of youth is to provide them with forums through which to express their opinions, including news interviews or segments on entertainment programming. The initiative has been significant in providing opportunities for greater visibility and validation, affirming the potential of young individuals to contribute in their capacity as citizens *(for more on consulting children and youth, see Chapter 5).*

Participation as active viewers: creative content, with relevant subjects that respect the intelligence of girls and boys, can contribute, for example, to their participation as viewers. At the same time, contemporary media (Internet, social networks, mobile phones, and the respective applications) have forged new possibilities for interaction. Nevertheless, the quality of interactive processes is contingent on the consistency of the values underlying the corresponding participatory projects. Often, "normal" studio audiences – as well as telephone and Internet users – adhere to a pre-determined script which does not lend itself to creative expression.

Participation in live auditorium or studio programs: the quality of participation in live auditorium or studio programs is also associated, in large part, to how well production staff and other professionals are trained and prepared. When inviting students from a particular school to participate in a program, for example, producers would be advised to assume responsibility for the process by establishing contact with the school to promote the organization of prior debate on the topics that are to be covered, with a view to enhancing the experience.

Participation on editorial boards: a far more common feature of print media outlets, editorial boards can more easily synchronize the production team with the real needs of the target audience. Generally, editorial boards operate on the basis of meetings in which young people discuss a particular media outlet's content and recommend agenda issues. However, there is no set format for this activity. More experimental and creative approaches may be developed.

Participation in commercial and public broadcasters: although limited by implacable market laws or inflexible programming schedules, some broadcasters have succeeded in promoting – even if for only short periods of time – the participation of children and youth, including youth-produced video programs.

Creative participation: centers on engaging youth in all production stages, from creation to execution. Yet, this does not mean excluding adults from the process. To

the contrary, the interaction between young people and professionals is essential for ensuring the success of projects. While fairly rare, initiatives of this type can add significant value to content by incorporating the genuine language of young audiences, introducing new subjects, and encompassing the cultural, social, and ethnic diversity of the youngest segments.

Vulnerabilities of interaction with the media

It is important that the window of opportunity for more autonomous interaction with the media through information and communication technologies (ICTs) does not obscure the potential pitfalls of this interaction. The first challenge is digital exclusion, reflected in the absence of full access to new media by a significant slice of the youngest population segments (principally in developing countries). Similarly, the use of new media brings risks (cyberbullying, sexting, and others), which have become a source of increasing concern among families, social activists, and public officials (for more on this subject, see Chapter 10).

NEW TECHNOLOGIES LEAD TO NEW SPACES

The degree of participation by children and youth in the production of media content varies significantly – among other factors, it is contingent on individual experiences and social contexts. Yet, on the whole the trend toward expanded access to media content by the general population is undeniable. Despite the persistence of severe social and digital exclusion, the use of new technologies by the youngest population segments continues to increase progressively, especially in major metropolitan areas.

The trend has led experts in the field to dub the new generation of children and youth "digital natives": those who live, think, and act from an audiovisual/digital perspective. The term was first coined by American professor Marc Prensky in a 2001 article titled "Digital Natives, Digital Immigrants." A digital native is someone who was born and raised in close contact with digital technologies, including videogames, the Internet, mobile phones, MP3, iPod, etc.[5]

The majority of these boys and girls never needed to learn how to operate particular technologies; their command over these resources is a natural part of their daily lives. Of those with access to the Internet,[a] whether in school, at home, or in Internet cafés, many, in fact, already have their own personal social networking pages, maintain blogs, and even post videos on platforms such as YouTube shot from their mobile handsets.

With the emergence of new information and communication technologies, however, the very notion of participation must be reconsidered. The French philosopher Pierre Levy, who studies the relationship between the Internet and society, argues that the World Wide Web has ushered in a new age of human communication wholly distinct from classical media. In his view, the traditional "broadcaster – message – receptor" model, characteristic of the mass media, no longer applies. With the advent of the Internet, broadcasters are now receptors and vice-versa. Everyone is a potential content producer and may exercise both roles simultaneously.[6]

CHALLENGES OF PARTICIPATION

While concrete experiences have significantly benefited the interaction between children and youth and media productions, the issue is complicated. First, few research efforts have been undertaken to investigate the impact of media productions on the development of the youngest age groups.

In addition, outside the school environment – where the stimulus to the creation of media content is found with greater frequency in the context

a The number of Brazilian households with Internet accesses stands at only about 16 million, according to the 2009 National Sample Household Survey (Pesquisa Nacional por Amostra de Domicílios – PNAD). Children and youth represent 12% of Brazil's online population, or 4.8 million individual users. Of that total, 60% of children and youth – 6-14 years of age – spend most of their time surfing entertainment, instant messaging, and social networking sites. in addition, may children and youth maintain blogs and post photographs, audio recordings, and videos.

of media education experiences – long-term actions centered on ensuring interaction between girls and boys and media productions are less common.

According to British analyst David Buckingham, relatively few studies have been developed on how young people create media – on new or traditional platforms – in their everyday lives. "There is relatively little research on how young people create media, new or old, in their everyday lives; although (as we shall see in Part Two) there has been some useful research undertaken in educational settings. Paradoxically, there is more research here on new media (particularly the internet) than on older media such as video or analogue radio."[7] Buckingham describes a number of interesting aspects of the research:

> *Even less research seems to have analysed the consequences of children's and young people's production of contents for traditional media – print media, radio, television, film, etc. Scattered studies performed in school settings show that such media work may lead to a better understanding of how media works – but there are also studies indicating that certain media production can be problematic, because of, among other things, lack of appropriate equipment, lack of time, or lack of motivation among children to communicate with people they do not know in projects designed by adults.[8]*

As such, it is essential to invest in permanent evaluation efforts. To Ulla Carlsson, it is important to underscore that not every youth media production initiative is successful – these require, as discussed above, the interest and motivation of participating children, as well as time, adult support, and resources.[9]

SHARED RESPONSIBILITIES: THE STRATEGIC ROLE OF SCHOOLS

Specialists on the "media – youth" interface are unanimous in their belief that schools play a key role in stimulating the production of media content by children and young people. The contemporary view of the role of media education– or educommunication, as it is dubbed by some experts – sustains that the related activities should not be restricted to critical analyses of the media, but should advocate a creative process by which children and youth develop their own content *(for more, see Chapter 1).*

According to British researcher David Buckingham, it is widely accepted by media educators that the experience of media production is valuable both in its own right, as a means of promoting self-expression and communication skills, and also as a way of developing a more in-depth critical understanding. "The emphasis on media production in recent years partly reflects this growing recognition of the importance of more active, open-ended pedagogic approaches [...] It is seen to provide a more participatory, 'hands-on' approach to pedagogy, which students generally find more motivating than approaches based solely on discussion and writing," concludes Buckingham.[10]

The positive relationship between participating in media productions and progress in education has been a frequent subject of research. In her article ("Mídia e Educação") "Media and Education", Regina de Assis argues that media languages can serve as a powerful tool for teachers by introducing concrete or abstract ideas, concepts, theories, and knowledge incorporated in academic curricula in the educational-pedagogical strategies of Brazilian schools. "That is why the relationship between the access to quality media languages as a right – and, by extension, as a duty – in schools, especially public institutions, is so important."[11]

MODELS OF PARTICIPATION

As noted in *Regulation, Awareness, Empowerment*, prepared by the International Clearinghouse on Children, Youth and Media, there are numerous examples around the world of efforts to stimulate the participation of boys and girls in the production of media content. The various initiatives reveal clear differences in regard to the intended target audiences and the available human and financial resources. Similarly, they involve a wide range of media productions, including TV, video, film, radio, Internet, newspapers, magazines, photographs, books, CDs, and other platforms.

> Here one finds, for example, Swedish children making animated films; Austrian children formulating a declaration of what good television is for them; Japanese children sending video letters in English to school classes in other countries; children in Ghana and Spain making radio programmes; Indian working children regularly producing a wall paper on the rights of working children; Australian children making own music and recording it on CDs, as well as writing short stories for a book collection; children and young people producing on the Internet; and much much more.[12]

The methodologies for developing the related products also vary significantly. Yet, the projects all seem to share five basic premises which converge to drive the respective initiatives: education, communication, participation, the context of participating children and youth, and ensuring adults listen to participating children and youth.

The approach has led to pioneering work – most originating from civil society – aimed at stimulating children and youth to produce content and use that content creatively through media, a topic described in greater detail in the pages ahead. Far from representing a comprehensive overview of the field, the examples below are offered as specific examples of models through which to foster the participation of these segments.

GOOD PRACTICES AROUND THE WORLD

There are dozens of initiatives around the world with a primary or at least tangential focus on the media which contribute to promoting the participation of children and youth. A noteworthy example is the LACVOX – Red Regional de Adolescentes Comunicadores (Regional Adolescent Communicators Network), created in 2008 to serve as a regional community aimed at enabling participants to present local initiatives and exchange lessons, life stories, and knowledge on a continuous basis. The flow of information to and from the network is coordinated and facilitated by a focal point located in Unicef's regional office for Latin America and the Caribbean. The content produced by youth participants is disseminated through traditional media and blogs and social networks (Twitter, Facebook, Sonico, etc).

The network is part of a strategy by Unicef and its partners to strengthen the voice of boys, girls, and teenagers, with a view to introducing issues that affect and interest them on the public agenda and pressing for the realiza-

---

THE TRADITION OF CHILDREN'S JOURNALISM

A notable journalism initiative involving children and youth is Children's Express. Founded in the New York in 1975, the project provided training to youth reporters to participate fulltime in the news production process through discussions of the issues they were interested in addressing and by contributing to the verification and editing of stories.

The project soon spread to other American cities, Great Britain, and Japan, generating content that was featured in major newspapers, including the New York Times. The Children's Express also garnered a number of honors, among them a Pulitzer Prize nomination in 1982 and an Emmy Award for the initiative's coverage of the 1988 American presidential election. Although the organization suspended its operations in 2001, the UK office pressed ahead with the effort, renaming itself Headliners in 2007.

WWW.HEADLINERS.ORG

tion and fulfillment of their rights. The right of free expression is deemed an indispensable requirement to empower children and youth and to foster their development, and, in this way, enhance their family, community, and social relationships.

Similarly to Unicef, the United Nations Educational, Scientific, and Cultural Organization (Unesco) has developed new avenues of children and youth participation in content production. In 2005, the institution conducted a survey of good practices in media education production in Latin America. Projects were selected based on their innovative character, the quality of their content, and the capacity of the proposals to interact with the local communities of participating young people. Current good practices on the international front include:

YOUTH VOICES

A digital platform created by Unicef in 1995 for people who want to "know more, do more, and say more about the world." The objective is to disseminate information on issues of global interest to young people, inviting them to express and share their thoughts and opinions. The project is guided by the Convention on the Rights of the Child and centered on topics ranging from education, the environment, and violence and conflict to HIV/AIDS, health, and human rights.
www.unicef.org/voy

GERMANY: *RADIJOJO*

A radio portal produced by children for children. The initiative includes a diversity of content, such as stories, reports, music, photographs, and videos. Children and youth talk about their day-to-day experiences at school, life at home, rights, the environment, sports, music, animals, and more. Anybody may submit content, which is posted in German, English, Spanish, and French. More than 100 countries participate in the initiative.
www.radijojo.de

WEST AFRICA: *KIDS WAVES*

The Kids Waves is a project operated in 11 West African countries: Benin, Burkina Faso, Cameroon, Ghana, Guinea, Guinea Bissau, Mali, Niger, Senegal, Sierra Leone, and Togo. A 30-minute program is broadcast in local languages by children. Every week the program "travels" to a location/city, engaging children in the target communities. Individual programs center on an issue relating to children's rights, underscoring the responsibility of boys and girls and those who have an influence on their lives.
www.plan-childrenmedia.org

AFRICA ANIMATED!

With a view to addressing the absence of local content production, in 2004 Unesco launched Africa Animated!, an initiative that draws together a diversity of cartoons produced on the continent. Young people in Kenya, Tanzania, and Uganda receive training in multimedia animated design techniques, which they then apply to produce their own content. The initiative grew out of a collaboration with specialized partners, including the South African Broadcasting Company (SABC), Union of National Radio

---

ANALYZING PARTICIPATION INITIATIVES

A number of recent works have offered more in-depth analyses of content production initiatives by children and youth. In addition to laying out the experiences of various nations, these efforts strive to describe the tangible outcomes and difficulties of the related practices. They include:

- ***Practices of Youth Participation in Media: a research study on twelve initiatives from around the developing and underdeveloped regions of the world**. Study coordinated by Sanjay Asthana and edited by Unesco in 2006.*

- ***Regulation, Awareness, Empowerment: Young people and harmful media content in the digital age**. 2006 publication edited by Ulla Carlsson and released by the International Clearinghouse on Children, Youth and Media, University of Gothenburg.*

- ***What Works in Youth Media: Case Studies from Around the World**. Book by Sheila Kinkade and Christy Macy for the International Youth Foundation, 2003.*

and Television Organisations of Africa (URTNA), the National Film and Television Institute of Ghana (NAFTI), and the Southern African Broadcasting Association (SABA). **portal.unesco.org**

PROMOTING PARTICIPATION IN LATIN AMERICA

Despite the relevant initiatives launched in various parts of the world to engage children and youth in the production of media content, there have been significant difficulties in implementing this type of initiative.

The United Nations Committee on the Rights of the Child recognizes the vulnerability of the process: "There have been experiments in several countries to develop child-oriented media; some daily newspapers have special pages for children and radio and television programmes also devote special segments for the young audience. Further efforts are, however, needed."[13]

According to Paul David, former secretary of the Committee, the production of content and use of the media by children and youth encounter yet another obstacle: the dearth of specific legislation. "It is rare for countries to have laws on the books guaranteeing access to information and the participation of children in the media," notes David.[14]

Despite these challenges, valuable initiatives are under development in the region. Some of these are described below.

ARGENTINA: *CHICOS.NET*

A project operated by the Chicos.net NGO, throung which Latin American children are invited to write and post comments and analyses on a variety of issues online – from theater and film reviews to their impressions on local problems facing their hometowns. Available and operated on the institution's site since 2002, the initiative draws children and youth from several countries. Registration and participation are free of charge. **www.chicos.net**

BOLIVIA: *RED NINACOM*

The Red Nacional de Niñas, Niños Adolescentes Comunicadores de Bolivia – NINACOM (National Network of Child and Youth Communicators) has gained prominence in Bolivia for developing initiatives to foster participation in media content production. Girls and boys manage and produce two radio programs – *Radar Juvenil* (run by young people 15 years and older) and *La Colmena* (operated by children 8-12 years of age) – through which they express and disseminate their opinions on recent developments in the country. The objective of the project – which involves more than 60 children and youth from around Bolivia – is to provide training in journalism and communication. The initiative is coordinated by the EcoJóvenes – Centro de Educação e Comunicação Jovens Bolívia (Bolivian Center for Youth Education and Communication), a member of the ANDI Latin America Network. **www.ecojovenes.org**

MEXICO: *¡CÁMARA! ÁHI NOS VEMOS*

The program was launched in 2001 as part of an initiative undertaken by Nokia and the International Youth Foundation (IYF). The program is supported and coordinated by the Fundación Vamos (Vamos Foundation), a Mexican NGO. Its primary focus is to offer young people the opportunity to explore a range of topics in connection with educational and social development through video productions. Participants develop practical skills in television and video production, working within their communities to produce documen-

taries and videos on a variety of subjects, including unemployment, corruption, drug use, children's rights, domestic and street violence.
www.comminit.com/la/node/37655

ECUADOR: *RED NNACE*

The NNACE Network is a project run by the Agencia de Comunicación de Niñas, Niños y Adolescentes – ACNNA (Children's Communication Agency) with a view to expanding the opportunities for Ecuadorian children and youth to express themselves through the democratization of media access. Boys and girls produce special reports centered on children's and youth rights, which are broadcast by television networks. Among these is Ecuavisa, which sets aside five programming blocks on its schedule, including one during the network's primetime newscast. ACNNA is part of the ANDI Latin America Network.
www.acnna.ec

BRAZIL: *VIRAÇÃO and REDE JOVEM DE CIDADANIA*

Viração is a communication, education, and social mobilization organization dedicated since 2003 to bringing together teenagers, youth, and educators, which formally became an NGO in 2009. The entity is supported by several partner institutions including Unicef, Unesco, the University of São Paulo Center for Communication and Education, and the ANDI Brazil Network. In addition to publishing *Viração*, the entity's official newsletter, the project offers courses and capacity building workshops in popular communication developed for youth, by youth, and with youth in schools, groups, and communities across Brazil. With a view to publishing the print edition of its magazine and disseminate the Agência Jovem de Notícias (Youth News Agency) (www.agenciajovem.org), youth editorial boards, made up of representatives from public and private schools, projects, and social movements, have been set up in several Brazilian states to collaborate with the NGO.
www.viracao.org

The Rede Jovem de Cidadania (Citizen Youth Network) was founded in 2003. In its first two years, young people from nine areas of Belo Horizonte took part in an intensive training effort, after which they began to serve as correspondents tasked with covering and disseminating initiatives and discussions an their neighborhoods and the city as a whole. Consolidation of the network and supporting partnerships paved the way for implementation of a broader effort in 2005 to promote the access of youth to television. The resulting Associação Imagem Comunitária (Community Image Association) became a magnet for dozens of youth groups, movements, and entities incorporated in the network through specific training and education initiatives.

In 2006, the Conselho de Mídias da Juventude (Youth Media Council) was established in response to the growing demands of participants. Today, approximately 50 community groups and movements participate directly on the Council. Since 2004, the Citizen Youth Network's weekly program has been broadcast on Rede Minas de Televisão. In 2009, the program was picked up by TV Brasil for nationwide broadcast.
www.redejovemdecidadania.aic.org.br

MultiRio

To promote dialogue between children, youth, and adults through the media. This was the objective of the Carta Animada pela Paz (Animated Letter for Peace) project, an initiative undertaken by MultiRio, the Empresa Municipal de Multimeios do Rio de Janeiro (Rio de Janeiro Municipal Multimedia Company), from 2001 through 2007 with students and educators of the Rio de Janeiro school system.

Assigned to produce and critique of animation works, participating children were asked to answer the following question: what would you say if you could talk to the world? The Carta Animada pela Paz became a valvable valuable channel for children subject to the daily scourge of violence and brutality to express themselves.

A total of seven animations were produced, one of which – Paz em Jacarezinho (Peace in Jaqcarezinho), developed by students of the Vinícius de Moraes and Patrice Lumumba Integrated Public Education Centers (CIEPS) in conjunction with MultiRio staff – won Best Animation Film by Children at the 2003 International Animation Festival in Ottawa, Canada.

MULTIRIO.RIO.RJ.GOV.BR

PARTICIPATING IN THE MASS MEDIA

Leveraged by the rise of new technologies, the participation of girls and boys in media production is something traditional media must foster as well.

While privately operated media outlets have identified children and youth as important components of their viewership – and made the segment a primary target of their advertising strategies – investments to allow boys and girls to effectively interact with production teams and engage in the development of media projects, especially children's and youth programming, remain rare. In sum, there is a shortage of sustainable mechanisms for the execution of projects, to the extent the media supply chain – creation, production, distribution, and broadcast – is, as a rule, ill prepared to engage and stimulate participation by the youngest segments, in particular through a developmental/educational approach.

Some of the most productive initiatives in this field have involved establishing youth editorial boards, an effort pursued primarily by print media outlets. By offering young people the opportunity to express opinions and even contribute directly to the development of stories and reports, the boards have the potential to serve as learning and training platforms for journalists and youth alike.

Another key venue for promoting the participation of children and youth is public media – which has the advantage of not being tied to a competitive environment, thereby offering, more opportunities for the implementation of innovative initiatives.

In Brazil, several public broadcasters have been recognized for their children's programming – much of which provides for direct interaction with the target audiences during the production stage. Examples of these efforts are São Paulo's TV Cultura, three-time recipient (1998-2000) of the special International Children's Day of Broadcasting Emmy (ICBD – UNICEF), and a finalist in 2007. The network was recorgnized for its 18 hours of dedicated children's programming on International Children's Day each year. In 2004, Cultura was also honored for its continuing contribution to ICDB and quality children's television in Latin America.

CONCLUSION

THE QUEST FOR PROTAGONISTS

As we have seen, expanding the participation of children and youth in all areas of social life, and in particular at the interface with media, is an idea vigorously backed by the key international legal instruments and one which continues to blossom in man y societies.

For its part, the State can serve as a key catalyst in this context. First, as an agent for the development of priority media education policies – a basic step toward ensuring that the concept of participation is incorporated by society as a whole.

It can also stimulate private organizations to incorporate participation by including this criterion as a condition of government funded productions. The adoption of quotas for national and independent productions represents a significant advance in the effort to strengthen the audiovisual sector. Incentivizing productions that take into account the participation of girls and boys could serve as an opportunity to consolidate these initiatives.

Moreover, strengthening the public media sector could pave the way for innovative initiatives in participation, unconstrained by short-term market concerns.

In the end, the current setting is one in which children and youth are expanding on their exploration of the creative potential of media. While often the initial product may constitute a copy, a reproduction, of ideas disseminated by the cultural industry or the adult world, over time the aesthetic, political, and ethical horizons of media productions by boys and girls tend to expand – other realities, other perspectives, and other models are incorporated, nourished by deeper reflection on what is seen, read, heard, and written. This not only benefits young children and youth, but society as a whole. ■

References

[1, 9, 12] CARLSSON, Ulla (Ed). **Regulation, Awareness, Empowerment** - Young people and harmful media content in the digital age. The International Clearinghouse on Children, Youth and Media; NORDICOM; Gothenburg University, 2006.

[2] STEIN, Marcia. Por dentro dos Meios. In: **Mídia e cidadania**: da recepção à participação. Rio de Janeiro, 2008.

[3] FEILITZEN, Cecilia and CARLSSON, Ulla (organizers). **Children and Media**: Image, Education and Participation. São Paulo: Cortez; Brasília: UNESCO, 2002.

[4] VIVARTA, Veet (coordinator). **Remoto controle**: Linguagem, conteúdo e participação nos programas de televisão para adolescentes. São Paulo: Cortez, 2004.

[5] PRENSKY, Marc. **Digital Natives, Digital Immigrants**. On the Horizon. NCB University Press, Vol. 9 No. 5, 2001.

[6] LEVY, Pierre. **A emergência do ciberespaço e as mutações culturais**. [*The rise of cyberspace and cultural mutations*] Lecture delivered at the Usina Art and Culture Festival. Porto Alegre: October 1994. Available at: www.sescsp.org.br/sesc/images/upload/conferencias/35.rtf. Accessed: September 1, 2011.

[7, 8, 10] BUCKINGHAM, David. **The Media Literacy of Children and Young People**: A review of the research literature on behalf of Ofcom. Londres: Centre for the Study of Children Youth and Media; Ofcom, 2005.

[11] ASSIS, Regina; TAVARES, Marcus. **Nós da Escola, criando mídia e educação**. Rio de Janeiro: Multirio, 2008.

[13] UNICEF. Report on the 11th Period of Sessions, January 1996, CRC/C/50, Anexo IX. In: **Implementation Handbook for the Convention on the Rights of the Child**. Available at: www.unicef.es/sites/www.unicef.en/files/Manual_cdn.pdf. Accessed: September 6, 2011.

[14] DAVID, Paulo. **Children's Rights and Media**: Conciliating Protection and Participation. In: FEILITZEN, Cecilia and CARLSSON, Ulla (organizers). Children and Media: Image, Education and Participation. São Paulo: Cortez; Brasília: UNESCO, 2002.

Learn more

¡Cámara! Áhi nos vemos
www.comminit.com/la/node/37655

Chicos.net
www.chicos.net

Fundação Casa Grande [Casa Grande Foundation]
www.fundacaocasagrande.org.br

Kid Waves
www.plan-childrenmedia.org

MultiRio
www.multirio.rj.gov.br

Núcleo de Comunicação e Educação da USP [University of São Paulo Center for Communication and Education]
www.usp.br/nce

Red NINACOM [NINACOM Network]
www.ecojovenes.org

Red NNACE [NNACE Network]
www.acnna.ec

Rede Jovem de Cidadania [Citizen Youth Network]
www.redejovemdecidadania.aic.org.br

Revistapontocom
www.revistapontocom.org.br

Revista Viração [Viração Magazine]
www.revistaviracao.org.br

Radijojo
www.radijojo.de

The inviolability of the physical, psychic, and moral integrity of children and youth should be ensured by preserving, among other things, their image and identity. This principle applies to the media, which in many countries, is subject to specific regulations, for example, on how boys and girls involved in violations of the law should be protected when covered by the news media. Yet, while monitoring of the media's treatment of children and youth has increased, cases of disrespect and noncompliance with the laws and regulations in force remain widespread.

From an individual perspective, it is important to note that media coverage which humiliates or causes distress and results in negative consequences constitutes a violation of rights, which often re-victimizes and has a lasting impact on the lives of children and youth. In regard to the prevailing conception of children and youth in our society, the manner in which the news and other media content portray girls and boys – often resorting to sensationalism and distortion – contributes to the dissemination of stereotypical representations of these age groups.

To secure progress on this front in Latin America, effective control mechanisms and consistent proposals must be developed capable of supporting the current efforts of government authorities and organized civil society on this front.

Also essential is to work directly with the public to ensure that the protection of children and youth from media exposure is understood as a right to be safeguarded, by parents and guardians, among others, prior to the signing' image use agreements. These authorizations should not and cannot be considered mere bureaucratic exercises – but rather must be viewed as a fundamental protection under law.

The attention given to this important aspect of the news making process is contingent on providing continuous training to journalists. Offering professionals a clearer understanding of what is at stake can help them formulate appropriate solutions for news reports in which children and youth are featured either as supporting or central figures of the events in question.

OVERVIEW

PARTICIPATION VS PROTECTION

The representation of children and youth in media content is a central issue for guaranteeing the rights of this population segment. To be sure, boys and girls occupy a prominent role on television and entertainment programs – in particular those aimed at the respective age groups. For their part, newscasts frequently run reports on a wide variety of issues – schools, fashion, sports, behavior – in which young people narrate their experiences and/or express their opinions. What is important is to put questions relative to the pertinence and quality of their participation in proper perspective.

One end of the issue, therefore, involves a specific guarantee: having a voice, expressing personal opinions, engaging in dialogue with peers and adults, speaking up or disagreeing represent central elements for the exercise of individuality and citizenship, representing essential qualities which must be stimulated. The voice of children and youth should be encouraged on a diversity of questions – including issues not restricted exclusively to children and youth. Discussion and consideration of questions such as the environment, politics, the economy, and the challenges facing the communities in which young people live can be enhanced through incorporation of their views. Participation in the media, therefore, contributes to enriching the social and political spheres by including the realities and viewpoints of children and youth *(for more on participation, see Chapter 4).*

At the other end, however, it is imperative to adopt a wholly distinct perspective where vulnerable girls and boys are concerned. The news coverage – print, broadcast, and online alike – of violations of the law involving individuals in the youngest population segments is riddled with examples of striking errors and improper practices. In exercising its fundamental role to provide information, frequently the news media in fringeson the rights of children by exposing them in an improper and unethical manner.

In stories on a particular range of issues, especially those involving social exclusion, violence, and sexual exploitation, the parameters applied to protect children and youth should be adhered to closely, taking into account the unique development stage of these segments.

In sum, the individual right to expressing opinions and views in the media and, in addition, to participating in the production of media content should be guaranteed. At the same time, media professionals and organizations must observe the limits established in the applicable laws and regulations, with a view to safeguarding the unique features of these age groups. Both of these perspectives are clearly provided for in the UN Convention on the Rights of the Child.

ETHICAL LIMITS IN FOCUS

News content, in particular, offers numerous examples of violations of children's and youth rights, on TV and radio, in the print media, and on Internet sites. While news material intersects directly with the public interest and has a central role in shining a light on pressing social questions, it is equally important that the protection of children and youth be contemplated in news gathering, writing, and editing processes.

The problem takes on even greater urgency when the improper exposure of children and youth is employed as a tool to boost audience share or sales – a phenomenon that requires, the implementation of instruments to prevent abuses and guarantee respect for the girls and boys portrayed in news stories, their wishes and willingn participation, and any potential limits on their ability to handle the situations in question.

This is, in sum, the general international consensus. Driven by this general principle, many countries regulate the media by specifying when and how images may or may not be exhibited (photographs and videos), as well as the appropriate manner for safeguarding the identity of children and youth. Regulating the broadcast of images and the identification of children and youth in no way constitutes prior censorship. Rather, the objective is to ensure the rights of children and youth are protected by combating media abuses committed after the fact.

MEDIA AND SEXUAL EXPLOITATION

"On the one hand, news media tell the stories of abused and abuser, through news reports, photographs, documentaries, and drama. But on the other, they can themselves become the exploiter, by creating sexually provocative images of children in news or advertising, or, at worst, as the vehicle for child pornography, or a source of information for paedophile networks".[1]

AIDAN WHITE, DIRECTOR OF THE ETHICAL JOURNALISM NETWORK

WHY IS THE SUBJECT IMPORTANT?

ANTICIPITATING CONSEQUENCES

The question of the images and identities of children and youth has a variety of facets. The first centers on the full development of the individuals directly involved in published or broadcast content – whether news, entertainment, or advertising. The United Nations Convention on the Rights of the Child and the laws of several countries are clear with respect to the goals of protecting the youngest age groups from depictions which are discriminatory or harmful to their development or personal safety.

⌐ INTERVIEWING CHILDREN ⌐

To provide more qualified coverage of children in the news and ensure that the views of children and youth are incorporated in news reports, the International Federation of Journalists (FIJ) prepared a specific study in partnership with UNICEF on how to take into account the rights of girls and boys and, at the same time, ensure high standards of good journalism. A portion of the report's guidelines refers specifically to interviews conducted with children and youth:

- Interviews with children should, except in exceptional circumstances, always take place with someone acting in the best interests of the child on hand, to protect the child and to call a halt if necessary.
- The interviewer should sit or stand at the same height as the child and not 'talk down,' either literally or metaphorically.
- In the case of radio or television interviews it is essential that the child is relaxed and not distracted or overawed by the camera or technology. This may mean that camera crews have to spend time around children until they stop focusing on the cameras and lights.
- Questions should be directed to the child, not to the adult, and the adult should observe and not intervene—otherwise you get the adult's story, rather than that of the child.
- An interviewer should adopt a calm, friendly and neutral voice and not react with shock or amazement.
- Questions should be clear and straightforward, and should not lead the child. At first ask open questions (so the child is not pressured to respond in any particular way) and then use closed questions to narrow down on facts that you have to check.
- Questions can be repeated in a different form to cross-check that the child has understood and has expressed himself or herself clearly.
- It is better to ask factual questions about what someone said and did, than to ask about how they felt. A child will often reveal, when he or she is comfortable with the interview, how he or she felt, but may be pressured by direct questioning about feelings.
- Wherever possible corroboration should be sought (good practice for all kinds of interviews).
- If interviewing through a translator, care should be taken that the interpreter translates exactly what the child says and does not mediate or summarize answers.

Second, it is important to engage in a broader discussion of how the media portrays children and youth – a question that needs to be contemplated in media policies, but ultimately depends less on specific regulations than on the ethical commitments undertaken by media organizations and the public oversight activities conducted by stakeholders. The absence of children's voices, the broadcast or publication of pejorative terms, the dissemination of stereotypes or depictions that stigmatize this population segment are, sadly, elements found frequently in the media, requiring special attention from all sectors of society.

Moreover, the two issues above are interrelated. Recognition by the media of boys and girls as active subjects and as an absolute priority of public policies can contribute toward ensuring more consistent portrayals of the youngest segments in media content – while preventing, by extension, the violation of their individual rights.

PROTECTING INDIVIDUALS

Media content involving children and youth must not jeopardize their development. Without proper attention and clear parameters, boys and girls may be exposed to demeaning situations with serious and lasting effects – whether when participating in contents and variety shows or when offering their opinions on a news story.

The presence of children and youth in the news is an issue warranting special consideration. When reporting on criminal offenses, infractions, and rights violations involving girls and boys – whether as authors or victims of the respective acts – the media must identify solutions to ensure its role in providing information does not take precedence over the principle of preserving and protecting young people.

Maintaining the identities of children and youth confidential in news stories on violations of the law is an absolute requirement to prevent exposure capable of stigmatizing, stereotyping, and generating bias and the potential to adversely affect the present and future image and reputation of the youngest population segments. Similarly, the same protections and precautions are desirable in the case of children and youth subject to social exclusion, sexual exploitation, and other forms of violence, in order to prevent their re-victimization – whether as a consequence of an interview or through exposure of a young person's image.

As stated by Mário Luiz Ramidoff, a Brazilian prosecutor, public transparency must be delimited

in the public sphere by the words and actions that define the democratic State and the rule of law. "This serves to preserve the human personality of children and youth and the accompanying fundamental individual right, ensuring social exclusion and, by extension, banishment from the community is prevented [...]."[2]

THE REPRESENTATION OF CHILDREN IN THE MEDIA

Beyond the need to protect individual children, it is important to understand that the media's depiction of children has a profound impact on society's attitudes toward the youngest age groups, affecting, in turn, adult behavior.

According to Cecilia Von Feilitzen, scientific coordinator for the International Clearinghouse on Children, Youth, and Media, media content analyses have revealed that the disparate segments of the population are built and represented differently. "A general, repeated pattern in the media output as a whole (thus, not especially in children's programmes, children's books, and the like) is that children are consistently underrepresented. The younger they are, the more invisible they are. Children are not only seen relatively seldom, their voices are also seldom heard. Furthermore, adults in the media quite seldom talk about children."

The researcher also argues that certain social categories of children are shown more rarely than others. "Not only are younger children represented proportionally more seldom than elder children, but there are also fewer girls than boys, and fewer children belonging to the working class, or to ethnic and linguistic minorities, than children belonging to the middle class and to the majority of the population."

One possible interpretation for these recurring patterns is that the culture in which the media operates reflects a particular social hierarchy of power, as well as the cultural weight and value of different population groups. "The fact that children (like women, elderly, persons in low-wage occupations, ethnic minorities) appear and are portrayed more seldom in the media than men in middle class occupations, may thus be regarded as an indication of the fact that less frequently portrayed groups in many respects are attributed a lower value, and that the media therefore give expression to, and exercise, a form of symbolical violence or cultural oppression," asserts Von Feilitzen.[3]

┌───┐

Parameters for covering sexual violence

The ethical challenges and technical recommendations for reporting on complex issues, such as the sexual exploitation of children and youth, were the focus of *Concurso Tim Lopes de jornalismo investigativo: A atuação da imprensa brasileira no enfrentamento da violência sexual contra crianças e adolescents* (The Tim Lopes Contest – A case study on the work of the news media in confronting sexual violence against children) prepared by ANDI with the support of Childhood Brazil. The publication offers a number of guidelines for covering the stories involving children and youth, including:

- Children should not be the object of vulgar or erotic depictions, even when facial images are not shown;
- Black bands and checkered images of faces are directly associated with illegality and crime. The use of these techniques is not recommended;
- Banal and commonplace images should be avoided, including dolls or teddy bears. Photographing or filming hands, feet, and other physical details (provided they are not connected to erotic situations) may serve a valid purpose. Note: objects (including an interview subject's mobile phone, backpack, notebook, and other belongings) may be suggestive of age and indirectly enable identification of the source;
- Shadows pose a danger because they may facilitate identification. Where employed, shadows should be reflected off of water or uneven walls or glass to distort the image;
- Silhouettes can also lead to identification. They should be used with caution and care to ensure they achieve the desired objective of protecting the individual's identity;
- Locations are easily recognized as well. Therefore, images should not be recorded near the homes of or places frequented by sources;
- Voices, when recorded, should be distorted prior to broadcast on radio or television.[4]

└───┘

INTERNATIONAL EXPERIENCE

LAWS TO PRESERVE THE INDIVIDUAL'S IMAGE

In its capacity as the guiding document on the promotion of children's rights, the United Nations Convention on the Rights of the Child clearly seeks to protect the privacy of this segment in all spheres of social life, as reflected in Article 16:

1. *No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, or correspondence, nor to unlawful 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.*

In addressing cases of the infringement of penal law, Article 40 of the Convention mandates that State Parties must at all stages of proceedings respect the privacy of children accused of violations of the law.

Article 17 of the Convention, meanwhile, underscores the role of the media. It was clear to the drafters that – as is the case with human rights in general – the press and other media spaces play a vital role in promoting and protecting individual rights, including by monitoring violations and the measures undertaken by individual governments.

This understanding of the media's role is reflected in the guidelines approved by the Committee on the Rights of the Child on children and the media,[a] which stresses that States should execute positive agreements with media organizations in an effort to protect children against harmful influences. Similarly, countries should collect and evaluate initiatives on the introduction of ethical standards and voluntary mechanisms to pro-

---

a   General debate of the Committee on the Rights of the Child on " Children and the media". www.cimacnoticias.com.mx/especiales/amndi/instrumentos_inter/observaciongral12.pdf.

mote the respect for rights by the media. This should involve analysis of the effectiveness of codes of conduct, professional guidelines, news media boards, ombudsman units, and related bodies.

HOW SOME COUNTRIES REGULATE THE BROADCAST OF IMAGES

Regulations governing the broadcast or publication of the image and identity of children, in particular those involved in violations of law, occupy a prominent role in the laws enacted to protect the rights of the youngest age groups.

In contrast to other aspects relating to the "children and media" interface, the regulation of this type of content is quite prevalent in the media laws currently in effect. A 2008 study by ANDI and the ANDI Latin America Network found that in the region's 14 countries domestic regulations restricting, in specific cases, the broadcast or publication of the image and identity of children were identified.[5]

In the majority of these countries, preserving the image and/or identity of vulnerable children, such as those involved in violations of the law, is a central concern. An example is Uruguay's Código de la Niñez y la Adolescencia (Children's Code),[b] article 11 of which guarantees the right to privacy, ensured through a ban on the use of images and information capable of harming children.

Some countries have introduced broader and more restrictive provisions, among them Ecuador, which prohibits children from participating in programs, advertisements, and productions containing content which is either inappropriate for their age or of a political or religious nature. The instrument further provides that broadcast or published images must be authorized by the individual, if 15 years of age or older, or the respective legal guardian, if under the age of 15.[c]

In some cases, the issue is incorporated directly in the applicable media laws – such as Chile and Argentina. In Chile, the Normas Generales sobre Contenidos de las Emisiones de Televisión (General Standards on Broadcast Television Content) prohibit the participation of children in programs containing extreme violence or cruelty, explicit sexual content, or inappropriate conduct for that age group. For its part, the Ley de la Prensa (Press Law) bars the dissemination of the identity of children who commit, serve as accessories to, or witness violations of the law.[d]

In Argentina, the Ley de Medios Audiovisuales (Audiovisual Media Law) required the regulatory authority to establish the Consejo Asesor del Audiovisual y la Infancia (Audiovisual and Children's Advisory Board). The law further mandates that the Board be "multidisciplinary, pluralistic, composed of experts and social organizations with recognized experience in the field, and include youth representatives." Among the Board's duties is the determination of criteria and analytical tools to specify recommended and inappropriate content for children and youth.[e]

Catalonian regulatory authority mandates protection for children

Another valuable example of a regulatory initiative designed to protect the identity and image of children hails from Catalonia. Article 81 of the region's Ley de Medios Audiovisuales (Audiovisual Media Law)* bars audiovisual media service providers from broadcasting the name or image of children and youth, or any other information capable of enabling their identification, irrespective of the express consent of parents or legal guardians, in those cases in which their honor, privacy, or image may be affected. Specifically, the norm prohibits broadcast images in which boys or girls appear or may appear as victims, witnesses, or defendants in connection with violations of the law. Moreover, the Law forbids the dissemination of information on the biological parents of foster or adopted children and youth.

* Law No. 222005 Available at: www.cac.cat/. Accessed: October 29, 2010.

b Law No. 17823. 2004. Available at: estudionotarialmachado.com/descargas/CODIGO%20DE%20LA%20NINEZ%20Y%20LA%20ADOLESCENCIA.pdf. Accessed: september 6, 2011.

c Law No. 2002-100, R.O 737. 2003.

d Law No. 19733. 2001 Available at: www.leychile.cl/Navegar?idNorma=186049. Accessed: September 8, 2011.

e Law No. 26522. 2009 Available at: www.comfer.gov.ar/reglamentacion/?p=10. Accessed: September 8, 2011.

BRAZIL AND THE CHILD AND ADOLESCENT BILL OF RIGHTS

The reestablishment of democratic governance in Brazil in the late 1980s paved the way for the consolidation of a legal framework adapted to the view of children and youth as individuals with rights. Some of the groundbreaking provisions of the 1990 (Estatuto da Criança e do Adolescente – ECA) Child and Adolescent Bill of Rights applied specifically to the media, which was obligated from that point to act on the basis of ethical principles and the limits set forth in the new law. The most important reference to the broadcast or publication of the image or identity of children and youth is set out in Article 17:

The right to respect consists in the inviolability of the physical, psychic, and moral welfare of the child and adolescent, encompassing the preservation of his or her image, identity, autonomy, values, ideas, and beliefs, spaces, and personal objects.

Article 18 reinforces the provision above:

All people have the duty to safeguard the dignity of the child and adolescent, protecting them from any inhuman, violent, frightening, malicious, or denigrating treatment.

Protecting the image of children and youth – a direct product of the right to the individual's image provided for in the Brazilian Federal Constitution – must be ensured by the respective legal representatives, who are responsible for signing any and all image use authorizations. "Abuses, nonetheless, constitute administrative violations and proceedings may be brought by the Office of the Public Prosecutor or the pertinent Guidance Council (Conselho Tutelar – government bodies tasked with receiving and referring complaints in connection with the violation of children's rights), or by means of a Notice of Infraction, as provided for in article 194," noted Murilo Digiácomo, a prosecutor at the Operational Support Center of the Paraná State Attorneys' Office for Child and Youth Affairs (Centro de Apoio Operacional das Promotorias da Criança e do Adolescente do Estado do Paraná - CAOPCA), in an interview for this publication. Moreover, in the event of violations legal guardians may file civil damage suits.

The only circumstance clearly provided for by law regards the involvement of young people in violations of the law – however, the media often engages in abuses even when covering stories of this nature. In the coverage of more subtle violations, such as re-victimization and humiliation, as of yet no clear parameters to govern the news making process or specific penalties in the case of violations have been established

Article 143, sole paragraph, of the ECA protects the image and identity of children and adolescents involved in violations of the law:

News report on a given incident may not identify the child or adolescent in question, to which end all photographs are prohibited, as well as any references to his or her name, nickname, parents, relatives, residence, and, in addition, initials and last name.

The sanctions provided for in the Child and Adolescent Bill of Rights include fines of three to twenty minimum monthly reference salaries, which may be doubled in the case of a repeat offense, and, finally, interdiction or seizure of the publication. Images of a sexual nature are addressed in Articles 240 and 241. Questions relating to adoption require extreme caution to safeguard confidentiality.

SOCIETY IN ACTION: ACTIVITIES OF THE ANDI LATIN AMERICA NETWORK

To stimulate the promotion and protection of children's rights, dialogue with the media is of fundamental importance.

A notable example involves the efforts of ANDI, the ANDI Brazil Network, and the ANDI Latin America Network to develop strategies to mobilize newsrooms on coverage of children and youth, monitor and analyze news reporting, and enhance the work of media professionals and sources of information with respect to the treatment given to the subject.

A study conducted by ANDI and the ANDI Latin America Network evaluated the news coverage of children in 12 countries in the period 2005-2007. A total of 795,765 stories published in 130 newspapers were reviewed. The data revealed an increase in the number of stories run in each daily from 2005 to 2007. In 2005, an average of 1,961 stories were published. In 2006 and 2007, the total was 2,372 and 2,180 stories, respectively. The data collected in Brazil – with the region's longest running monitoring effort – also indicated a substantial increase in the number of news reports on the rights of children and youth in 45 news dailies: from 10,540 in 1996 to 136,500 in 2009.

While the increase in the number of published stories has been significant, the studies indicate that the coverage has failed to emphasize, as it should, the need to oversee and monitor State policies and advocate more inclusive development.

In addition, the Latin American news media does not yet offer an authentic plurality of opinions, a fundamental component of good journalism. This shortcoming is reflected in the scarcity of sources consulted for each story: the average ranged from 1.26 (in 2005) to 1.28 (in 2007).[6]

Another subject requiring better coverage is Violence. In stories on the issue, focus on crime scenes prevailed over discussion of the causes and solutions to the problem. In 2007 the references to initiatives implemented or debated by the government exceed 2% of all stories, in only 4 of the 12 survey countries, . Also of note in the coverage of Violence was the frequency with which pejorative terms were used. In the survey period, one out of every three stories on children and violence employed a pejorative expression – indicating the news media's lack of care when referring to children and youth victimized by or involved in violence.

With regard to the primary sources of information consulted, disproportionate space was given to law enforcement. The majority of inquiries to State actors were directed to members of public safety/security institutions – a sign that cases of violence against children continue to be analyzed from the limited perspective of legal transgressions or criminality. In 2005, law enforcement was referenced in 28.8% of news stories on Violence against 34.1% in 2006 and 32.5% in 2007.

Child constructions

"Even though every single media representation of children is unique with characteristics of its own, even though every single programme, book, or article may have benevolent purposes, the goals and policy of the media, the cultural climate, and the function of children in society are factors that essentially shape the recurrent, repeated child patterns in the media. The over-emphasis of children in violent and crime contexts in the news, and the over-emphasis of the innocent, good child in the advertisements, indicate that the child constructions tend to be even more distorted in purely commercial media."[7]

Cecilia Von Feilitzen, researcher at the International Clearinghouse on Children, Youth, and Media, a Unesco supported research center

CONCLUSION

SHARED RESPONSIBILITIES

In sum, countries should develop more effective legal and regulatory instruments to protect the identity, individuality, and privacy of boys and girls – which not only encompass cases involving violations of the law, but are also applicable to other sensitive or potentially harmful situations.

At the same time, strategies to enhance the work of media professionals in regard to the rights of children and youth need to be diversified and disseminated – by universities, research institutes, civil society entities, trade associations, and media organizations. The focus should be on fostering greater understanding of the key questions in this field and promoting consensus on the parameters for the responsible and ethical broadcasting or publication of images of children and youth.

Similarly, good practices of corporate social responsibility by media organizations which contribute to the fulfillment of educational, artistic, cultural, and informational ends and avoid sensationalism and the improper exposure of children and youth should be recognized. Conferring on these initiatives proper recognition can contribute to the development of successful models and ethical conduct, which themselves can then serve as valuable references moving forward.

In addition, civil society organizations should be given a central role to ensure effective monitoring and analysis of the content broadcast on the diversity of media platforms. When implemented systematically, these initiatives can serve as a first step in the dialogue between society and the media. The consolidation of specialized organizations and Media Observatory Networks in Latin America constitutes an important and consistent trend in this direction. ∎

REFERENCES

[1] MCINTYRE, Peter. **Putting Children in the Right** – Guidelines for Journalists. International Federation of Journalists with the support of the European Commission. Brussels, Belgium. January 2002. Available at: www.ifj.org. Accessed: June 10, 2011.

[2] RAMIDOFF, Mário Luiz. **Preservação da Identidade da Criança e do Adolescente Infrator**. BDJur, Brasília, DF. Available at: bdjur.stj.gov.br/dspace/handle/2011/9699. Accessed: June 10, 2011.

[3, 7] CARLSON, Ulla and FEILITZEN, Cecilia von (organizers) **Children and Media**: Image, Education, Participation. SP: Cortez, Brasília: UNESCO, 2002. Available at: unesdoc.unesco.org. Accessed: October 29, 2010.

[4] ANDI and Childhood Brasil. **Concurso Tim Lopes de jornalismo investigativo**: A atuação da imprensa brasileira no enfrentamento da violência sexual contra crianças e adolescentes. Brasília: ANDI, 2006. Available at: www.andi.org.br. Accessed: June 10, 2011.

[5] ANDI; REDE ANDI AMÉRICA LATINA, SAVE THE CHILDREN SUÉCIA. **Regulação de Mídia e Direitos das Crianças e Adolescentes**: Uma Análise do Marco Legal de 14 Países Latino-americanos, sob a Perspectiva da Promoção e Proteção. Brasília: ANDI, 2008. Available at: www.andi.org.br. Accessed: June 10, 2011.

[6] CANELA, Guilherme (organizer). **Políticas públicas sociais e os desafios para o jornalismo**. São Paulo: ANDI, Cortez, 2008.

LEARN MORE

ANDI – Communication and Rights
www.andi.org.br

International Federation of Journalists
www.ifj.org

Chapter

Systematic evaluation of the impact of audiovisual content

06

An essential element in implementing communications policies that are consistent with the full development of children involves the performance of systematic and in-depth studies on the subject. Investing in the production of knowledge on the effects and consequences of this segment's interaction with the media has been an ongoing pursuit of regulators and experts in a number of countries.

However, it is important to keep in mind that this interaction is highly complex and should not be analyzed from the narrow perspective of good and bad. In addition, overly simplistic approaches on the potential impacts, through which children and youth are characterized as inert subjects, should be avoided.

In the current context, one in which beyond traditional media (such as TV and film) new information and communication technologies have emerged to offer innovative methods of social interaction with media equipment and content, two complementary requirements have taken shape: first, the need to determine rules on the broadcasting of content with the potential to cause harm to the full development of children, a process which should be founded on quality guidelines; second, the need to ensure good content for children is regulated and incentivized broadly. In both cases, significant progress will depend, above all, on qualified contributions capable of informing and enhancing decision-making processes.

In this light, it is essential to give more substantive consideration to funding for medium- and long-term studies, as a means to provide a better overview of the impact of interaction with the media and effective contributions for the formulation of public policies capable of preventing negative effects and leveraging the benefits offered by media content.

In many parts of the world, as we will see below, regulatory authorities, universities, and research institutes conduct analyses in this field, with a view to understanding the impact of media on society and the types of relationships established with specific segments of the public (in particular children and youth). Strengthening regulatory measures and policies, therefore, requires outlining clear goals.

OVERVIEW

THE MEDIA IN OUR LIVES

The growth of the cultural industry, its increased pervasiveness in the lives of people, and the diversification of media were signature features of the 20th century, giving rise as far back as the 1930s to a new academic discipline in the human and social sciences: media studies. More recently, the trend toward media globalization and the development of new information and communication technologies have provided further evidence that this process is a critical component for understanding contemporary society.

Since the field's inception, there has been vigorous debate on the potential harmful effects of the media on children and youth – a concern, in fact, that precedes the rise of the mass media. From the time societies and governments first began warning of the risks of everyday interaction with the media, empirical studies offering in-depth analyses on this question started to appear as well.

The key point here is not to formulate a definitive conclusion – for example, defining the media as wholly beneficial or prejudicial to the development of girls and boys. To be sure, the relationship between children and the media and the impact on their development are shaped by a broad social context. Specifically, the relationship is influenced, among other aspects, by the lifestyles, socioeconomic conditions, or schooling levels of individual families and their children. In this light, it is important to avoid Manichaean approaches.

THE CHALLENGES OF REGULATING MEDIA CONTENT

In *Regulação de Mídia e Direitos das Crianças e Adolescentes: uma análise do marco legal de 14 países latino-americanos, sob a perspectiva da promoção e proteção* (Regulating the Media and the Rights of the Child: An analysis of the legal frameworks in 14 Latin American countries from a rights promotion and protection perspective), Brazilian political scientist Guilherme Canela sets out six key themes in connection with the media's effect on the lives of children and youth:

- *We cannot read, analyze, and understand the potential of the media's relationship with children and youth solely on the basis of the attendant negative or positive consequences. While the media can veer toward either extremes, it can also have no impact whatsoever;*
- *If we accept that the media has positive effects, we are compelled to accept that it also must have negative consequences (and vice-versa). It would be illogical to defend only one of the two extremes;*
- *It would also be illogical to demand regulation to stimulate – promote – potential positive effects (funds for specific type of programming, for example) and not demand regulation to restrict – prevent – potentially negative consequences (regulation of broadcast times for specific content, for instance) and vice-versa;*

PROMOTION AND PROTECTION

Following emergence of the principle of children's rights, primarily at the end of the last century – as consolidated in the 1989 Convention on the Rights of the Child – the concept of protection from the potentially harmful effects of media content (violence, for example), in addition to the view that the production and airing of content that fosters the full development of boys and girls, gained increasing prominence within legal systems (for more on this topic, see Chapter 2).

- *The media, as other socialization agents, cannot be analyzed in isolation. The type of effects it produces result from its actions, as well as those of families, schools, religion, in short, the social context as a whole;*
- *By the same token, the argument that every study must necessarily include all of these elements or that regulations may not concentrate on just one of these is equally flawed. Developing a profile for the specific source underlying each effect is both possible and desirable;*
- *Finally, in all cases we are dealing with probabilities. The analysis of each situation may or may not demonstrate the trends identified in the research. In this light, it behooves us to proceed on the basis of risks and potential effects, rather than certainties.[1]*

POTENTIAL NEGATIVE IMPACTS

Traditionally, the violence portrayed in the media has been highlighted as one of the major potential sources of harm to the development of children and youth. Of equal concern have been questions relating to sexuality, content that depicts drug use, and the possible negative impact of advertising. From a review of the literature in this area, in particular the field of Psychology, we can list some potential negative effects which have been the subject of substantive scientific debate:

- Harm associated to violent content (such as imitating aggression and anti-social behavior, insensitivity, and fear);
- Harm associated with sexual content (such as imitating unsafe and promiscuous sexual practices, arousal, shock, repulsion);
- Harm associated with exposure to advertising (lack of understanding of the format, as well as the stimulus to consumerism and materialism);
- Harm associated with inappropriate or unwanted contact (for example, bullying);
- Relationship to health (for example, content that depicts drug use);
- Changes in eating habits (related to obesity and eating disorders);
- Personality disorders in general (such as low self-esteem, confusion with respect to identity, and alienation);
- Physical effects from overuse (for example, vision problems caused by computer use);
- Reduced ability of children to imagine;
- Physical and mental development and disorders such as attention deficit and hyperactivity;
- Insomnia and other behavioral problems;
- Reduced family or peer interaction;
- Reduced learning or reading levels;
- Reinforcement of improper values, attitudes, or beliefs (for example, in relation to gender issues or ethnic and racial stereotypes).[2]

As professor David Buckingham and his colleagues at the Centre for the Study of Children, Youth and Media at the University of London note,[3] analysis of the potential negative effects of the media can be addressed in a variety of ways. While some effects are related to specific content, others involve the use of media in general. And whereas some impacts are direct and temporary, others manifest themselves indirectly over the long term. By the same token, certain effects relate to behaviors, while others are connected to attitudes or emotional reactions. "It is vital to make distinctions between these different types of effects, although they are frequently confused in the public debate".

BENEFITS OF THE MEDIA

In looking at the investigations into the media's potential impact on the development of children, there is a substantial body of analyses indicating that contact with the media generates positive results – generally tied to the media's role as an educational instrument.

An example is provided in *Children's learning from educational television: Sesame Street and beyond* by Shalom M. Fisch, president of Media Kids Research & Consulting, which reports: "More than one thousand studies examined Sesame Street and its power in areas like literacy, number skills, and promoting important behaviors for sociability."[4]

There is, as such, a consolidated field of research which has found that the relationship with the media brings benefits. In the view of professor Regina de Assis, a member of the Board of the World Summit on Media for Children Foundation, indiscriminate access to media languages and frequent media use are a source of bewilderment – and, often, alarm – for parents and educators, whether due to the consequences of the exposure of children and youth to the effects of advertising, films, dramas, series, and sites or to the impossibility of ensuring qualified access. "However what many consider a problem has its virtuous side when well conceived and managed," she argues.[5] In the expert's view, the interaction of media languages with pedagogical practices in schools can serve to substantially leverage and democratize knowledge and value formation. It can also spur learning, teamwork, and research – factors Regina de Assis deems essential for greater citizen participation.

Additionally, according to *Remoto Controle: Linguagem, Conteúdo e Participação nos Programas de Televisão para Adolescentes* (Remote Control: Language, Content, and Participation in Television Programs for Adolescents), published by ANDI in 2004, TV offers countless possibilities for contributing in a consistent and positive manner to the full development of children and youth.

Leading figures in the study of media and communications in Latin America cited in the publication, including Jesus Martin-Barbero, Guillermo Orozco, and Roxana Morduchowicz, note that the potential of TV to contribute to positive socialization is an inherent aspect of the relationship of children and youth to the medium. Further, for TV to have a positive impact on the socialization of these segments specifically structured educational programming is not an *a priori* requirement.

This is also the view of Claudemir Viana, a Brazilian researcher at the University of São Paulo School of Communication and the Arts (ECA/USP), who argues that children must be understood as historical figures that interact with the world around them. Children redefine media content based on their reality – that is, it is a mistake to consider them wholly incapable individuals, blank slates, sponges. In an interview for *Classificação Indicativa: Construindo a Cidadania na Tela de Tevê* (TV Ratings: Building Citizenship on the Small Screen), the researcher argues that society has a hard time understanding that children have their own way of expressing themselves, one capable of fostering productive interaction with media content.[7]

METHODOLOGIES IN FOCUS

While the research on the effects of the media – a direct outgrowth of a tradition emanating from the United States – has played an important role in the emergence and consolidation of studies on the mass media, a vigorous debate has given rise more recently to new perspectives framed by researchers interested in the complementary influence of different social factors.

In *Studying Media Effects on Children and Youth: Improving Methods and Measures*, a report by the National Academy of Sciences of the United States, report chair Alexandra Beatty notes, based on the statements of other researchers, that various analysis methods and theories have come under scrutiny in recent times. Some researchers have gone so far as to argue that the methods most commonly applied to the related question are, as a rule, inadequate.[8]

British researcher David Buckingham calls attention to the importance of the research emanating from the Cultural Studies field – a prominent approach adopted in Europe. Specifically, researchers seek to understand the role of the media in the light of a series of factors relating to the lives of young people, instead of looking at the issue simply from the standpoint of "cause" and "effect."

Culturalists argue that traditional research on effects implicitly defines viewers as passive victims of the media and that, as such, segments of the viewing public are stigmatized by these analyses. In the case of children, the trend manifests itself, according to some branches of psychology, by identification of what is lacking (the typical reasoning of adults). "Children are thereby defined in terms of what they cannot do, rather than what they can; and in the process, researchers typically fail to see issues from children's own perspectives," says Buckingham.[9]

Media and education

There is a growing interest in the potential role of media literacy, as it is dubbed, to serve as a strategy to overcome the impasse described in this chapter, by educating children and youth on the possible risks of approaching the media from a passive perspective. It is important to bear in mind, however, that media education is not an alternative to regulation, but part of a broader strategy involving government, parents, educators, and media organizations themselves (for more on this subject, see Chapter 1).

WHY IS THE SUBJECT IMPORTANT?

RESEARCH AND PUBLIC POLICY

As regulatory authorities have been called on increasingly to take technical decisions on the appropriateness of specific content, the sheer complexity of ensuring effective oversight of audiovisual media has become abundantly clear – leading to the need for in-depth and analysis of the media and its effects.

On the one hand, authorities need to ensure compliance with a series of laws and regulations on advertising time, the identification of programs, and broadcast times. But they must also know more about what is actually going on: "what children prefer, how programming influences their minds and develops their addiction to screens, when violence goes too far, what pornography is, the moral and immoral, or amoral, values are imparted by children's programmes, what identities are fostered, and a host of other questions that experts in education and communication have been posing for many years now," argues Spanish professor Victoria Camps.[10] As such, the challenge is not simple.

Similarly, Alexandra Beatty contends in the National Academy of Sciences report that the limitations of the evidence regarding the harm and benefits of interaction with the media have an impact on regulatory policies. The work of the regulator is made all the more arduous in the absence of solid and clear bases on which to ground his or her decisions.

In David Buckingham's view, the primary challenge when applying the research to policy initiatives is to strike a balance between potential harm and benefits:

"The evidence from the research on the effects of the media does not by itself provide a sufficiently sold and clear basis for regulatory policies. However, the research offers some clear indications on the potential harms and benefits which may be applicable to some young people in certain circumstance. The challenge is to apply the research to public policies and balance the potential harms and potential benefits, recognizing that both tend to be overestimated. It is important that children be protected, but not over protected, in order to ensure they are not kept from taking advantage of the potential benefits of the media."

THE RAZOR'S EDGE OF REGULATION

The pages that follow offer a brief description of content that is frequently at the center of concern in the debate on media regulation and the rights of children and youth – based on the potential impact that content has on the full development of girls and boys.

SEXUALITY

Many societies, including Latin American societies, adhere to an ethical and moral position that must be respected: the overarching concern with delaying the access of children and youth to content depicting nudity and sexuality. The scope of the specific restrictions varies from culture to culture: while some societies adopt more tolerant standards in regard to sexually explicit material in audiovisual works, others impose stricter regulatory parameters.

In *Por que a publicidade faz mal para as crianças* (Why advertising is harmful to children),[11] the ALANA Institute contends that the majority of children, according to psycho-analytical theory, enter a latency stage, extending from late childhood through puberty. "Occurring at just the right time, this stage is marked by the temporary repression of desires the child is not yet capable of understanding or managing due to his or her physical and mental immaturity."[a]

From the evidence in the literature, political scientist Guilherme Canela emphasizes some of the major impacts of the media on the sexuality of girls and boys: "It is likely, for example, that the exposure to sexual themes on TV which center consistently on the objectification of women has a negative impact – or, at least, one lacking the desired pluralism – for the development of children and youth," he argues.[12] The author also recognizes the effects of the depictions of sexual behaviors associated to particular risks, such as sexually transmitted diseases; the interpretation of sex as something beyond mere casual encounters; or the over-valuing of body and image.

Similarly, in *Watching sex on television predicts adolescent initiation of sexual behavior*, Doctor Rebecca L. Collings offers an in-depth analysis of the issue, finding "sub-

a   "It is in this period that children direct their sexual energy to socialization and learning, in addition to representing an optimal time for reaching genital maturity and building psychic barriers to help children restrain and manage their sexual feelings later. However, the latency stage is like a light sleep, from which children can be awakened early, if exposed to inappropriate messages for their age. For this reason, stimuli of an erotic nature prior to the conclusion of this process may lead to a variety of disorders." Why advertising is harmful to children.

stantial associations between the amount of sexual content viewed by adolescents and advances in their sexual behavior during the subsequent year."[13] The study concluded that elevated levels of sexual content doubled the probability of the individual initiating sexual relations the following year.

Other studies have focused on the impact of the exposure to sexual content, drawing a connection between that exposure and early sexual activity, as well as risk behaviors. In *Children, adolescents and the media*, American researchers Victor Strasburger, Barbara J. Wilson, and Amy B. Jordan associate high teenage pregnancy rates in the United States to the exposure of teens to content with a sexual connotation.

In their view, children are more susceptible to violence and teenagers, to sexuality – as individuals in these stages of life are forming identities and trying on different social masks. Through this process, media actors and other personalities become behavioral models.[14]

VIOLENCE

When considering the impact of violence in the media, it is important to keep in mind that not all violent content has the same potential to generate negative effects. For example, fairytales employ conflict situations, many of which are violent. The key problem, according to experts, involves situations in which violence is glamorized or normalized.[b]

Guilherme Canela concludes, based on a series of studies on the issue,[15] that different portrayals of violent content can have an impact on the development of children and youth. For example, there is a significant difference between situations in which acts of violence are rewarded (rather than punished) and the reverse case. The author lists some potential consequences:

VIOLENCE BEGETS VIOLENCE

One of the studies that generated the greatest scientific debate – and drew the attention of authorities – on the relationship between the media and violence was a longitudinal analysis conducted by University of Michigan researchers, Rowell Huesmann, Jessica Moise-Titus, Cheryl-Lynn Podolski, and Leonard D. Eron.

The study was divided into two stages, one performed in 1977 and the other in 1991. In the first stage, the researchers surveyed 557 children in the metropolitan area of Chicago, with a view to gauging their habits in regard to the media – especially with respect to the consumption of violent programming. A full fourteen years later, 329 of the original study participants – who by then ranged from 20-22 years of age – were located in order to ascertain if their interaction with violent content in childhood may have, or may have not, served to predict aggressive behavior in adulthood.

For both men and women, greater exposure to violent content on TV during childhood indicated a higher level of aggression in their adult years – irrespective of how aggressive the participants were when children.

The study was relevant to the extent it demonstrated a cause and effect relationship. However, the findings should not be generalized, as there are no methodologies capable of identifying the prevailing factor in the equation: in short, is it violent content that leads youth to aggressive behavior or is it aggressive children who seek out violence on TV?

In addition, television cannot be singled out as the lone source of the problem, given that violence is a multi-causal phenomenon. However, the control variables employed in the research study – which included elements such as socioeconomic class, IQ, etc. – indicate that television is a relevant factor and that the study's conclusions warrant attention.[16]

---

b   According to Manual da Nova Classificação Indicativa (The Handbook of New TV Ratings), the glamorization of violence occurs when violent scenes are depicted in a positive light, thereby assigning value, in some way, to the perpetrators of the aggressive acts. Gratuitous and/or normalized violence occurs when there is no causal explanation (justification) for the violence perpetrated; in other, words, situations without a clear specific motive.

- Scenes depicting the "good guys" employing violence against the "bad guys" may serve as a justification for violence when committed for "good reasons," increasing the possibility that value will be given to the idea of "exacting justice with one's own hands";
- Realistic scenes tend to have a more significant impact on young audiences than those in which the violent act in a given scene is clearly absurd in relation to reality and fantasy;
- The lack of penalties for or criticism of violence can reinforce the normalization of violence or imply passive acceptance of this conduct;
- The depiction of blood, mutilated bodies, cruelty, and torture has a particular impact on children and youth;
- The association between humor and violence should be avoided, as drawing a connection between positive feelings and acts of violence may serve to mask censurable content.

DIVERSITY

The focus of the public debate on issues such as sex and violence at times obscures essential factors for understanding the media's effects. A particularly pertinent example is the analyses on the absence of discussion on diversity in media content, which tends to reinforce stereotypes in the field of gender relations, on questions of race/ethnicity, and with regard to the rights of LGBT, among others.

Experts in the gender field, for example, are unanimous in their view that greater care must be taken with respect to the representation of women in the media content offered to girls and boys, with a view to preventing sexist practices and gender inequality. It is common for women to be depicted as objects designed to meet the sexual, domestic, and social needs of men. These attitudes should not be transformed into natural habits, so as not to foster dominant attitudes among boys and submissive attitudes among girls.[c]

In *Classificação Indicativa: Construindo a Cidadania na Tela de Tevê* (TV Ratings: Building Citizenship on the Small Screen), ANDI underscores that the use of scenes involving the portrayal of disqualifying stereotypes is a violation of human rights. "It does not contribute to the formation of a culture of peace and mutual respect between children and youth. As such, the broadcast of this content should be condemned in the strongest terms."[17]

Examples of the absence of diversity in media content can be found in the research on topics in connection with gender, race/ethnicity, and children's programming. According to German researcher Maya Götz, president of the Munich based Internationales Zentralinstitut für das Jugend- und Bildungsfernsehen (International Centre for the Study of Children, Youth, and Media), a significant imbalance was found in the depiction of male and female figures in 6,375 programs surveyed in 24 countries: there were twice as many male characters as female characters in media productions; 72% of all the lead characters were white (a figure that reached 81% in South Africa); and overweight girls and older women were virtually not represented.[18]

---

c   The World Association for Christian Communication (WACC) operates the Gender Media and Justice Program, which conducts research in various parts of the world on the representation of women in the media and incentivizes the participation of women in media processes.

INTERNATIONAL EXPERIENCE

FOSTERING RESEARCH

Many nations have set up centers to study the "media and children" interface. Universities and educational and research institutions have traditionally led the way in producing research on the issue. From the its origin – in the 1930s – through the present day, the subject of children has been a central element of the academic debate.

Equally noteworthy has been the increasing engagement of independent regulatory bodies in generating qualified information on the media's impact on children and youth – aimed, in large measure, at guiding their owns actions in the regulatory field. A final factor warranting attention is organized civil society's role in supporting and conducting research on the issue – an increasingly prominent advocacy strategy.

NOTABLE CASES AROUND THE WORLD

Below, we offer a sample of noteworthy research initiatives on the media and children executed in several countries:

EUROPEAN UNION

The *EU Kids Online* project involves a survey of data and information on the experiences of European children on the Internet. The project is coordinated by Sonia Livingstone and Leslie Haddon of the London School of Economics and Political Science.

In addition to the experiences of children, the initiative maps Internet uses, activities, risks, and security. It also considers the concerns of parents in relation to the online activities of children and assists policymakers, educators, and the public on the newest online trends, their risks, and potential solutions. Risk analysis is an important component of the project: exposure to inappropriate content (pornography, violence), sexual grooming, and inappropriate behavior by children (for example, bullying)[d] are just some of the subjects contemplated. In 2012, the methodology applied by *EU Kids Online* was applied to the Brazilian setting by the Center for Information and Communication Technology Studies (Centro de Estudos sobre as Tecnologias da Informação e da Comunicação – CETIC.br).

SWEDEN

Sweden is home to the International Clearinghouse on Children, Youth and Media, a component body of the University of Gothenburg supported by the United Nations Educational, Scientific, and Cultural Organization (UNESCO).

Designed to contribute to furthering the understanding of children and the media, the Clearing House provides researchers, communication professionals, and public officials with information on the participation in and critical analysis of the media by young people. Since 1988, the entity has released an annual publication summarizing the key concerns on the issue and the outcomes and results of research studies conducted in different countries.

GERMANY

Founded in 1965, the Internationales Zentralinstitu für das Jugend- und Bildungsfernsehen – IZI (International Central Institute for Youth and Educational Television) is a component body of the Bavarian broadcasting authority. The purpose of the department is to enhance the understanding of the cultural meanings of television for children and youth and of how these segments incorporate the medium in their lives. The Institute's

---

d   For more information go to: www2.lse.ac.uk/media@lse/research/EUKidsOnline/Home.aspx. Accessed: February 2, 2011.

research contributes to the analyses and activities of public broadcasting entities and to the adoption of social responsibility measures for the media in general.

The IZI performs empirical studies on television programs – involving aspects associated to children, youth, and educational television – distributing the final products free of charge through its in-house database (www.izi-datenbank.de). Recently, the entity began offering workshops to promote collaborative work between researchers and TV producers. The studies are set out in a publication (available in German and in English) and through the *Communication Research and Broadcasting* series.

AUSTRALIA

The research program run by the Australian Communication and Media Authority – ACMA promotes studies designed to bolster the understanding and effective and potential uses of media communications, services, and technologies.

Analyses focus on the convergence of media platforms, equipment, and services, as well as the implications of these changes for regulatory policies. An important example is the *Trends in the media use by children and young people* study, which assesses the use of media generally, including the television content viewed by the youngest segments, the use of mobile telephones, the types of music consumed by youth, the video and online games they play, computers, and Internet access.[e]

UNITED STATES

The intense focus of international studies on the relationship between media content and the behaviors of children and youth has spurred the production of a vast body of knowledge on the question in the United States over the past 30 years. The collection of the American Pediatric Society alone on the subject approaches several thousand entries.

Another important actor is the Center on Media and Child Health – CMCH, a component of Boston Children's Hospital (associated to the Harvard School of Public Health). The center is devoted to studying the effects of the media on the physical, mental, and social health of children through research, scientific studies, and education. The center's actions are aimed at two key groups: parents and educators, on the one hand, and researchers, on the other. In regard to the first group, the object is to provide guidance on healthy and safe media use and on how students can think critically about the media. With respect to the second group, the emphasis is on sharing research results.

NOTEWORTY INITIATIVES IN LATIN AMERICA

A number of noteworthy experiences have been undertaken in Latin America:

CHILE

The research department of the Consejo Nacional de Televisión – CNTV (National Television Council), Chile's regulatory authority, was established 15 years ago. Its objective is to promote studies on the impact of television on Chilean society. The television content consumed by Chilean children is a particular focus of this effort. The studies performed include various types of quantitative and qualitative methodologies (questionnaires, focus groups, content analyses).

More recent research topics pursued, particularly since 2007, have centered on audience quality and satisfaction evaluations of television programming. Of particular note

---

e   For further information on the study, go to: www.acma.gov.au/scripts/nc.dll?WEB/STANDARD..PC/1001/pc=PC_312174. Accessed: February 2, 2011.

was the "Diversity in the Principal Free to Air Newscasts" study (2009). Studies have also been conducted on gender issues, such as "The Image of Women on TV" (2009).

Another valuable initiative involved the publication in 2008 and 2009 of research studies on different international regulations. The respective studies examined the relationship between "TV and Children," "TV and Culture," and "TV and Diversity," with the objective of comparing useful initiatives capable of enhancing the regulations governing Chilean broadcast television.

In 2010, the *Publicidad en la programación infantil y adolescente en TV abierta* (Advertising in children's and youth programming on free to air TV) was published for purposes of contributing the CNTV's discussions of the issue.[f]

MERCOSUR

A valuable example of civil society research initiatives was the *Mais janela que espelho: a percepção de adolescentes com deficiência sobre os meios de comunicação na Argentina, no Brasil e no Paraguai* (More a window than a mirror: the views of young people wuth disabilities on the media in Argentina, Brazil, and Paraguay), a study prepared by ANDI, the ANDI Latin American Network, and Save the Children Sweden.

The principal purpose of the survey was to draw the opinions of youth wuth disabilities on the media content, in addition to collecting information on the frequency and manner in which disabled persons are portrayed in the news and entertainment media. Another important aspect was to identify how this segment interacted with the media – with a view to contributing to the formulation of policies aimed at guaranteeing the rights of this population group. Conducted in the second half of 2007, the study included the participation of representatives from four cities in Argentina, Brazil, and Paraguay.[19]

BRAZIL

In contrast to other countries, regulatory authorities in Brazil do not have a tradition of developing research studies on the media and its effects – a deficiency which can be explained, in general terms, by the absence of a robust regulatory system in the communications field. However, universities have played a key role in the effort to analyze and understand the relationship between children and youth and the media. In this light, the consolidation of research groups and centers with ready access to funding represents an important step to guarantee medium- and long-term research capable of delivering more consistent assessments of the relationship between the media and children.

An example of this trend is the Grupo de Pesquisa da Relação Infância, Adolescência e Mídia – GRIM (Research Group on the Relationship between Children, Youth, and Media), an arm of the School of Social Communications of the Federal University of Ceará's Institute of Communications and the Arts (ICA/UFC). The Group brings together scholars and undergraduate and graduate students, with a view to fostering exchanges on the ethical dimension of communications for children and youth. Established more than ten years ago, the Group has long experience in providing training to undergraduate students, introducing them to the research process, advising on theses, and assisting in the preparation of scientific articles and papers for conferences. In 2010, GRIM published *Programação infantil na TV Brasil: Proposta de monitoramento da programação infantil da TV Brasil* (Children's programming on TV Brasil: Proposal for monitoring children's programming on TV Brasil), a means to assist the public broadcaster in effectively implementing its principles and objectives.

f   Source: http://www.cntv.cl/prontus_cntv/site/artic/20110210/pags/20110210113556.html

PERU

Yet another interesting model for providing support to research studies and the collection of statistical data involves the activities of Peru's Consejo Consultivo de Radio y Televisión – Concortv (Radio and Television Advisory Board). Concortv is an independent, pluralistic, and advisory agency under the Ministry of Transportation and Communications. Established by the Radio and Television Law (2004), its purpose is to stimulate good practices in radio and television broadcasting in Peru. It is composed of ten representative institutions of society as well as private and State-owned companies. This broad representation ensures the body is not driven by the narrow interests of any single constituent part – indeed, all decisions taken must be based on the imperative of guaranteeing the general interests of the nation and its citizens.

One of the functions of the Board is to prepare academic studies to promote improvements to radio and television broadcasting. Examples of research projects undertaken by the Board are "A study of children and youth on radio and television" (2010) and "An analysis of radio and television programming during family programming times" (2010).

CONCLUSION

SEARCHING FOR NEW PARADIGMS

The complexity of the public's relationship with the media – in particular, children and youth – and the rapid evolution of media and communication interfaces have exponentially increased the responsibility of all stakeholders. In a setting marked by accelerated changes, it is crucial to stimulate and strengthen knowledge production mechanisms, with a view to contributing and providing guidance to the public policy process.

Taking into account the regional and cultural diversity of Latin America – in addition to the continent's history of profound inequality – we know that local production of knowledge on the media is a strategic factor capable of enhancing the public's relationship with TV, radio, the Internet, the print media, the Internet, etc.

A potentially valuable measure to spur continued change on this front would be the creation of multidisciplinary research centers tied to educational and research institutes and dedicated to the study of the media and children. This initiative could foster continuing analysis of the impact of the media (entertainment, news, advertising, and new technologies) on children and youth, as well as stimulate research on the quality of the communication products offered to children.

On another front, it is essential to develop funding mechanisms for permanent lines of research in universities and civil society institutions, with particular focus on the positive and negative impact of the media on the everyday lives of children and on good practices in communications. An additional objective should be to provide lawmakers and policymakers with input that accurately reflects the socio-cultural diversity of children and youth vis-à-vis the media. ■

References

[1] ANDI; ANDI LATIN AMERICA NETWORK, SAVE THE CHILDREN SWEDEN. **Regulação de Mídia e Direitos das Crianças e Adolescentes**: Uma Análise do Marco Legal de 14 Países Latino-americanos, sob a Perspectiva da Promoção e Proteção. Brasília: ANDI, 2008. Available at: www.andi.org.br. Accessed: June 10, 2011.

[2, 3, 9] BUCKINGHAM, David. **The Impact of the Media on Children and Young People with a particular focus on computer games and the internet**, London, 2007. Available at: pt.scribd.com/doc/17247545/Internet-Video-Games. Accessed: September 6, 2011.

[4] FISCH, Shalom. **Children's Learning from Educational Television**: Sesame Street and Beyond. Nova Jersey: Lawrence Erlbaum Associates, 2004. Available at: www.questia.com/PM.qst?a=o&d=104656768. Accessed: September 2, 2011.

[5] ASSIS, Regina. Mídia e Educação. In: VIVARTA, Veet (coordinator). **Infância e consumo**. Brasília, DF: ANDI; Alana Institute, 2009.

[6] MORDUCHOWICZ, Roxana. The Meanings of Television for Underprivileged Children in Argentina. In: CARLSON, Ulla and FEILITZEN, Cecilia von (organizers). **Children, Young People and Media Globalisation**. 2002.

[7, 12, 17] VIVARTA, Veet (editor); CANELA, Guilherme (coordinator) **Classificação Indicativa**: Construindo a Cidadania na Tela de Tevê. Brasília: ANDI, SNJ, 2006.

[8] NATIONAL RESEARCH COUNCIL. **Studying Media Effects on Children and Youth**: Improving Methods and Measures. Washington: National Academies Press, 2006.

[10] CAMPS, Victória. Media Education beyond School. In: FRAU-MEIGS, Divina; TORRENT, Jordi (editors). **Mapping Media Education Polices in the World**: Visions, Programmes and Challenges. United Nations – Alliance of Civilizations; UNESCO; Grupo Comunicar, 2009.

[11] ALANA INSTITUTE. **Por que a publicidade faz mal para as crianças?** São Paulo: Alana, 2009. Available at: www.alana.org.br/CriancaConsumo/Biblioteca.aspx?v=4&pub=12. Accessed: September 2, 2011.

[13] COLLINGS, Rebecca. Watching sex on television predicts adolescent initiation of sexual behavior. **Pediatrics**, 2004, Vol. 144, No. 3. Available at: pediatrics.aappublications.org/content/114/3/e280.full. Accessed: September 2, 2011.

[14] STRASBURGER, Victor. WILSON, Bárbara. JORDAN, Amy. **Children, adolescents and the media**. California: SAGE, 2009.

[15, 16] CANELA, Guilherme. Meios de comunicação e o desenvolvimento integral de crianças e adolescentes. In: VIVARTA, Veet (coordinator). **Infância e consumo**. Brasília, DF: ANDI; Alana Institute, 2009.

[18] GÖTZ, Maya et al. Gender in children's television worldwide. In: **Television**: Girls and boys and television: the role of gender, 21. Munich: Internationales Zentralinstitut für das Jugend und Bildungsfernsehen, 2008.

[19] ANDI; ANDI LATIN AMERICAN NETWORK; SAVE THE CHILDREN SWEDEN. **Mais janela que espelho**: a percepção de adolescentes com deficiência sobre os meios de comunicação na Argentina, no Brasil e no Paraguai. Brasília: ANDI, 2008.

Learn more

ACMA - Australian Communications and Media Authority
www.acma.gov.au

CETIC.br - Centro de Estudos sobre as Tecnologias da Informação e da Comunicação [Information and Communication Technology Studies Center]
www.cetic.br

CMCH - Center on Media and Child Health
cmch.tv

CNTV - Consejo Nacional de Televisión [Chilean regulatory authority]
www.cntv.cl

EU Kids Online - LSE
www2.lse.ac.uk

GRIM - Grupo de Pesquisa da Relação Infância, Adolescência e Mídia [Research Group on the Relationship between Children, Youth, and Media]
www.grim.ufc.br

International Clearinghouse on Children, Youth and Media
www.nordicom.gu.se/clearinghouse.php

IZI – Internationales Zentralinstitut für das Jugend- und Bildungsfernsehen [International Central Institute for Youth and Educational Television]
www.br-online.de

Chapter

Establishing programming times and age classifications (TV Ratings)

07

Because of the powerful presence of the media in the everyday lives of children and youth, establishing mechanisms, such as audiovisual ratings, to protect and inform audiences can help give concrete expression to the goal of promoting the full development of these age groups, as enshrined in international conventions.

It is an important to ensure the human rights of girls, boys, and youth in the context of their relationship with the media. Ratings allow parents or guardians – who are at times absent from the daily lives of their children by virtue of work or other obligations – to identify the audiovisual content offered to children and make decisions on what is appropriate and inappropriate for them.

Ratings also serve as a pedagogical instrument: by describing the types of content in a program, film, or video game, they provide users with the opportunity to make informed decisions, fostering, in this way, more independent and constructive interaction with media products.

In sum, the decision to protect children and youth from inappropriate audiovisual content for their age – and/or to stimulate the segment's interaction with quality productions – has been the principal avenue chosen by the majority of countries with democratic regulatory systems. The central objective is the desire that our youngest citizens be exposed to content that values and safeguards their full range of rights and life experiences.

OVERVIEW

CITIZENS EQUIPPED WITH INFORMATION ON THE MEDIA

All efforts to regulate audiovisual productions are driven by the extensive exposure of children and youth to the media – especially to the electronic media. In the light of this and of studies revealing the media's power in a our society, many countries have chosen to develop regulatory systems to protect specific population segments (not just children and youth, but particular minority groups as well) and consumers in general.

These systems involve a number of formats, ranging from State designated advisories on inappropriate content, the incorporation of parental control devices (namely the V-Chip[a]), to prohibitions on broadcasting certain types of content (such as cigarette advertisements). Among these various possibilities, Ratings or Audiovisual Ratings have been widely adopted as a systematic, effective, and appropriate solution in democratic societies.

The process consists of conducting detailed analyses of audiovisual content,[b] out of which recommendations are made to parents and guardians on the content that is appropriate for particular age groups and programming times. In this light, the Ratings System is a policy aimed at ensuring the rights of children by promoting citizens' access to relevant information on audiovisual productions. The logic of the policy, in sum, is straightforward: to strengthen the power of families to make choices and, in this way, protect children. In the end, there is broad agreement – including within media organizations – that families have an inalienable right to decide what their children may or may not watch. However, exercise of this right requires that the State – the licensing authority – offer the necessary objective means to this end.

FREEDOM OF EXPRESSION IN FOCUS

Despite the operation of various regulatory models in a number of consolidated democracies, a broad Ratings policy has been, at times, the subject of criticism rooted in the imperative of protecting freedom of expression. This position – advocated in particular by the representatives of media organizations – argues that the idea of a mechanism to link programs to specific age groups and programming times on the basis of the content presented could lead to censorship, giver the normative and binding nature of Ratings.

According to Toby Mendel in "Liberdade de Expressão e a Regulação da Televisão para a Proteção de Crianças e Adolescentes: Estudo comparativo entre o Brasil e outros países" ("Freedom of Expression and the Regulation of Television to Protect Children and Adolescents: A comparative study of Brazil and other countries"), a report sponsored by Unesco, international law strives to ensure appropriate protections for children while avoiding unnecessary controls on broadcasters – to which end Ratings Systems constitute one of the most effective options.

RATINGS AND FREEDOM OF THE PRESS

In the same way they bear no relation to censorship, Ratings policies are in no way connected to issues involving freedom of the press – as explicitly stated in Classificação Indicativa: elementos para um debate plural (TV Ratings: contributions for a pluralistic debate)[i], prepared by ANDI during the discussions on the Brazilian government's proposed regulatory system.

It is to be expected that a single outlet, such as a television broadcaster, will provide different media formats – including entertainment, journalism, and advertising, to cite the most notable examples. However, due precisely to the specificities of each of these languages, each format is subject to distinct regulatory treatment by the State. As such, while entertainment content is the primary target of Ratings Systems, news content should not be regulated under the related policies, as this could constitute a barrier to full freedom of the press.

---

a   The V-chip is a technology employed in countries such the United States and Canada that allows programs to be blocked based on their rating.

b   While a large portion of the discussion in this chapter refers to television, Ratings Systems are widely applied to film and video games, as well as other content.

Brazil: How ratings are assigned for free to air TV programming

In Brazil, the Ratings System is under the responsibility of the National Justice Secretariat, a component body of the Ministry of Justice (MJ). Broadcasters assign their own ratings to content. The Ministry of Justice then has a period of 60 days from the production's broadcast to approve or reject the respective rating. Three variables are used in rating productions – scenes involving sex, drugs, and violence – to which the following programming times and age recommendations are applied:

- *"General" and "Inappropriate for children under 10 years": may be broadcast at any time of day;*

- *"Inappropriate for children under 12 years": may be broadcast as of 8:00 p.m.;*

- *"Inappropriate for children under 14 years": may be broadcast as of 9:00 p.m.;*

- *"Inappropriate for children under 16 years": may be broadcast as of 11:00 p.m.*

- *"Inappropriate for children under 18 years": may be broadcast as of 11:00 p.m.*

"It is universally recognized that children are sensitive and vulnerable beings and that television is a powerful medium with the potential to cause harm. Because commercial incentives place pressure on broadcasters to disseminate content which may be prejudicial to children, the State must adopt measures to counteract this tendency. Yet, these measures generally take the form of restrictions on the freedom of expression and carry an inherent risk of improper State control over the media."

"International law provides clear standards against which restrictions on freedom of expression, including to protect children, must be assessed if they are to be considered justifiable. The practice of democratic States illustrates the ways they have sought to ensure adequate protection for children while not unduly limiting or controlling broadcasters. These are, therefore, both important sources of inspiration for how to create an appropriate balance between protecting children and respecting the fundamental right to freedom of expression".

To the critics of audiovisual ratings and other State regulatory policies, self-regulation represents a more appropriate solution, one capable of avoiding the risk of restricting the freedom of expression. However, several arguments can be made to refute this position, where the rating system is organized on the basis of democratic principles:

- In adopting a coherent Ratings policy, the State does not involve any mechanisms to prevent a boy or girl from accessing content deemed inappropriate for his or her age. In the specific case of television, the State merely notes the existence of this content, informs families, and provides that certain productions may only be broadcast during hours in which parents are most likely to be home. At no time, however, is the access of children and youth barred, to the extent the programs in question will continue to be exhibited and the final decision will always lie with individual families.

- The government may not require portions of audiovisual works to be edited in order to bring them into compliance with ratings criteria, thus invalidating the argument that ratings policies could potentially constitute a form of censorship.

- With a view to expanding the appropriation of ratings criteria by media organizations and reducing the risk of State interference in media content, self-regulation models may be implemented, by which professionals in individual media companies identify – on the basis of pre-established parameters – potentially inappropriate content in their programming schedule. Under this model, the regulatory authority exercises oversight of the self-regulation process, submitting inquiries and questions about the ratings recommendations set by broadcasters.[c]

- The discussion on free expression cannot be conducted in an 'either/or' manner: either there is freedom of expression or there isn't. It is wholly possible to implement democratic regulations on the media.

---

c A case in point is the Brazilian free to air TV model.

To this end, regulatory authorities need to have adequate legal bases and instruments at their disposal to take decisions in cases in which the freedom of expression clashes with other rights (e.g., the right of children and youth to full development).

- In many democracies around the world, Ratings Systems coexist with the full right of freedom of expression. A notable example is the code enacted by Britain's regulatory authority, Ofcom, which imposes significant restrictions on the broadcast of content during specified programming times with the potential to seriously affect the physical, intellectual, or moral development of children under age 18.[d]

WHY IS THE SUBJECT IMPORTANT?

THE RIGHT OF PARENTS AND CHILDREN TO CHOOSE

Clearly and objectively identifying and classifying the content broadcast by media organizations – and the potential risks associated to that content – serves to broaden the power (and right) of society to choose the most appropriate programming for the youngest population segments.

At the same time, by providing information and guidance regulators promote media education, to the extent they advise the public on the nature of the diverse content offerings. There is ample evidence that parents and children do not necessarily accept the information as absolute truths, but they do take it into consideration when deciding what to view.

Therefore, Ratings represent a broader media education measure than targeted awareness-raising campaigns – as these tend to focus on narrow and specific questions.

Yet, to ensure the Ratings System in fact exercises this education al role, it is essential that it be shaped into a consumer advisory model, providing clear information capable of reaching all people, as affirmed by British researcher David Buckingham in *The Media Literacy of Children and Young People*.[2]

THE ROLE OF SCHOOLS

Empowering society in regard to its everyday interaction with the media represents a significant step forward in balancing the potential problems stemming from this daily contact. However, this empowerment can only be sustainable over the long term if the discussion is incorporated in schools *(for more on Media Education in Chapter 1)*.

The idea is not to promote simplistic classroom discussion of media productions. Rather, educators must be trained to address the challenge and offer students the objective means to understand the different facets involved in producing the audiovisual content young people consume on a daily basis.

THE VIEW FROM THE BENCH

The heated controversy from 2005 to 2007 on the proposal to strengthen Brazil's Ratings System led a number of judges to take a stand. Among them was Dalmo de Abreu Dallari, who offered his view in an article published in the Gazeta Mercantil of March 2, 2007:

> *In conclusion, the measure does not constitute censorship of any kind nor is it unconstitutional, but rather represents simply an act taken by the public authority in the exercise of its legal powers and duties to safeguard the respect for human dignity and the values and interests of Brazilian society as a whole. [...]*

---

d   The Ofcom Broadcasting Code. Available at: stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/protecting-under-18s/. Accessed: November 1, 2012.

In an interview for *Classificação Indicativa: Construindo a Cidadania na Tela da Tevê* (TV Rating System: Building Citizenship on the Small Screen), Brazilian researcher Claudemir Viana of the University of São Paulo School of Communication and the Arts (ECA/USP) voiced support for the idea of having schools and educators devote classroom time to examining daily media content. According to the researcher:

> *The first thing educators need to do is learn about the culture of their students. Identifying the programming that is part of the daily lives of boys and girls is the first step. The second is to watch those programs, to get to know the content: in order to promote dialogue on the issues affecting their lives, to view programs together with the students during class time, to serve as mediators. The problem is that we remain a long way from the ideal situation in which the Ratings System represents a foundation for informed classroom discussion.*

Along these same lines, Brazilian professor Maria da Graça Marchina of the Pontificate Catholic University of São Paulo (PUC-SP) argues, "The need to associate this initiative (Ratings System) to the idea of creating mechanisms for individuals and children to reflect on and make use of the information should be emphasized. In this light, media education in school could serve as a valuable tool."[3]

BEYOND THE NEGATIVE EFFECTS

A number of Ratings Systems are founded on identifying potentially negative audiovisual content: in particular sexually explicit and violent material, as well as drug use and inappropriate or offensive language.

At the outset, it is important to underscore that subjects relating to sex, violence, and drugs are not negative per se. The key point resides in how these subjects are addressed, that is, whether they are framed in a positive or negative light – guided, in all cases, by the central objective of protecting and promoting human rights.

Without question, some content is more easily approached from a "positive vs. negative" perspective. In other words, there is inherently positive content (the culture of peace, for example) and negative content (the culture of violence). On the other hand, subjects such as sexuality can be presented in a positive (safe sex) or negative (casual sex) light, criteria which are assigned either greater or lesser importance depending on the cultural values of individual countries.

In sum, the ratings model for audiovisual productions adopted in a given country can serve to disseminate positive attitudes and models among children and youth (as well as adults). They can also have a significant impact on building a more active and critical relationship between the public and the media, in addition to enhancing the quality of programming.[4]

TELEVISION WITHOUT FRONTIERS

In 1989, the European Union approved the Television without Frontiers Directive, which sets out a model legal framework for all television broadcasters in the Member States. In 1997, the document was submitted to a first review, followed, as of 2001, by a concerted effort to evaluate, update, and strengthen the regulation. In 2007, an amended version was released under the title Audiovisual Media Services Directive, *which extended the measure's scope beyond television content to address the Internet and telephone communications as well.*

INTERNATIONAL EXPERIENCE

RATINGS SYSTEMS IN TRADITIONAL DEMOCRACIES

Democracies across the planet have established, in line with their constitutions and international commitments, media regulation instruments to guarantee the rights of all citizens.

Regulation of the media through policies such as Ratings Systems is consistent with current international standards, including the Convention on the Rights of the Child (UN, 1989) – which provides that children and youth require support, given their particular stage of cognitive and intellectual development, to select and understand what they watch.[5]

Germany, Australia, Spain (in particular Catalonia), the United States, the Netherlands, New Zealand, Portugal, Great Britain, and Sweden, and many other nations, have consolidated time and age ratings in place. These systems, which vary case by case, set out how audiovisual content should be presented and, at a minimum, establish the groups that should (or should not) have access to specific programming – as well as the times at which that programming should be broadcast.

PROGRAMMING TIME RATINGS AND REGULATIONS IN EUROPE

The European continent offers a number of examples of content regulations aimed at protecting the rights of children and youth. Common rules are adopted across the region based on the European Union's decision-making structures and the region's applicable audiovisual directives.

Since the end of the 1980s, instruments have been enacted requiring that content broadcast in the member States not adversely affect the full development of children and youth – explicitly mandating, to this end, the establishment of specific programming times. The 2007 Audiovisual Media Services Directive[e] provides as follows:

> *Article 22*
> *a) Member States shall take appropriate measures to ensure that television broadcasts by broadcasters under their jurisdiction do not include any programmes which might seriously impair the physical, mental or moral development of minors, in particular programmes that involve pornography or gratuitous violence. The measures provided for in paragraph 1 shall also extend to other programmes which are likely to impair the physical, mental or moral development of minors, except where it is ensured, by selecting the time of the broadcast or by any technical measure, that minors in the area of transmission will not normally hear or see such broadcasts.*
> *b) Member States shall ensure that audiovisual broadcasts do not contain any incitement to hatred based on race, sex, religion or nationality.*

More recently, the European directive underscored the difficulty of regulating access to inappropriate content by virtue of the rise of the Internet and the development of automatic identification and filtering systems as a necessary step as well as a practical measure to protect girls and boys.

Given the dynamic nature of the media, Article 26 of the Directive required that the Commission submit to the European Parliament no later than December 2011 and

---

e   Available at: europa.eu/legislation_summaries/audiovisual_and_media/am0005_pt.htm. Accessed: September 1, 2011.

every three years thereafter "a report on the application of this Directive and, if necessary, make further proposals to adapt it to developments in the field of audiovisual media services, in particular in the light of recent technological developments, the competitiveness of the sector and levels of media literacy in all Member States."

A number of examples of how some European countries have established criteria to protect children are provided below:

- **Germany** – Until recently, German authorities in the individual federal units were charged with the oversight of private television networks, which often led to clashes with the competent self-regulation bodies. Overhaul of the Jugendschutzgesetz (Youth Protection Act) in 2002 gave rise to a co-regulation system. Germany's various states proceeded to adopt a largely common set of institutionalized codes on specific programming times and limits for audiovisual works, established by the Committee on Voluntary Self-Regulation by Film Companies (FSK). An additional instrument enacted to protect children is the *Rundfunkstaatsvertrag* – RStV (Interstate Broadcasting Agreement). Article 3 of the Agreement sets forth the types of productions which may not be broadcast: programs capable of causing physical, spiritual, or mental harm to children and youth are prohibited, unless the broadcast takes steps to ensure, through the application of appropriate programming times, the relevant age groups do not have access to those programs.

- **Spain** – For many years, the regulation of content was based on informal bilateral agreements between the State and television networks on the adoption of self-regulation measures. In 2004, the government and media organizations executed a self-regulation code on television content and children, with a view to harmonizing the activities of individual broadcasters. In 2010, the *Ley General de la Comunicación Audiovisual* (General Law of Audiovisual Media) was enacted, bringing the country's regulatory system into conformance with European Union Standards. The Law established the Consejo Estatal de Medios Audiovisuales – CEMA (State Audiovisual Media Council), an independent authority tasked with the oversight and regulation of media outlets. The instrument also provides for the rights of children and youth, including through determination of programming times – for example inappropriate content may only be broadcast between 10:00 p.m. and 6:00 a.m. and must be preceded by an acoustic and visual warning.

- **France** – One of the primary duties of France's Conséil Supérieur de l'Audiovisuel (High Council on Audiovisual Media) is to safeguard the welfare of children and youth. This is accomplished in two ways: through the designation of a council member (among the nine sitting members) to specifically look after the interests of these segments; and through the *Directive Jeunesse* (Youth Directive), a document first published in 1989, which establishes specific programming times for categories such as "family programming," with a view to protecting young viewers from violent and pornographic content.

- **Portugal** – The Portuguese regulatory model is based on informal agreements signed between broadcasters and the State. Moreover, instruments such as the Lei da Televisão Portuguesa (Portuguese

---

Pay-TV channels

In Brazil, pay-TV operators are not bound to the established age-programming time restrictions provided they offer parental blocks to enable users to exercise control over broadcast content. However, pay-TV networks must display the official rating assigned to a given program. Section III, article 12, of Brazilian Ministry of Justice Directive No. 1642, dated August 3, 2012, provides:

"Programming broadcast by conditional access services must display the respective Ratings symbols and additional information, pursuant to the Practical Guide to the Audiovisual Ratings System. Such services shall be exempt from the programming time restrictions established in Directive No. 1220, dated July 11, 2007, provided these:

I – offer blocking systems for channels or specific program content;

II – deliver objective and comprehensive information on proper use of the respective control and blocking systems; and

III – enable users to access all of the rating information on a particular program at any time during its broadcast."

Television Law – No. 32/2003) include provisions to protect boys, girls, and youth from violent programs and sexual content. Television networks have an obligation to ensure legitimate public access to media in a manner consistent with the objective of protecting the most vulnerable population segments, in particular children and youth (Article 30). Broadcasting freedom is delimited by the protection requirement, to which end pornographic content is forbidden in free to air television programming, as is gratuitous violence and incitement to hatred, racism, and xenophobia (Article 24). The regulatory model was enhanced recently with the creation of the ERC – Entidade Reguladora para a Comunicação Social (Media Regulation Entity), enacted through Law No. 53 of 2005.

- **United Kingdom** – In the 20th century, the United Kingdom consolidated a system recognized for prioritizing the protection children. A number of legal instruments – the first enacted in 1933 – were developed with a view to limiting the potential adverse effects of the mass media or incentivizing the use of media for educational ends. In July 2005, *The Ofcom Broadcasting Code* entered into force, which established the applicable ratings criteria and programming times – inappropriate content may not be shown between 5:30 a.m. and 9:00 p.m. – in addition to a number of regulations for programming focused on questions such as offensive language, legal and illegal drug use, violence and risky behaviors, nudity, and the participation of girls and boys in televised programs. Among individual broadcasters , the *British Broadcasting Corporation* (BBC) adheres to the specific parameters established in the organization's *Editorial Guidelines* on the characteristics of programming, encompassing subjects including taste and decency; the representation of sex; the representation of violence; risky behaviors based on the imitation of anti-social attitudes; and offensive and crude language.

- **Sweden** – As in the British case, program ratings criteria in Sweden are based on assigning different programming times depending on the content under analysis. The country stands as a notable case study for its decision in 2000 to abolish any and all television advertising for children. In addition, there is a strong belief in the State's social responsibility in this area, leading to the creation, with the sup-

Good practices of co-regulation
of audiovisual ratings

In regard to the execution of Ratings Systems, the Dutch co-regulation system has been recognized as an example of good practices in the field, as revealed in a number of international comparative studies. The *Nederlands Instituut voor de Classificatie van Audiovisuele Media* – NICAM (Dutch Institute for Audiovisual Media Ratings) is an organization founded by the country's audiovisual industry for the purpose of assigning ratings to audiovisual productions. Established with the participation of consumers and in close cooperation with the government, the body is formally recognized under Dutch law.

In Canada and South Africa, private entities have also received formal recognition from jurisdictional regulatory authorities. In both countries, oversight responsibility for the system is formally delegated to self-regulation institutions. However, these operate with the support of the regulatory bodies, ensuring the official bodies are able to exercise enforcement authority in the event of a breach of the sector's fundamental principles.

Australia also operates on the basis of a tight interface between the independent regulatory authority (Australian Communications and Media Authority) and national broadcasting groups (Australian Broadcasting Corporation – ABC and Special Broadcasting Services – SBS). The coalition of broadcasters developed a system of publicly recognized guidelines to govern their activities. The regulatory authority serves as an independent arbiter, interceding in cases of unresolved disputes between complainants and broadcasters. In addition, there are a number of mandatory parameters that must be fulfilled beyond the specific self-regulation efforts (such as restrictions on tobacco advertising and broadcast quotas for national productions).

port of Unesco and the Swedish government, of the International Clearinghouse on Children, Youth and Media, the primary purpose of which is to contribute to generating greater knowledge and research on the issue.

RECENT PROGRESS IN LATIN AMERICA

The debate on ratings systems for audiovisual productions has steadily expanded in Latin America. This process has been driven by initiatives implemented in response to the need to overhaul outdated media and communication laws. Some examples are provided below:

URUGUAY

In Uruguay, a promising initiative is now under development: the Consejo Técnico Consultivo en Medios y Niñez – CTC (Technical Advisory Board on Media and Children), convened by initiative of the President of the Republic with the support of international organizations (including Unesco and Unicef, business chambers, trade unions, the Civil Society Coalition for Democratic Media, associations of advertisers, public agencies, and universities. The Voz y Voz organization, a member of the ANDI Latin America Network, is also a part of the Board.

The objective of the Board is to analyze the following: adapting and applying national law in conformity with international standards; fostering self-regulation of the media; providing media education; improving audiovisual productions for children and youth; and developing ratings systems for audiovisual content in a transparent and participatory manner.

"We have high expectations that this dialogue will give rise to clearer legislation, media that benefits children and youth, with a view to participating in meeting the following demand: ensuring the maximum level of self-regulation possible and, ultimately, only those regulations as strictly necessary," says Javier Salsamendi, president of the Uruguayan Institute of the Child and Adolescent (INAU).

A 1988 Decree requires all channels to comply with a Youth Protection Programming Schedule extending from initial activation of the signal in the morning through 9:30 p.m. In regard to the Ratings System, the CTC underscores, "We are highly satisfied, as some media have achieved progress (...) on this issue." Ultimately, however, only isolated initiatives have been pursued, leading the CTC to conclude that it is "essential to standardize and validate the pertinent mechanisms through general criteria."

ECUADOR

In Ecuador, the parameters for the evaluation of television content are determined by the Consejo Nacional de la Niñez y Adolescencia (National Council for Children and Youth), which approved the creation of a Ratings System for Television Broadcasts in 2012, a move that will enable analysis of the program content offered on television.

The System includes age ratings (in recognition of the need to establish parameters for the evaluation of what is appropriate and inappropriate content for specific viewing audiences based on their age) and designated programming times and blocks aimed at preventing the exposure of chil-

The position of media companies

At various stages of the debate on the Brazilian Ratings System from 2005 to 2007, the major television networks and newspapers associated to them completely ignored the subject or offered incomplete coverage that failed to take into account the conflicting elements involved in the discussion.

The position adopted by media organizations – despite invocation of the freedom of expression as the central issue at hand – was also strongly influenced by business interests. The representatives of media groups argued on several occasions that the technical and financial difficulties they would face outweighed any potential need to adapt broadcasting to programming schedules which took into account the country's various time zones.

dren and youth to inappropriate content. The ratings are displayed through standardized symbols and specific warnings or recommendations.

In establishing age ratings based on the appropriateness or inappropriateness of content, the most sensitive content is taken into account, such as that which normalizes or glamorizes violence, promotes risky sexual behaviors, depicts drug use, and provides an incitement to racism, stereotyping, and particular socio-cultural norms. Attention is also given to consumerism and inappropriate or irresponsible social practices that pose a risk to life, as well as the promotion of rights and responsible and communal social conduct for media content.

BRAZIL

Brazil's audiovisual ratings system dates to the 1980s with the passage of the Brazilian Federal Constitution, Article 21, sub-section XVI, of which requires the Union to "classify, for indicative purposes, public entertainment and television programs."

This provision was later regulated by the ECA - Estatuto da Criança e do Adolescente (Child and Adolescent Bill of Rights) enacted in 1990. Article 74 of the ECA mandates that the government regulate, through the authorized bodies, public entertainment and performances, providing information on the nature of such productions, the age groups for which these are not recommended, and the locations and times at which their broadcast or exhibition would be inappropriate.[f]

BRAZIL'S RATING SYSTEM IN THE COURTS

The *Liberdade de Expressão e a Regulação da Televisão para a Proteção de Crianças e Adolescentes: Estudo comparativo entre o Brasil e outros países* (Freedom of Expression and Regulating Television to Protect Children Youth: A comparative study between Brazil and other countries), a publication sponsored by Unesco, found that Brazil's system provides a relatively high level of protection for media organizations.

> "In relation to other countries, the sanctions regime in Brazil protects broadcasters, to the extent licenses may only be suspended by court order, and the most severe penalty – permit revocation – is not even provided for by law."*

Nonetheless, the debate on the country's ratings system is marked by continuous legal disputes in the courts. The most noteworthy case began in 2001, when Brazil's Labor Party (Partido Trabalhista Brasileiro – PTB) filed a Direct Action of Unconstitutionality (Ação Direta de Inconstitucionalidade – ADIN) with the Federal Supreme Court (Supremo Tribunal Federal – STF), seeking rescission of Article 254 of the Child and Adolescent Bill of Rights (ECA), which sets forth penalties for radio and television networks that fail to comply with the established ratings by broadcasting specific content "at unauthorized times." The action claimed that the ECA violated the principle of free expression.

The case is still pending before the STF. Various entities devoted to media and children's rights – civil society entities, government agencies, and international cooperation organizations – believe the suit poses a threat to the progress secured under the policy and would render ineffective the protections guaranteed through the ratings system. In this light, the various stakeholders have endeavored to contribute to the landmark action.

The representative of broadcasters' interests – and major opponent of the ratings system and the ECA – the Brazilian Association of Radio and Television Broadcasters (Associação Brasileira de Emissoras de Rádio e Televisão – ABERT) was recognized by the Court as an Amicus Curiae in August 2011. In November of that same year, ANDI, the ALANA Institute, Conectas Direitos Humanos, and the Institute of Socioeconomic Studies (Estudos Socioeconômicos – INESC) were recognized as Amicus Curiae** as well, a ruling that allowsthese entities the opportunity to offer substantive contributions to the Supreme Court's final decision. In November 2011, the case went before the Court, but was subsequently suspended following a request for review by one of the Justices.

_____

* MENDEL, Toby. The Regulation of Television to Protect Children: Comparative Study of Brazil and Other Countries. 2012. Available at: http://www.law-democracy.org/wp-content/uploads/2010/07/Report.Brazil-and-Watersheds.pdf
** Amicus curiae (or "friend of the court") is a Latin term that refers to an individual, entity, or body with a direct stake in a legal matter brought before the Courts.

_____

f Article 254 of the ECA bars radio or TV broadcast of programming at times other than those authorized or that is not accompanied by the respective rating. The penalty for noncompliance ranges from a fine to suspension of the broadcaster's programming.

However, through mid-2006 the operation of the Ratings System was constrained by a series of limitations, especially with respect to television:

- The ratings offered to the public were limited to laying out age recommendations for various media productions, while TV broadcasters applied no standardized rules in regard to recommended ages;
- The ratings process was highly subjective. Because there were no clear and objective criteria, the ultimate outcomes were dependent on the profile of the evaluation teams charged with assigning ratings to content;
- The Brazilian government did not have mechanisms at its disposal to require organizations to broadcast content at the recommended times;
- Broadcasters did not respect the different time zones in Brazil – that is, in those states outside the standard time zone (Brasilia time) productions could be broadcast at times other than those recommended by the ratings.

To ensure the effectiveness of the Ratings System, beginning in 2005 the Ministry of Justice coordinated a review involving a large portion of the pertinent stakeholders – experts, children's movements, media organizations – which gave rise to the model currently in force. The participation of these segments served to confer greater transparency and legitimacy on the initiative's outcomes.

Hundreds of organizations and at least 10,000 citizens participated in different stages of the process – participation which proved critical to blunt the arguments and efforts of corporate interests opposed to ratings for audiovisual ratings. This gave rise to a more in-depth analysis of the disparate positions on the matter, contributing to debate and reflection which reached beyond the misguided and simplistic "censorship" vs. "freedom of expression" dichotomy.

In 2006, the Ministry of Justice published Directive No. 1100, regulating ratings for public entertainment, in particular film, video, DVDs and electronic games, role-playing games (RPG), and similar products.

The following year Directive No. 1220 was issued, which governs the ratings guidelines for audiovisual works broadcast on television. Broadcasters were given 180 days to comply with the new rule.

CONCLUSION

THE CHALLENGE OF REGULATING CONTENT

Regulating entertainment content as an instrument to protect children and youth, while adhering to the principle of free expression, is no simple matter. It requires the development of public policies that include participatory and verifiable mechanisms. Further, these must be effective in providing protection without veering toward arbitrariness or censorship.

Building audiovisual ratings policies in Brazil offers a notable example of how this type of regulation requires finding compromise between sharply

diverging positions. The decision to pursue a participatory and pluralistic debate on this subject stands as an exemplary model of how to achieve progress in enhancing regulatory frameworks. Notwithstanding the differences of opinions, which continue to be aired in the Courts to this day, the policy has been moved forward steadily and – it should be noted – with surprising continuity, irrespective of the political forces holding the reins of power.

The numerous historical similarities between Latin America's media systems indicate that exchanges in the field among the region's countries could serve as an important strategy for the establishment of specific programming times and offering parents greater information on the audiovisual content broadcast by the media. The development of comparative studies, such as the Unesco document cited in the pages above, serves as a valuable tool to strengthen the discussion.

Ultimately, promoting more qualified debate is the best avenue for overcoming the long-standing and obstructionist view that regulation, in and of itself, constitutes a threat to free expression. ∎

References

[1] BRAZILIAN NEWS AGENCY FOR CHILDREN'S RIGHTS. **Classificação Indicativa**: elementos para um debate plural. Brasília: ANDI. Available at: www.andi.org.br/sites/default/files/classificacao.pdf. Accessed: September 6, 2011.

[2] BUCKINGHAM, David. **The Media Literacy of Children and Young People**: A review of the research literature on behalf of Ofcom. Londres: Centre for the Study of Children Youth and Media; Ofcom, 2005.

[3, 4] VIVARTA, Veet. CANELA, Guilherme. **Classificação Indicativa**: Construindo a Cidadania na Tela da Tevê. Brasília: ANDI, SNJ, 2006. Brasília: ANDI, Ministry of Justice, 2006. Available at: www.andi.org.br. Accessed: September 6, 2011.

[5] UNITED NATIONS CHILDREN'S FUND. Implementation Manual for the United Nations Convention on the Rights of the Child. Available at: http://www.unicef.es/actualidad-documentacion/publicaciones/manual-de-aplicacion-de-la-convencion-sobre-los-derechos-del- Accessed: October 19, 2012.

Learn more

ANDI - Comunicação e Direitos [ANDI – Communication and Rights]
www.andi.org.br

Departamento de Justiça, Classificação, Títulos e Qualificação – Ministério da Justiça do Brasil [Department of Justice, Ratings, and Classification – Brazilian Ministry of Justice]
www.mj.gov.br/classificacao

Ética na TV - Quem Financia a Baixaria é contra a Cidadania!
www.eticanatv.org.br

United Nations Children's Fund (UNICEF)
www.unicef.org.br

Ofcom – Office of Communications
www.ofcom.org.uk

United Nations Educational, Scientific, and Cultural Organization (UNESCO)
www.unesco.org/new/pt/brasilia/communication-and-information

PFDC - Procuradoria Federal dos Direitos do Cidadão
[Office of the Federal Attorney for Citizen Rights]
pfdc.pgr.mpf.gov.br

Chapter

Regulating advertising and *merchandising* for children and youth

08

What is the boundary between legitimate advertising and marketing activities and the need to protect children and youth? Government, business, and civil society in a number of countries are faced with the challenge of coming up with balanced regulatory models to ensure the rights of boys and girls.

There is broad consensus among researchers in the field that the operational and content strategies adopted by advertisers take advantage of the developing cognitive capacity of children, rendering them a vulnerable target for marketers. Students of the subject note that advertising is part of a broader framework – the consumer network. In this context, multiple other situations that extend far beyond those isolated moments in which children and youth are directly exposed to advertising content are cultivated to transform consumer brands and products into a part of their everyday lives.

In this light, the excessive volume of advertising directed at these age groups contributes to the commercialization of childhood, a phenomenon responsible for a series of problems associated with the development of girls and boys. According to experts, these include eating disorders, early sexualization, violent behavior, and alcoholism.

There is a growing movement in many countries to mobilize society in an effort to address these challenges. Bills, regulations, and public self-regulation agreements are just some of the measures adopted to protect children and youth from excessive exposure to products and services. Examining the experiences and initiatives undertaken abroad can offer a valuable contribution to the process of determing the type of media culture Latin American countries want for their children and youth.

OVERVIEW

CONSUMPTION AS A VALUE SYSTEM

"The dissemination of a value system in which a product and its acquisition are the basis for defining the individual's identity is one of the serious side effects of advertising and marketing." The warning is offered by Brazilian researcher Inês Vitorino Sampaio, coordinator of the GRIM - Grupo de Pesquisa da Relação Infância, Adolescência e Mídia (Research Group on the Relationship between Children, Adolescents, and Media) of the Federal University of Ceará (UFC). According to Sampaio, by promoting a specific value system, advertising injects commercial considerations into all aspects of human life, largely defining body images and behaviors in contemporary societies.

By adopting the same formula used in adult advertising – in more or less subtle ways – children are insistently taught that happiness derives from the consumption of products and the values that accompany them, such as beauty and fame. "In addition to reducing happiness to the act of consuming – a fallacy advertising sells very effectively – the establishment of standards of beauty that are at variance with the diversity of physical types in Brazil represents a rejection of other types of beauty (black and mulatto children, larger children, poor children, those with disabilities, etc.)," contends GRIM's coordinator.[1]

Yet, what is the actual capacity of critical analysis and discernment of children exposed to this of type of content, so meticulously prepared by the advertising industry? Numerous studies indicate that boys and girls under the age of eight have not developed the ability to recognize the persuasive intent of this information.[2]

According to Swedish expert Erling Bjurström, author of *Children and Television Advertising*, enhanced critical capacity and full understanding of the objectives of advertising only emerge beginning at age 12.[3] Recognition of these limitations has been an underlying justification for prohibiting children's advertising in countries like Sweden.[4]

While advertising aimed at children tends to be uncomplicated from an intellectual standpoint – to be sure, if it weren't children's attention and interest would surely wander – advertisers employ operational language and structures which are not so readily understood, even by adults. According to Brazil's Federal Council of Psychology (Conselho Federal de Psicologia do Brasil – CFP), "Some commercials can deceive children, selling them a 'pig in the poke,' without actually lying, while simply offering a narrative and images which they are unable to filter through a critical lens."[5]

This view is shared by the Projeto Criança e Consumo (Children and Consumption Project), an initiative of the Alana Institute, a Brazilian organization engaged in researching the impact of advertising and consumerism. According to the entity, because children are in a developing stage of life they are unable to understand the persuasive nature or the irony built in to advertising messages. For their part, younger children do not even have the ability to distinguish between advertisements and entertainment programs.

Nagging

There is conscious and explicit recognition in the advertising market about the ability of children to nag their parents to purchase advertised products. For American researcher Susan Linn, one of the clearest indications that the private sector adopts this strategy is provided in a 1998 study on the topic.

Prepared not to help parents address the problem but to support retailers' efforts to exploit the strategy as a tool to increase sales, the study, titled The Nag Factor*, was conducted by Western Media International and Lieberman Research Worldwide. Among other things, the document identifies the specific types of parents who are most inclined to succumb to nagging and estimates the success rate of each request.*

Up to approximately the age of eight years, children mix fantasy and reality. For example, when a four-year-old child's preferred cartoon on TV is interrupted for a commercial break, the child will not understand that the network cut away from his or her program to air an advertising spot. And while the child is eventually able to make the distinction, it is not until approximately age 12 that he or she will have the ability to discern the persuasive intent of advertising.[6]

While parents and guardians often do not perceive this, marketers are well aware of the persuasive power of advertising and, to this end, conduct relentless research in an effort to boost sales.

MEDIA AS A DISPLAY CASE

Beyond operational strategies and the content broadcast by advertisers, researchers in the field have also warned for some time of the excessive volume of commercials aimed at children and the commercialization of childhood.

As noted by Inês Vitorino Sampaio, the access of children to the media adheres to a market logic by which girls and boys are viewed as consumers. This perspective – in addition to the absence of specific regulations on the subject in most Latin American countries – serves to sustain the development and airing of advertisements directed at children, transforming TV into a veritable "display case" of products for the segment:

The link between children's programs [...] and the commercialization of childhood has been so closely bound that it has virtually become a standard feature of children's programming, generating a significant degree of permissiveness, such as the indiscriminate use of merchandising, while making it increasingly harder to identify the boundaries between commercial and non-commercial content.[7]

According to Sampaio, this process has contributed to transforming children into "voracious consumers," individuals actively engaged in the "consumer network" through their systematic and intense exposure to labels, personalities, and idols.

The researcher underscores that advertising resides well within the consumer network. As such, a variety of situations that extend far beyond those isolated moments in which children and youth are directly exposed to advertising content are cultivated to transform labels, products, program hosts, and personalities into a part of their everyday lives. "Through licensing arrangements, media personalities (Sponge Bob, Shrek, Mickey Mouse, etc.) and TV hosts accompany children at meal time (chocolate drinks, cereals), at school (notebooks, backpacks), during their recreational and leisure time (fast food, sponsorship of cultural and sporting events), and even in the children's fashion (clothing and accessories)," emphasizes the researcher.

Sampaio maintains that the involvement of children in this consumer network is disseminated and reinforced through continuous exposure to brands, media personalities, and idols. "The process is one of systematic intervention, in which advertising organizations and agents promote the

Children's Day and advertising

The focus on children's consumerism is reflected in the enormous number of advertisements aimed at the youngest segments. On Children's Day in 2010, the Projeto Criança e Consumo (Children and Consumption Project) monitored 10 hours of programming (8:00 a.m. to 6:00 p.m.) on seven Brazilian TV networks. Within this short space of time, nearly 350 different advertisements were identified, encompassing nearly 1,100 commercials. Of the channels monitored, five were pay-TV networks (Discovery Kids, Cartoon, Disney XD, Nickelodeon, Boomerang) and two, free to air broadcasters (SBT and Globo). The survey found that more than 76% of the advertisements related to toys.

engagement of children in these practices," she argues. To achieve its objective, children's advertisers employ some well-known strategies, as noted by the Alana Institute in *Por que a publicidade faz mal para as crianças* (Why advertising is harmful to children):

- **Marketing strategy**: Development of a plan to attract the attention of a specific audience to a product and to sell that product to the largest number of people possible. In the case of children's marketing, the objective is to stir fantasies by stimulating children to want a product or service with such fervor that they are able to convince their parents that their happiness depends on having that product or service. Marketing is aimed at identifying the psychological specificities of children solely for the purpose of persuading them.
- **Creative strategy**: The creation of advertising spots or initiatives – commercials, films, promotions, gifts, competitions, packaging, etc. – within the framework of a marketing strategy aimed at spurring children to identify with a particular advertised product or service.
- **Media strategy**: selection of the most effective media (magazines, newspapers, TV, Internet, film, etc.) to fulfill the marketing strategy. After determining which media platforms to use, a specific tactic is developed, that is, particularoutlets are selected for the respective commercials or advertisements. The selected programs or venues are generally those centered on a subject similar to the argument used to market the product or service, with a view to getting children to identify with the advertising message by associating the product or service to something they are very fond of or which they are convinced will bring them happiness.[8]

WHY IS THE SUBJECT IMPORTANT?

ADVERTISING AND PROTECTION

The call for regulating children's advertising has gained increasing momentum in response to a variety of studies indicating children that have not yet fully developed the necessary critical capacity of to understand advertising spots. As explained by researcher Yves de La Taille of the University of São Paulo (USP), in Brazil the actions of marketers place children in a heteronomous position. "Their cognitive capacity does not yet enable them to establish the reciprocal relationships necessary for autonomy."[9]

This question has driven a substantial number of experts to examine the potential impact of advertising on the development of children and youth.

American researcher Susan Linn warns of the need for analysis on the impact of the values contained in advertising content. In her view, while the majority of complaints regarding children center on specific products (such as alcohol, tobacco, and, more recently, junk food), the problem is more far-reaching: "Focusing solely on products means underestimating the magnitude of the problem. Equally important is the volume of advertising to which children are exposed, the values built in to marketing messages, and the behavior those message inspire," she concludes.[10]

INVESTIGATING THE IMPACT OF ADVERTISING

Victor Strasburger and Barbara Wilson, experts on the relationship between media and children, examined the results of a study to identify the potential effects of advertising on the increase in parent-child conflicts in the United States. According to the authors, a research study conducted with pre-school children asked them if in watching a commercial for an interesting product they would ask their parents for the product. Almost two-thirds of the children responded yes. When asked about what would happen to them if their parents said no, only 23% of the respondents said they would accept the decision. The remainder responded they would either be sad (33%), angry or hostile (23%), or continue nagging their parents for the product (16%).[11]

WHO RECOMMENDS REGULATING FOOD ADVERTISING

The World Health Organization (WHO) estimates that by the end of 2010 more than 42 million children under the age of five were overweight or obese. Among these, 35 million live in developing countries, such as Brazil. Concerned with these figures and given the powerful influence of advertising in forming unhealthy eating habits, WHO published a list of international recommendations for regulating the advertisement of unhealthy foods and beverages for children.

The document was approved by 27 countries on May 20, 2010, at the 63rd World Health Assembly in Geneva, Switzerland. According to WHO, governments have a responsibility to formulate public policies to reduce the impact of the marketing of foods and beverages with little nutritional value for children. To this end, one of the recommendations involves prohibiting this type of advertising in spaces reserved for children and youth, such as schools and playgrounds.[17]

THE DEBATE ON IMPACTS

The power to influence the decisions of children and youth in regard to the purchase of products that are potentially harmful to their health (products high in fat and legal substances such as tobacco and alcohol) and to more profoundly impact the development of values in connection with consumption (consumerism, materialism, body image) and gender and ethnicity questions has been the subject of study in various countries. Some of the key topics examined to date are described below:

Consumerism: In her article "Mídia e produções de subjetividade: questões da infância e adolescência" ("Media and the production of subjectivities: questions on children and youth"), Brazilian psychoanalyst Ana Olmos reflects on the role of the mass media in building subjectivities and their relationship to consumerism: "Educated to consume, children build values based on models presented by society, which currently assigns value only to those with purchasing power, while excluding those without access to consumer goods. From an early age, children are treated as consumers and not as citizens with the right to play, spend time with each other, study, and complete all of the stages of childhood development," she argues.[12]

Child obesity: Researchers note that there is solid evidence that television advertising influences the weekly, even daily, habits of children, persuading them often to opt for advertised products – in the case of food, usually processed, high-calorie products of low nutritional value. Because the eating habits developed in childhood tend to perpetuate themselves throughout the lives of individuals, this magnifies the scope of the problem and reinforces the need for government regulations on food advertising.[13]

Early sexualization: Experts in the field argue that advertising contributes to sexualizing girls and boys by offering products, services, or ideas which are not compatible with their age. "This speeding up of the adult stage devalues childhood, in addition to convincing children that physical attributes and sensual gestures can help them attain that which they desire," reports the Alana Institute in *Por que a publicidade faz mal para as crianças* (Why advertising is harmful to children).[14]

Advertising and drugs (beer and alcohol): As harmful as children's advertising, messages that stimulate the consumption of alcoholic beverages, including beer can, cause serious harm to children. "Because they are broadcast by the media, thus reaching children, these spots encourage alcohol consumption from a very early age," concludes the Alana Institute.[15]

According to Brazilian researcher Ilana Pinsky and Sami Jundi in "O impacto da publicidade de bebidas alcoólicas sobre o consumo entre jovens: revisão da literatura internacional" ("The impact of advertising of alcoholic beverages on consumption among youth: A review of the international literature"),[16] the World Health Organization (WHO) estimates that in South America 8% to 15% of the lives lost to illness or early death are caused by problems connected to alcohol, one of the highest rates in the world. "A factor which could be modified and have an impact on alcohol consumption rates is the advertisement of alcoholic beverages."

INTERNATIONAL EXPERIENCE

HOW HAVE OTHER COUNTRIES FACED
THE CHALLENGE OF REGULATION

Given the importance the issue has taken on in a number of Latin American countries, learning more about the practices adopted by other societies offers a valuable contribution to the discussion on regulating the production and broadcast of children's and youth advertising. Countries have undertaken a number of initiatives in the effort to balance the limits and challenges of legitimate marketing activities and the need to protect children and youth. These include State regulations, self-regulation models, and, in addition, mixed forms of control. A brief overview of some of these experiences is provided below:

EUROPEAN UNION

The European Union has addressed the regulation of children's advertising through directives, although individual countries are free to adopt the method they deems most effective. The 2007 Audiovisual Media Services Directive (AMS Directive) established greater incentives for individual Member States to implement self-regulation systems for advertising and commercials, in addition to basic rules for the broadcast television segment.

SWEDEN

Sweden applies the most stringent regulations on children's advertising and commercials. The 1996 *Radio- och TV-lag* (Radio and Television Law) bans all advertising aimed at children under the age of 12. The principal argument of the Swedish government is that this type of advertising constitutes an unfair contract, as children are not capable of recognizing the purpose and persuasive nature of advertising.

GERMANY

Although there are no federal laws on the books to regulate advertising, a uniform system of regulations has been implemented, reflected in state laws and inter-state agreements in this area. Noteworthy among these is the *Jugendmedienschutz-Staatsvertrag – JMStV* (Youth Protection Regulation), which forbids all advertising that abusively incites children to the purchase of products. A committee on the protection of children and youth in the media is tasked with ensuring fulfillment of the agreements by each participating state. More specific restrictions are established by a self-regulation entity, the Deutsche Werberat (German Advertising Standards Board).

UNITED KINGDOM

The United Kingdom maintains a self-regulation system in the advertising field – although television advertising and commercials are subject to a system of co-regulation between the government and the country'sself-regulation body. The system was established with the participation of Ofcom, the government's independent regulatory authority, which delegates the oversight of advertising to the Advertising Standards Authority. The regulation is based on a number of guidelines and the *Communications Act*, which, among other restrictions, limit advertising and commercials aimed at children and youth.

On July 26, 2010, Ofcom released a study showing that since 2005 the exposure of children to advertisements for products high in fat, sodium and sugar fell 37%, by vir-

tue of the restrictions established. Implemented between April 2007 and January 2009, the respective measures banned advertising for the related products during children's programming on most channels, in addition to the use of popular children's personalities and figures to advertise unhealthy foods.

SPAIN

Regulation in this area is accomplished through a diffuse body of laws and decrees governing broadcasting and the protection of children and youth – such as the recently approved *Ley General de la Comunicación Audiovisual* (General Audiovisual Media Law) (*see side bar*). In addition, the 1988 *Ley General de Publicidad* (General Law on Advertising) includes provisions on marketing aimed at the youngest age segments. Among these is the prohibition on advertising that takes advantage of the innocence of children to stimulatie the purchase of particular products.

PORTUGAL

Rules on advertising are provided for in the country's Constitution, which prohibits, for example, marketing spots that are difficult to identify as such. In addition, the *Código da Publicidade* (Advertising Code) places restrictions on advertising directed at children, prohibiting, in addition, scenes containing pornographic content or incitement to violence. The Code further requires that all children's advertising take into account their vulnerability.

AUSTRALIA

Australia has a vast body of laws and regulations governing children's advertising. The Australian Communications and Media Authority – ACMA regulates advertising on radio and television. Among the most noteworthy regulations are the *Children's Television Standards*, through which the regulatory authority restricts the use of popular personalities in advertising and establishes programming times at which the relevant scenes may be broadcast.

CANADA

While Canada maintains a heterogeneous body of laws and regulations – Quebec is the only province to have banned all advertising directed at children up to the age of 13 – the multiple instruments are considered a model, as they constitute one of the most far-reaching regulatory systems in the field of children's advertising. An example is the *Broadcast Code for Advertising to Children*, designed to supplement the Canadian TV Code, which sets out limits on children's advertising.

ADVERTISING AND PROTECTING CHILDREN IN LATIN AMERICA

URUGUAY

Although there is no explicit prohibition on content directed at children and youth in Uruguay, articles 183 and 185 of the CNA - Código de la Niñez

---

New Spanish Audiovisual Media Law

In March 2010, passage of the new Ley General de la Comunicación Audiovisual (General Audiovisual Media Law) introduced changes to the advertising field. The instrument establishes a protected time block for children (running from 6:00 a.m. through 10:00 p.m.) in which advertisements promoting the cult of body and beauty, such as diet products, plastic surgery, and beauty treatments that associate aesthetic standards with social success, are barred.

Also forbidden are advertisements that incite individuals to behaviors which fuel gender inequality. Commercials may not take advantage of the inexperience of children or induce them to ask their parents or third parties to purchase particular products.

y la Adolescencia (Child and Adolescent Code) lays out a number of provisions aimed at protecting these segments, in particular the individuals depicted in advertising spots.

Article 183 sets out the principles to which all advertising produced and distributed in Uruguay must adhere. Sub-section A of the article states: "Advertisements may not incite violence, the commission of criminal offenses, or discrimination of any nature." Sub-section B mandates, "The presentation of products must be understandable and compatible with reality."

Article 184, for its part, refers to advertising involving minors under the age of 18: "The participation of children and youth in advertisements for alcoholic beverages, cigarettes, or any other product harmful to their physical or mental health is prohibited."

Article 185 bars "the participation of children in advertisements that violate their dignity or physical, psychological, or social welfare."

CHILE

Chile has been a model of effective regulation in the field of food advertisements – since passage of Law No. 20606 in 2012.

The law regulates the production, distribution, sale, advertising, and consumption of foods, with a view to providing guidance to consumers and requiring procedures to guarantee the innocuousness of food.

It also requires that under no circumstances may products high in calorie, fat, sugar, and sodium content be directed at children under the age of 14, in addition to barring the use of commercial stimuli, such as toys and accessories. All packaging and labels must list the ingredients contained in particular products in a visible and readily understandable manner.[a]

MEXICO

On January 1, 2009, Mexico enacted the Código de Autorregulación de PABI - Publicidad de Alimentos y Bebidas no Alcohólicas dirigida al Público Infantil (Self-Regulation Code on Food and Alcoholic Beverage Advertising to Children), executed between the industry and the Health Secretariat. The objective of the agreement is to restrict advertising aimed at children, a segment deemed more vulnerable to marketing efforts than adults. Today, 30% of Mexico's child and youth population is obese.

The Code mandates that advertisements for children's products may not fuel a sense of urgency with respect to their purchase or a feeling of immediate gratification and exclusivity. In addition, it prohibits advertising from directly stimulating or inciting children under the age of 12 to ask their parents for a given product. Advertisements may not insinuate that the children who buy the respective product are superior to other children. Expressions such as "only" and "as low as," in referring to prices, may not be included.

The PABI will be overseen by the Council for Self-Regulation and Ethics in Advertising (Conar), an entity of the food and non-alcoholic beverages industry.[b]

PERU

On February 15, 2012, the largest food and beverage advertisers in Peru signed a self-regulation agreement aimed at establishing guidelines on responsible advertising to children under the age of 12, with a view to underscoring the importance of healthy and active lives.

Since signing of the agreement, advertisements have been required to comply with international standards based on the recommendations of the World Health Organi-

a   http://www.leychile.cl/Navegar?idLey=20606&idVersion=2012-07-06

b   http://www.promocion.salud.gob.mx/dgps/descargas1/programas/codigo_pabi.pdf

zation (WHO). In the light of the correlation between child obesity and advertising, companies undertake to ensure responsible product marketing. Advertising language must be straightforward and clear and may not take advantage of the inexperience of children. In addition, it may not incite children to ask their parents for a given product or generate a feeling of exclusivity or superiority among those who purchase a particular product. Similarly, all relevant nutritional information must be displayed prominently on product packaging.

Fulfillment of the agreement is overseen and assessed by the National Council for Self-Regulation in Advertising (Conar).[c]

BRAZIL

In Brazil, the Federal Constitution and the specific statute governing children and youth (the Child and Adolescent Bill of Rights – ECA) reinforce the priority given to boys and girls with respect to their social protection, requiring that the access to information, culture, and other products and services be properly adapted to the age and conditions

ADVERTISING AND SELF-REGULATION IN BRAZIL

Contrary to the journalism and entertainment sectors, the advertising industry in Brazil has developed a recognized system of self-regulation embodied in the Conselho de Autorregulamentação Publicitária – Conar (Council for Self-Regulation in Advertising). With respect to protecting children and youth, the Código Brasileiro de Autorregulamentação Publicitária (Brazilian Code of Self-Regulation in Advertising) – the primary reference document governing Conar's activities – includes a specific resolution on children's advertising rooted in the recognition of the segment is intrinsic vulnerability.

Although an important tool to enhance the industry in Brazil, Conar only has authority to offer recommendations to advertisers. While representatives of the private sector argue that the entity's activities are sufficient to ensure protection to children and youth, various children's rights organizations and legal experts believe the absence of mechanisms to enforce compliance with the Code – including oversight by an independent regulator – undermines its application.

CONAR acts on the basis of complaints from consumers, competitors, and public authorities or its own monitoring initiatives. After a complaint is entered, the advertisement in question is analyzed by the Ethics Council, composed of representatives of advertising agencies, business, media outlets, and consumers. When an advertisement is flagged by the entity, the company and advertising agency are given a specified amount of time to defend the spot or offer clarifications. According to the Council's own figures, in 2010 a total of 423 complaints were reviewed. Of these, 15% led to the suspension of the advertisements, 11% to warnings, 39% to changes in the target advertisements in question, while 35% of the complaints were set aside.

 Beyond participation in the Council for Self-Regulation, the business community has also coordinated efforts to produce knowledge and information, in addition to organizing systematic initiatives and campaigns, on the issue.

To mitigate the potential harm to children and youth and as a response to growing public pressure, a number of industries have signed public agreements undertaking to ensure ethical children's advertising. In August 2009, dozens of companies in the food industry – represented by the ABIA - Associação Brasileira da Indústria de Alimentos (Brazilian Association of the Food Industry) and the ABA - Associação Brasileira dos Anunciantes (Brazilian Association of Advertisers) – signed a public agreement of commitment on children's advertising.

The proposal was aimed at adopting rules on food advertisements directed at children and youth. Among the measures put forward was a commitment to refrain from advertising foods low in nutritional value for children up to age 12 and the inclusion of all product nutritional information by the end of that year.

However, several months following execution of the self-regulation agreement on children's advertising, the desired outcomes had not been achieved. A survey conducted from September to December 2010 by Alana's Projeto Criança e Consumo (Children and Consumption Project) revealed that the commitments undertaken were reflected on the Internet pages of only 12 of the participating companies. Of these, only eight described the nutritional criteria on which their marketing strategies were based.

---

of developing individuals. These principles are stressed by those who advocate greater control over advertising and who argue that given the evidence of advertising's negative effects – as revealed in a number of studies – society and the State should limit this type of content.

Another instrument that extends guaranteed protections to children in this area is the Código de Defesa do Consumidor (Consumer Protection Code). Article 37, paragraph 2, of the Code provides that advertising may not take advantage of children's lack of judgment and experience, under penalty of being deemed abusive and, as such, unlawful. For experts in the field, the very fact that children's advertising employs subterfuge and persuasion on more vulnerable individuals justifies its restriction under the Consumer Protection Code.

Despite the protections above, the effectiveness of concrete measures to restrict advertising faces a critical hurdle, namely the absence of a specific law on this question. To address this gap in the legislation, a series of bills is currently before the National Congress. The most prominent of these is PL 5921, which would restrict children's advertising. Specifically, the bill would prohibit advertising of unhealthy food and beverages aimed at children, as well as commercials for alcoholic beverages – including beer – that appeal to children. Further, the statute would also bar merchandising and merchantainment (a type of advertising that combines merchandising and entertainment) directed at children. All other types of advertising aimed at children would be unaffected, provided the pertinent ethical standards were observed. The proposed law would codify a number of rules established by Conar - Conselho de Autorregulamentação Publicitária (Council for Self-Regulation in Advertising), which currently serve merely as recommendations.

As revealed by the Alana Institute's Projeto Criança e Consumo (Child and Consumption Project), while the criteria included in the bill represent progress in relation to current law, the proposals remain insufficient. "It is a first step, yet children remain highly vulnerable to market appeals," argues Isabella Henriques, general coordinator of the Project. To Henriques, all advertising aimed at children should be regulated, "as it stimulates consumerism among a hyper-vulnerable group which is incapable of understanding the function of marketing."[d]

CONCLUSION

TRACKING ADVERTISING IS A PRIORITY

In light of the serious challenges laid out in these pages, it is essential that Latin American societies marshal efforts to develop more balanced media systems with regard to protecting the most vulnerable population segments, particularly children.

Among the issues to address is the regulation of children's advertisements for foods high in sodium, saturated fat, trans fats, and/or sugar and beverages of low nutritional value – products that have contributed to transforming child obesity into an increasingly urgent public health crisis.

It is equally important to confront the negative aspects of associating advertising and drugs, in particular alcohol commercials on television and in schools. Similarly, more ethical parameters need to be defined with respect to alcohol sponsorships of children's and youth parties and events, as well as the association between alcohol and sports.

---

d　Available at: www.criancaeconsumo.org.br.

In the case of tobacco advertising – which is restricted in many countries – prohibiting advertisements has not always been sufficient to address the problem. Direct marketing strategies, for example, have become more frequent. In various countries, tobacco publicity, advertising, and sponsorships remain a stubborn problem, as does the sale by tobacco companies of their goods in fixed or permanent points of sale – at events or venues where tobacco products may be visible to children and youth.

Regardless of the model adopted, it is of fundamental importance that the State and society strive to limit the number of advertisements directed at children in the media – whether by barring this type of advertising altogether (as in Sweden, Norway, or the Canadian province of Quebec) or establishing clearer rules on the broadcasting and dissemination of advertising. ■

REFERENCES

[1,7] SAMPAIO, Inês Vitorino. Publicidade e infância: uma relação perigosa. In: VIVARTA, Veet (coordinator). **Infância e consumo**: estudos no campo da comunicação. Brasília: ANDI; Alana Institute, 2009.

[2] WILCOX, Brian L. et al. **Report of the APA task force on advertising and children**: psychological issues in the increasing commercialization of childhood. American Psychological Association, 2004. Available at: www.apa.org/pi/families/resources/advertising-children.pdf. Accessed: March 25, 2011.

[3] BJURSTRÖM, Erling. **Children and television advertising**. Sweden: Swedish Consumer Agency, 2004.

[4] MOMBERGER, Noemi F. **A publicidade dirigida às crianças e adolescentes**: regulamentações e restrições. Porto Alegre: Memória Jurídica, 2002.

[5,9] FEDERAL PSYCHOLOGY COUNCIL. **Contribuições da psicologia para o fim da publicidade dirigida a crianças**. Primer. Brasília, 2008. Available at: http://www.cartilhasecia.com.br/cartilhas/cidadania/0033 _cartilha_publicidade_infantil.pdf. Accessed: November 1, 2012.

[6,8,14,15] ALANA INSTITUTE. **Por que a publicidade faz mal para as crianças**. São Paulo, 2009. Available at: http://pt.scribd.com/doc/62689390/Por-Que-a-Publicidade-Faz-Mal-Para-as-Criancas. Accessed: November 1, 2012.

[10] LINN, Susan. **Crianças do consumo**: a infância roubada. Tradução Cristina Tognelli. São Paulo: Alana Institute, 2006.

[11] AMERICAN ACADEMY OF PEDIATRICS. Policy Statement Children, Adolescents, Substance Abuse, and the Media. **Pediatrics** v. 126, n. 4, Oct 2010. Available at: www.camy.org/bin/i/h/AAPStatement.pdf. Accessed: September 6, 2011.

[12] OLMOS, Ana. Mídia e produções de subjetividade: questões da infância e adolescência. In: **Mídia e Psicologia**: produção de subjetividade e coletividade. Brasília: Federal Psychology Council, 2009.

[13] FRENTE PELA REGULAÇÃO DA PUBLICIDADE DE ALIMENTOS. **Manifesto de Criação da Frente pela Regulação da Publicidade de Alimentos**, 2010.

[16] PINSKY, Ilana and JUNDI, Sami A R J El. O impacto da publicidade de bebidas alcoólicas sobre o consumo entre jovens: revisão da literatura internacional. **Revista Brasileira de Psiquiatria**, São Paulo, v. 30, n. 4, Dezembro de 2008.

[17] ALANA INSTITUTE. **OMS publica recomendações para publicidade de alimentos não saudáveis**. 2010. Available at: http://www.direitoacomunicacao.org.br/content.php?option=com_ content&task=view&id=6718. Accessed: November 1, 2012.

Learn more

Aliança de Controle do Tabagismo (ACTBr) [Brazilian coalition]
actbr.org.br

CFP - Conselho Federal de Psicologia [Federal Psychology Council]
www.pol.org.br

CONAR – Conselho de Autorregulamentação Publicitária do Brasil [Brazilian Council for Self-Regulation in Advertising]
www.conar.org.br

CONAR – Consejo Nacional de Autorregulación Publicitaria del Perú [Peruvian Council for Self-Regulation in Advertising]
www.conarperu.org

CONAR – Consejo de Autorregulación y Ética Publicitaria de Mexico [Mexican Council for Self-Regulation and Ethics in Advertising]
www.conar.org.mx

Consumers International
www.consumersinternational.org

Frente pela Regulação da Publicidade de Alimentos [Brazilian coalition]
regulacaoalimentos.blogspot.com

Junk Food Generation
www.junkfoodgeneration.org

NISAN – Núcleo Interdepartamental de Segurança Alimentar e Nutricional da UNIFESP [Inter-Departmental Center for Food and Nutritional Security of the Federal University of São Paulo]
www.uni-fesp.br/nucleos/nisan

Projeto Criança e Consumo do Instituto Alana [Brazilian Non-Governmental Organization]
www.criancaeconsumo.org.br

Chapter

Child entertainers in the media

09

In recent decades, the international community has stepped up its efforts against child labor significantly, an outgrowth product of the growing recognition of the rights of children and youth. The effort to eliminate all forms of child labor has become a central pillar of child and youth policies.

Given the notable progress secured on this front, the use of children and youth in the media is a matter of controversy, often dividing experts and public opinion. From the standpoint of risks, it is evident that the relationship can cause significant harm to boys and girls, with potential consequences for their health, education, and safety – in addition to their psycho-social development as a whole.

At the same time, the freedom of artistic expression and participation constitute important rights as well, which should be contemplated in a clearer set of regulations on the issue. How, then, can we stimulate the participation of the youngest age segments in the artistic-cultural field while guaranteeing that their right to leisure, rest, and full development are not violated?

Despite the provisions set out in international agreements such as International Labour Organization (ILO) Convention No. 138, most countries still lack specific norms and clear parameters on the participation of children and youth in artistic endeavors in the media – as well as effective enforcement systems to ensure compliance with the pertinent regulations.

OVERVIEW

CHILD LABOR: A DELICATE SUBJECT

In many parts of the world, child labor remains a serious obstacle to the full guarantee of children's rights. The United Nations Children's Fund (Unicef) estimates that 150 million children 5-14 years of age are engaged in work wordwide.[1] Thus, while child labor rates have fallen, the phenomenon continues to affect the life opportunities of this population segment in many of regions.

Children are forced into work for a number of reasons, above all poverty. As such, children are required to assume responsibilities, whether by helping at home while their parents work or by finding work outside the home to supplement the family's income. Deficient educational systems also push children into work. And even when working children and youth have access to school, they tend to face the greatest difficulties in successfully completing of their studies in a timely manner.

Another factor leading to child labor is the prevailing view in many cultures – and not only among the poorest segments – that children should share in household responsibilities, assisting parents with their work, earning income outside the home, or contributing to maintaining the home environment. This last notion particularly affects girls, who are expected to take care of their younger brothers and sisters as well as handle household chores, obligations that often become their principal or sole activity[2]. The impact of the gender question on child labor in Latin America was underscored in a document released by Eclac and Unicef:

> *"While the majority of children in the region are enrolled in school, those who do not attend or complete school have few prospects before them. Many girls remain at home performing unpaid housework or work in other homes in poor conditions, receiving little or no compensation, while boys look for work to compensate for or complement that of their parents, serving to reproduce the spiral of inequality."[a]*

In the light of this reality, a strong consensus has emerged worldwide on behalf of combating the various forms of child labor. But what about entertainment/artistic work in the media?

CHILD LABOR IN THE MEDIA: ARTISTIC EXPRESSION VS PROTECTION

Whereas the exploitation of the labor of children and youth – particularly in the most extreme situations, including the streets of metropolitan areas, in coal mines, and the countryside – is roundly condemned by all sectors of society – activities in media productions has become a normal and natural part of our everyday lives.

AMERICA'S COOGAN LAW

A milestone in the protection of child performers was inspired by the case of actor Jackie Coogan – famous for his brilliant role in Charlie Chaplin's The Kid (1921). A legal claim filed by his parents for millions of dollars in receipts generated by his work spurred changes to the law in this area, conferring on the American courts the power to require that trusts be established or other forms of future earnings in the name of child performers as a pre-condition for the approval of legal contracts. These instruments continue to represent a strategy for protecting children and mitigating the effects of future financial hardship – given the large number of children and youth who achieve immediate success as actors but fail to repeat that success in adulthood.

---

a Desafíos: Boletín de la infancia y adolescencia sobre el avance de los objetivos de desarrollo del Milenio. Número 8, enero de 2009, CEPAL, Unicef. http://www.eclac.org/dds/noticias/desafios/5/35045/Boletin-desafios8-CEPAL-UNICEF.pdf [Challenges: Bulletin on progress toward the Millennium Goals for children and adolescents. No. 8, January 2009, ECLAC, UNICEF]

From the appeal of baby and infant images that add to advertisements through the participation of children and youth in TV dramas and films, the involvement of these age segments in cultural and artistic expressions is reflected in a variety of ways. What are the boundaries, therefore, between guaranteeing girls and boys their right to artistic expression and the clearly established right they have to not work?

First, it is import to understand the unique features of artistic endeavors – the scope and nature of which are highly distinct from other forms of child labor traditionally targeted by governments and society in general.

In an ILO sponsored paper[3] on this type of work, Katherine Sand – former secretary of work of the International Federation of Actors (FIA)[b] – it is important to recognize the distinctive nature of this work. "With possibly very few exceptions, at least in the developed countries, children are not driven to work in these industries because of poverty, environments are not hazardous or oppressive and, of course, the numbers of child performers concerned are minuscule in comparison with the hundreds of millions of children employed in industrial, agricultural and other work that is more usually the focus of those with an interest in child labour."

In addition, performances by children and youth are an integral part of their affirmation as individuals as active voices with the right to express themselves freely in all social spheres. This confers a number of distinctive characteristics to artistic work that cannot be disregarded.

However, the performance of work in the media is not exempt from serious consequences with the potential to significantly impact the development of children and youth. A number of educators have raised concern with the academic performance of young artists. Questions such as the health and safety of the respective work environments have also drawn the attention of children's rights movements.

An additional reason for alarm is the fact that – contrary to other forms of rights violations against girls and boys – parents and relatives often stimulate and normalize this kind of work. Many cases involve the exploitation of children's labor in the media fueled by parents who see these activities as a chance to realize some of their own personal dreams and to obtain wealth and prestige.

Whether because a relatively smaller number of children are affected or because it is so prevalent in our everyday lives, the regulation of artistic work by children has been neglected in the majority of Latin American countries. As we will see below, although various nations have made progress in setting forth more precise rules there is no international code to guide this type of work.

WHY IS THE SUBJECT IMPORTANT?

PROTECTION IN FOCUS

Evaluating the work of child performers from the perspective of rights protection requires that attention be given to multiple factors impacting the development of the children and youth. In the pages that follow, we address some of these aspects, without any pretense that the analysis offered is exhaustive.

NATURE AND CONDITIONS OF ARTISTIC WORK

Working in the production of media content, in particular the entertainment field, is defined by its highly dynamic character. In general, there are no standardized work

---

b   Available at: www.fia-actors.com.

settings in this field, which makes it more difficult to monitor and enforce compliance of the various set locations. In addition, production schedules are extremely susceptible to sudden changes by virtue of the very nature of the activity.

The time young performers engage in artistic work varies significantly as well, ranging anywhere from a few hours and weeks to months and years, as in the case of long-running television series. Due to the complexity of artistic work and the impossibility of forecasting the various aspects surrounding the related production, the time devoted to artistic activities is the single factor most likely to trigger adverse pressure on boys and girls. Night work is also of concerns to experts.

HEALTH AND SAFETY

Beyond the risk of excessive fatigue, it is worth noting that – as with any other work activity – children and youth are exposed to accidents, making the safety standards of studios and taping locations a fundamental concern of experts in the field.

In various countries, medical exams are non-negotiable pre-requisites for obtaining permits for the related activities. Specific requirements could be enacted in connection with the nutrition and food offered to children and minimum rest times.

In countries such as the US with powerful entertainment industries, the agreements executed between companies and actors unions also include guidelines on the use of doubles (stand-ins), the performance of acrobatic stunts or hazardous activities, as well as situations in which children may be pressured deliberately into behaving a certain way in a scene.

PSYCHOLOGICAL EXPOSURE/IMPACTS

The harmful outcomes of artistic activities can include psychological effects, often caused by disruptions in everyday routines, absences from school, and distance from peers. The precautions adopted should address inappropriate roles or scenes for the child performer's age, exposure to complex situations relative to his or her development stage, and deliberately causing stress with the objective of eliciting a more realistic reaction while the cameras are roll.

In addition, child performers sometimes become celebrities and in so doing miss out on a key stage of life. It can become almost impossible for them to move about freely and engage in daily activities, such as going to school or the park, without being recognized and pursued. In the view of Renato Mendes, coordinator of the ILO's International Program to Eliminate Child Labor in Brazil, the exploitation of children and youth can have the effect of turning them into adults before their time. "Many of them take part in scenes depicting family conflict, which can be traumatic for the child," says Mendes.[4]

Another relevant factor in regard to psycho-social development refers to the future problems faced by artists who achieve fame in childhood but garner little, if any, attention in adulthood. "Even if these children continue working as artists, the effects of early stardom can translate into a number of problems, including drug use, depression, eating disorders, and financial problems," notes Katherine Sand in the ILO sponsored paper.[5]

Inappropriate exposure in early childhood

Another issue largely overlooked in the literature on child performers involves the participation of young children (0-3 years of age). Nor is the question covered, for the most part, by domestic laws and regulations. An example of regulatory efforts in this area is the United States, where infants may only be employed in media productions 15 days after birth. Nonetheless, the realism sought in these productions often requires the depiction of childbirth and images of newborns, leading some producers to employ premature babies – which, though older than 15 days, are generally below average weight. Clearly, therefore, scenes of this type demand numerous precautions to which regulatory authorities should devote special attention.

EDUCATION

The educational development of children working in media productions also warrants attention. The absences caused by travel or specific taping and filming times can be extremely harmful to learning and academic performance.

Ensuring regular school attendance, therefore, must be a condition for the issuance of permits to employ children in media content. Collective agreements in Canada and the United States also require that studios employing children for longer periods of time hire tutors.

INTERNATIONAL EXPERIENCE

COUNTRIES MONITORING PARTICIPATION IN MEDIA PRODUCTIONS

A key milestone in confronting child labor at the global level is ILO Convention No. 138 approved in 1973, the instrument sets forth a number of proposals on the minimum age for admission to employment activities. In regard to the issue of artistic work by children, the convention provides a specific exception to what is otherwise a universal prohibition by authorizing the participation of children in artistic performances, provided valid permits are issued on a case-by-case basis.

While the ILO Convention serves as an important guide to address the issue, it fails to offer in-depth analysis on how children should participate. This lack of detail has become more apparent as the industry has continued to expand since the early 1970s when the Convention was approved – suggesting that additional instruments should be adopted.

In 2007, the ILO released *Modern policy and legislative responses to child labour*,[6] a technical guide that lays out the regulations enacted in various countries in connection with the issue of child labor in a range of fields and on the measures adopted to combat the phenomenon. The document indicates that generally speaking a number of countries impose limits or restrictions – in extraordinary circumstances – on the employment of children and youth in artistic performances. "ILO Convention No. 138 allows for permits to be granted in individual cases to enable children under the basic national minimum age to participate in artistic performances. Countries broadly respect this provision, placing protective limits where the child is to do this type of work," states the report.

Within the framework of the European Union, the issue is also tackled in general terms in Directive 94/33/CE of 1994, governing the protection of the youngest age groups engaged in work. The document encourages Member States to adopt domestic laws and regulations capable of determining the conditions under which work may be performed. In addition, questions such as health, education, and safety are given special emphasis in the Directive.

> Article 5
> *Cultural or similar activities*
> *1. The employment of children for the purposes of performance in cultural, artistic, sports or advertising activities shall be subject to prior authorization to be given by the competent authority in individual cases.*
> *2. Member States shall by legislative or regulatory provision lay down the working conditions for children in the cases referred to in paragraph 1 and the details of the prior*

authorization procedure, on condition that the activities:

(i) are not likely to be harmful to the safety, health or development of children, and

(ii) are not such as to be harmful to their attendance at school, their participation in vocational guidance or training programmes approved by the competent authority or their capacity to benefit from the instruction received.[c]

REGULATORY INITIATIVES IN THIS AREA

Following in the steps of the European Union Directive, in 1998 Great Britain amended the Children and Young Persons Act.[d] The statute mandates that the responsible authority is charged with issuing permits for participation in artistic performances – to which end specific regulations are applied to different age groups. Children under the age of 14 are only issued permits, for example, when a particular role cannot be played by an older individual.

In addition, the code implemented by Ofcom,[e] Britain's regulatory authority, requires that the participation of individuals under the age of 18 in media programming is conditioned on taking into account the physical and emotional welfare and dignity of those involved and on ensuring they are not subject to stress or anxiety by virtue of the production or broadcast of program.

> *The involvement of people under eighteen in programmes*
>
> *1.28 Due care must be taken over the physical and emotional welfare and the dignity of people under eighteen who take part or are otherwise involved in programmes. This is irrespective of any consent given by the participant or by a parent, guardian or other person over the age of eighteen in loco parentis.*
>
> *1.29 People under eighteen must not be caused unnecessary distress or anxiety by their involvement in programmes or by the broadcast of those programmes.*

For their part, Spain, through Article 2 of the Real Decreto 1435/1985,[f] and the Philippines, by means of Article 12 of the 2003 *Act on the Special Protection of Children Against Child Abuse, Exploitation and Discrimination,*[g] have imposed similar requirements on child labor – individuals under the age of 16 in Spain and under the age 15 in the Philippines. The participation of children and youth in artistic productions in both countries does not only require their express consent, but an authorization from their legal representatives and the pertinent labor department. In Malaysia, Article 7 of the *Children and Young Persons (Employ-*

What Article 8 of ILO Convention No. 138 says

1. *After consultation with the organisations of employers and workers concerned, where such exist, the competent authority may, by permits granted in individual cases, allow exceptions to the prohibition of employment or work provided for in Article 2 of this Convention, for such purposes as participation in artistic performances.*

2. *Permits so granted shall limit the number of hours during which and prescribe the conditions in which employment or work is allowed.*

---

c Directive 94/33/EC, 1994. Available at: eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31994L0033:PT:HTML. Accessed: May 12, 2011.

d Children and Young Persons Act, 1988. Available at: www.legislation.gov.uk/ukpga/2008/23/contents. Accessed: April 7, 2011.

e Ofcom Broadcasting Code. Available at: stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/?a=0. Accessed: May 12, 2011.

f Real Decreto 1435/1985. Available at: noticias.juridicas.com/base_datos/Laboral/rd1435-1985.html. Accessed: April 7, 2011.

g Act on the Special Protection of Children Against Child Abuse, Exploitation and Discrimination of 2003.

ment) Act[h] prohibits the participation of children and youth in public performances except where specifically authorized by the general director for labor. The permit is not provided in the case of work capable of endangering the child's life, physical well-being, health, or moral welfare.

THE DEBATE IN LATIN AMERICA

Given the region's specific features, it is worth looking out how Latin American countries regulate children's artistic work:

ARGENTINA

In Argentina, children's artistic work "means everything that results in the participations of children and adolescents as actors or characters in any type of public performance, whether in theater or film productions, radio or television programs, ensembles, modeling, circuses, or advertisements."

According to the Ministry of Labor, Employment, and Social Security, Argentina permits children and youth to participate in artistic activities pursuant to on Law No. 24650/96 and ILO Convention No. 138.[i] Resolutions have also been enacted by the individual provinces regulating the applications for permits. An example is the Province of Buenos Aires, where the Under Secretariat for Labor has primary responsibility for issuing the related permits. The requirements governing applications for permits include, among others, that submissions be presented:

> *"[…] in writing and signed by the child's father, mother, or other legal guardian. They must set forth the precise terms and conditions of the contract or legal instruments on*

Regulating artistic work by children and youth in the US and Canada

The conditions for the participation of child performers in the United States are well established on a number of key points – however, due to the sheer size of the country's entertainment industry, the US constitutes one of the most complex case studies.

All federal laws governing child labor in the United States are encompassed under the 1938 Fair Labor Standards Act – FLSA. The statute prohibits employers from using "oppressive" child labor. Yet the related provisions exclude child performers, specifically stating that provisions relating to child labor "shall not apply to any child employed as an actor or performer in motion pictures or theatrical productions, or in radio or television productions."

As an "umbrella statute," the FLSA is enforceable in every state of the Union – however, beyond these general prohibitions no other federal regulations have been enacted. Each state has its own child labor laws and regulations. This creates a difficult landscape in which to address the various types of child labor, including in the performing arts. "There are such great differences from state to state that the unions' collective bargaining agreements are the closest thing that exists in the United States to national provisions," argues Katherine Sand.

With regard to Canada, the absence of protections in some provinces has been identified as a pressing problem by advocates for child performers. There are cases of American film and television studios that transferred their activities in the early 1980s to Canada. Some activists have suggested that Canada's more lenient child labor laws were one of the factors driving the decision of studios to relocate.

In an age of increasingly mobile production, disparities between bordering countries in the protection afforded to children can open the door to abuse.[7]

---

h Children and Young Persons (Employment) Act., 1966, 2006. Available at: www.agc.gov.my/Akta/Vol.%207/Act%20350.pdf. Accessed: April 7, 2011.

i http://www.trabajo.gov.ar/trabajoartistico/

which they are based, with a detailed description of the tasks to be per-
formed, the number of days and hours worked by the child, and the exact
date of commencement and conclusion. Submissions must also set out
the characteristics of the artistic work in which the child will engage and
indicate who will be authorized to accompany the child during produc-
tion, which individuals may not be known or connected to the employer."[j]

CHILE

According to Article 16 of Chile's *Código del Trabajo*[k] (Labor Code), in duly
demonstrated cases – and with the authorization of the legal representatives
or judge with the relevant jurisdiction – the participation of children and
youth in public performances such as theatrical, film, radio, television, circus,
or other similar productions may be permitted.

> *Article 16. In duly demonstrated cases, the participation of children*
> *under the age of fifteen may, pursuant to Article 13, sub-section two,*
> *and following the authorization of the respective legal representative*
> *or Family Court, execute employment contracts with persons or en-*
> *tities engaged in theatrical, film, radio, television, circus, or similar*
> *productions.*"

> *Article 17. Where a minor is contracted without application of the provi-*
> *sion above, the employer shall be subject to all of the obligations provided*
> *for during running of the contract; the labor inspector must, moreover, ex*
> *oficio or upon a request, order termination of the contract and impose the*
> *applicable sanctions on the employer.*[l]

COLOMBIA

Colombia's *Código de la Infancia y la Adolescencia* (Child and Adolescent
Code), Law No. 1098 of 2006, expressly requires the issuance of special
permits for children engaging in paid artistic work:

> *Exceptionally, the Labor Inspectorate, or, in its absence, the Territorial*
> *Entity, may authorize children under the age of 15 to perform paid artis-*
> *tic, cultural, recreational, and athletic endeavors. The permit shall estab-*
> *lish the maximum number of hours and prescribe the conditions in which*
> *the related activities shall be performed. Under no circumstances shall*
> *permits exceed fourteen (14) hours per week of work.*[m]

BRAZIL

While Brazil has a series of legal instruments to address the different issues
in connection with children's artistic work, there remains a lack of clarity
on the scope of prohibitions and the required rules.

---

j http://www.trabajo.gov.ar/downloads/trabajoinfantilno/res44-08_provbsas.pdf

k Código del Trabajo. 1994. Available at: html.rincondelvago.com/codigo-del-trabajo-de-chile.html. Accessed: April 7, 2011.

l http://www.dt.gob.cl/legislacion/1611/articles-95516_recurso_1.pdf

m http://www.secretariasenado.gov.co/senado/basedoc/ley/2006/ley_1098_2006.html

---

BRAZIL: WHAT DOES THE CHILD AND ADOLESCENT BILL OF RIGHTS HAVE TO SAY?

In addition to the Federal Constitution and applicable international conventions, the ECA - Estatuto da Criança e do Adolescente (Child and Adolescent Bill of Rights) addresses the presence of children and youth in public performances, conferring on the Judiciary the responsibility for authorizing their participation. The responsible authority is charged with ensuring the appropriateness of the environment in which the child participates or frequents for purposes of artistic endeavors, the existence of proper facilities, and the nature of the performance.

Article 49. The judicial authority is charged with determining, through a directive, or authorizing, by means of a permit:
[...]
II – the participation of a child or adolescent in:

a) public performances and the related rehearsals;
b) beauty contests.

Paragraph 1. For the purpose of this article, the judicial authority shall take into account, among other factors:

a) the principles of this Law;
b) the applicable local specificities;
c) the existence of appropriate facilities;
d) the nature of the child's or adolescent's attendance at the venue or location;
e) the appropriateness of the environment in which the child or adolescent participates or frequents;
f) the nature of the performance.
[...]

The 1988 Brazilian Federal Constitution has been used as an argument to advocate for a total ban on this type of work. Article 7, sub-section XXXIII, Clearly "prohibits night, hazardous, or unhealthy work for minors under the age of eighteen and all work for minors under the age of sixteen, with the exception of apprentice work, as of the age of fourteen years." For their part, other jurists have invoked Article 5 of the Constitution, sub-section IX, which expressly provides that "the expression of intellectual, artistic, scientific, and communications activities is free, independently of censorship or license."

As such, the potential clash between the rights of free expression and freedom from work adds considerable complexity to the issue.

CONCLUSION

BALANCE CAN SERVE TO PREVENT ABUSES

While the issue of children's artistic work is wrapped in controversy, the ongoing disagreements between experts and jurists should prevent in-depth consideration of an issue that directly impacts the lives of a large number of girls and boys. The critical need, therefore, is to strengthen the regulations on this type of work.

Clearly, the use of children and youth in media products is frequent in most countries. The exposure of young talents through the media has become an integral part of our culture.

Recurring violations of the rights of children and youth in this field, however, remain a source of major concern. It is important to implement solutions that reinforce the protection of children, which, from an early age, interact with activities capable of harming their full development. Addressing the situation from the perspective of rights protections must also involve balanced mediation between the various sectors involved (parents, children and youth, the Courts, business, and civil society).

Finally, establishing clear international guidelines and codes of conduct and minimum standards – and readily adaptable to domestic law – would represent a major step forward in this area. In the current setting, the underlying weakness of the regulatory systems in most Latin American countries hinders the effort to combat violations and fuels an unstable environment: leading to frequent abuses by media enterprises and legal uncertainty with regard to the applicable judicial decisions. ■

References

[1] UNICEF. **The State of the World's Children 2011** – Adolescence: An Age of Opportunity. New York: 2011. Available at: www.unicef.org/brazil/pt/br_sowcr11web.pdf. Accessed: September 8, 2011.

[2] ANDI, ILO. **Worst Forms of Child Labour**. A handbook for journalists. Brasília: ANDI; ILO, 2007. Available at: www.andi.org.br. Accessed: September 8, 2011.

[3, 5, 7] SAND, Katherine. **Child performers working in the entertainment industry around the world**. Sectoral Activities Working Paper WP.186, Geneva, 2003. Available at: www.ilo.org/public/english/dialogue/sector/papers/media/wp186.pdf. Accessed: September 1, 2011 .

[4] VITA, Rachel. **Trabalho infantil**: a gente vê na TV. Pró-menino, 2009. Available at: www.promenino.org.br/Ferramentas/DireitosdasCriancaseAdolescentes/tabid/77/ConteudoId/ed4e7bcb-14c8-4aa9-992d-b50e93443eab/Default.aspx. Accessed: October 7, 2009.

[6] ILO. Child Labour. **Modern policy and legislative responses to child labour**. Geneva: 2007. Available at: www.ilo.org/public/libdoc/ilo/2007/107B09_373_engl.pdf. Accessed: September 8, 2011.

Learn more

FNPETI - Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil
[National Forum for the Prevention and Elimination of Child Labor – Brazilian coalition]
www.fnpeti.org.br

ILO – International Labour Organization
www.oitbrasil.org.br

UNICEF – United Nations Children's Fund
www.unicef.org.br

Learn more

FNPETI - Fórum Nacional de Prevenção e Erradicação do Trabalho Infantil
[National Forum for the Prevention and Elimination of Child Labor – Brazilian coalition]
www.fnpeti.org.br

ILO – International Labour Organization
www.oitbrasil.org.br

Children and youth use the Internet to search for information, participate in social networks, send and receive emails, download music, and instant message, among other activities. Cells phones and other mobile platforms increasingly serve as multimedia tools – beyond their traditional function – offering access to the Internet and countless new applications. The types and intensity of new technology uses by boys and girls – even those in low-income families – continuously expanded while steadily converging.

As such, it is important to underscore the positive impact of this new age of technological connectedness. Yet, guaranteeing access to the benefits offered by new media depends on implementing broad digital inclusion programs and promoting a free, ethical, and participatory digital culture. While access to broad band services is viewed increasingly as a first-order public demand, it is also necessary to invest in educational processes and enable the effective inclusion of the youngest segments in the new communication landscape.

However, the challenges of protecting children and youth are many and varied. The new setting is marked by a rising trend toward online aggression, abuse, and violence, with serious psycho-social effects for victims. Nonetheless, there is growing evidence of the public's recognition of the attendant risks, including pedophilia, pornography, child grooming, and cyberbullying. However, ultimate responsibility for addressing the phenomenon does not fall solely to the State and must include the engagement of families, civil society, and business organizations in the field.

There is a need to focus efforts on preventing criminal activities and the risks of interaction while averting the temptation to adopt vigilante-style models– in other words, promoting a legal framework which does not unduly restrict free expression online. In short, the imperative of protecting children cannot be used as justification for enacting overly restrictive norms.

OVERVIEW

THE PRESENCE OF NEW MEDIA

The issue of media content quality and its impact on the full development of children and youth has taken on greater urgency with the rapid dissemination of new information and communication technologies.

Despite the relevance of new media, Latin American countries are marked by acute digital exclusion, which, as we will see, should be the target of government policies and private initiative. The limits to access is revealed in data compiled by the United Nations Economic Commission for Latin America and the Caribbean (Eclac). In 11 of 14 countries across the region, Internet access for the wealthiest households is 30 times higher than that for the poorest households – according to the ICT Statistical Information Database, an online mechanism for processing data on the access to and use of Information and Communication Technology (ICT).[1]

According to the International Telecommunication Union (ITU), the region is also marked by significant inequality in regard to ICT penetration for average citizens. While the percentage of households with Internet access is modest in countries such as Uruguay (39.4%), Chile (38.8%), and Argentina (38.0%), penetration rates are negligible in countries like El Salvador (14.3%), Honduras (14.0), and Nicaragua (9%).

Notwithstanding the challenge of providing access, household surveys have found that children and youth are among the population segments in which Internet expansion has been most pronounced. In the Brazilian case, a research study by CGI.br - Comitê Gestor da Internet (Internet Management Committee), sponsored by CETIC. br - Centro de Estudos sobre as Tecnologias da Informação e da Comunicação (Center for Information and Communication Technology Studies), concluded that in 2011 a full 86% of the children and youth 10-15 years of age had used a computer. Among computer users, 56% logged on daily, while another 32% did so on a weekly basis.[a] Analyses by age group also indicate that the youngest segments tend to use the Web most frequently. In the 10-15 year-old age group, a total of 67% of respondents stated that they had surfed the Web at some point in the last three months, according to researchers.[2] Among children 5-9 years of age, the results of the TIC Crianças 2010 (ICT Children 2010) study conducted by CETIC.br revealed that 51% of respondents had used a computer – suggesting a growing connection between the youngest generations and this new technology.[3]

A 2009 study by the Nielsen Company – a global firm engaged in performing market and marketing analysis studies – found that in relation to youth in the other survey countries Brazilian youth spent the greatest amount of time on the Internet and using applications: an average of 43 hours and 50 minutes per month, nearly 40% more than the second-place country, Australia (27 hours and 54 minutes per month).[4]

In sum, despite the serious gap in access, the influence of new media among children and youth has grown rapidly, a phenomenon that requires the formulation of specific policies to this end.

CONVERGENCE

The focus on new media has grown in the context of media convergence – technological and digital. The term refers to the tendency to use a single technology infrastructure to provide services previously requiring separate equipment, communication channels,

---

a The center performs an annual research study on the use of information and communication technologies in Brazil.

Newest toy?

Mobile telephony is a growing technology among Brazilian children 5-9 years of age surveyed for the TIC Crianças 2010 (TIC Children 2010) study conducted by CETIC.br - Centro de Estudos sobre as Tecnologias da Informação e da Comunicação – (Center for Information and Communication Studies). More than half (59%) of all children responded that they had used a mobile handset, although the figures varied significantly between urban (61%) and rural (48%) areas.

Percentage of households with computer					
Country Name	**2007**	**2008**	**2009**	**2010**	**2011**
Uruguay	28.3	35.4	47.6	52.8	62.0
Chile	36.4	40.0	43.9	46.8	50.6
Argentina	36.4	37.6	38.9	47.0	50.0
Brazil	26.5	31.2	32.3	34.9	45.4
Costa Rica	31.2	34.4	38.0	41.3	45.3
Mexico	22.1	25.7	26.8	29.8	31.9
Colombia	18.6	22.8	22.6	26.1	29.9
Panama	16.9	18.0	22.8	27.9	29.0
Ecuador	18.0	22.8	23.4	27.0	28.8
Bolivia	13.8	14.7	20.1	23.3	27.0
Peru	13.8	18.0	19.7	23.0	25.4
Paraguay	11.2	13.9	19.0	19.3	22.7
Venezuela	14.6	15.3	16.1	17.3	19.0
Dominican Rep.	12.5	14.2	15.1	16.4	18.9
Guatemala	13.6	14.3	15.1	15.8	17.8
El Salvador	8.7	10.9	12.5	13.3	14.3
Honduras	10.1	11.1	12.1	12.9	14.0
Nicaragua	6.5	6.6	6.8	8.2	9.0
Haiti	4.0	4.6	5.2	5.9	6.6
Cuba	3.3	3.3	3.4	3.4	4.2

Source: ITU World Telecommunication / ICT Indicators 2012

Percentage of households with Internet					
Country Name	**2007**	**2008**	**2009**	**2010**	**2011**
Uruguay	15.8	20.8	27.7	33.3	39.4
Chile	22.1	26.6	31.3	35.0	38.8
Argentina	16.0	17.6	27.0	34.0	38.0
Brazil	20.0	23.8	23.9	27.1	37.8
Costa Rica	11.7	14.8	18.7	24.1	33.6
Mexico	12.0	13.5	18.4	22.2	27.5
Colombia	10.2	12.8	15.0	19.3	23.4
Panama	8.9	9.3	15.1	20.3	20.7
Paraguay	3.0	5.8	11.3	13.8	19.3
Peru	5.6	8.8	10.4	14.0	17.7
Ecuador	6.8	7.1	7.5	11.5	16.9
Venezuela	5.7	6.8	8.1	11.0	16.0
El Salvador	3.1	4.5	6.4	8.0	12.0
Dominican Rep.	5.7	7.7	9.0	10.2	11.8
Honduras	2.5	4.2	5.0	6.8	10.0
Bolivia	3.3	3.3	5.4	7.5	9.4
Guatemala	2.5	3.0	3.7	4.7	7.0
Nicaragua	0.8	1.2	2.0	3.8	5.6
Haiti	1.8	2.1	2.4	2.7	3.0
Cuba	0.4	0.5	1.5	1.9	3.0

Source: ITU World Telecommunication / ICT Indicators 2012

protocols, and standards. Convergence allows users to access information from anywhere, any network, or any communication channel through a single interface.

In the view of Henri Jenkins, a professor of media studies at the Massachusetts Institute of Technology (MIT), convergence is not limited to the technological process of consolidating separate functions in a single device, but also refers to information flows on multiple media supports, cooperation between different media markets, and the migratory behavior of media users in search of new entertainment experiences. As such, the process represents a new trend in content production and distribution directly founded on the active participation of consumers.[5]

WHY IS THE SUBJECT IMPORTANT?

GUARANTEEING INCLUSION AND PROTECTION

The command of new technologies has become increasingly essential in school, at work, and for the exercise of citizenship. Individuals without the ability to handle new technologies run the risk of exclusion from the production and distribution of information and knowledge.

In this light, ensuring the full development of children and youth requires digital inclusion initiatives and policies, which warrant equivalent priority as given to health, education, and social assistance policies. Digital inclusion refers to a multiple set of integrated efforts designed to provide informed access to new media.

As noted by Flávio Rech Wagner, professor at the Federal University of Rio Grande do Sul in Brazil, digital inclusion does not simply mean having access to a computer and the Internet, but includes knowing how to use the related resources for a variety of activities – organized into different levels – based on their connection to the exercise of citizenship.

In his article "Habilidades e Inclusão Digital – o papel das escolas" ("Skills and Digital Inclusion – the role of schools"), the author identifies three categories of digital inclusion.

- On the first level, the Internet (in particular, through social networking) enables communication between individuals, serving to leverage the coordination of social demands;
- On the second level, the Web "enables information collection and the use of public interest services";
- On the third level, "and yet more important for citizens and the nation," digital inclusion "must enable the generation and distribution of content through a diversity of formats – multimedia content generation, digitalization of multiple content, development of Internet pages and blogs, etc."[6]

In this light, it is common in 21st century Western society to hear the term digital illiteracy applied to those without a command of computer technologies, resulting in a similar process of social, economic, cultural,

Independent production

According to the Digital Ethnography group, coordinated by professor Michael Wesch of the University of Kansas, 25% of all audiovisual content created and posted on YouTube is produced by young people 12-17 years of age.

and political exclusion affecting those without the ability to read and write. To ensure the promise of inclusion becomes a reality, sustained policies are necessary to ensure socioeconomically excluded groups can access and appropriate computer technologies, multimedia resources, and the Internet, preventing, in this way, the chasm of inequality from widening further and contributing to full social and cultural inclusion.

THE MULTITASKING GENERATION

Another issue involving children and youth which has drawn attention is the "attraction to the symbiosis of multiple screens," as described by André Barbosa Filho, a Ph.D. in Communications and a board member of the Fórum do Sistema de TV Digital Brasileiro Terrestre (Brazilian Digital Terrestrial TV System).

"Beyond the increase in the percentage of children and youth with cell phones (from 39% in 2004 to 66% in 2009) and an average daily usage time of 4:29, the most notable trend involves the symbiosis between multiple screens: individuals listen to music, play computer or video games, or watch TV on a cell phone while studying, all at the same time," says Barbosa Filho.

Drawing on the findings of Generation M2: Media in the Lives of 8- to 18-Year-Olds, a study sponsored by the Kaiser Family Foundation, the author concludes that multitasking is a phenomenon that condenses media consumption. Specifically, he demonstrates that 7 hours and 38 minutes of media per day correspond, to 10 hours and 45 minutes of actual time, inasmuch as more than two and half hours of this time involve simultaneous activities.[7]

LEARNING AND DEVELOPMENT

Another central aspect of the debate on the impact of new technologies on children is the reinvention of inter-personal relationships and the learning opportunities fostered by digital resources. The Internet, for example, allows anyone with any Internet enabled computer to access information which would otherwise be restricted in certain contexts, groups, or institutions (schools, for example).

For these reasons, increasingly the Internet has emerged as an educational tool. According to Michael Trucano,[8] a World Bank expert, there is a widespread belief in the transformative power of ICT in the educational field, although further research on the subject is required.

> *There is widespread belief that ICTs can and will empower teachers and learners, transforming teaching and learning processes from being highly teacher-dominated to student-centered, and that this transformation will result in increased learning gains for students, creating and allowing for opportunities for learners to develop their creativity, problem-solving abilities, informational reasoning skills, communication skills, and other higher-order thinking skills. However, there are currently very limited, unequivocally compelling data to support this belief.[b]*

In this context, children and youth exposed to new technologies continue to display a striking capacity to take advantage of these resources – reinforcing their educational potential and justifying the proliferation of distance education offerings online, government initiatives to implement computers and broadband Internet services in schools, and the development of educational content based on new technologies. These efforts, however, often falter due to the absence of familiarity and command of computer and Internet resources by educators, pointing to the need for stepped up training programs.

According to Brazilian researcher Lea Fagundes – who has specialized in the study of computers as an educational tool since the 1980s – low-income children who underperform academically demonstrate the same potential for development as higher performing students when given the opportunity to connect and communicate in cyberspace.

To make this potential a reality, Fagundes advocates a redefinition of the traditional hierarchical teacher-student relationship. It is critical that "educators be trained and have contact with learning experiences with the same characteristics as those they offer students, future citizens of an interconnected society."[9]

b TRUCANO, Michael. Knowledge Maps: ICT in Education, 2005. Available at: http://www.infodev.org/en/Publication.8.html Accessed: November 26, 2012.

┌─────────────────────────────────────

THE MULTIPLE FACES
OF INCLUSION

Persons with disabilities have also benefited significantly from the rise of new media, as these can serve as assistive technologies – a term applied to tools, resources, or strategies, and processes developed and utilized for the purpose of providing individuals with disabilities greater independence and autonomy.

New technology and communication technologies serve as assistive technologies when computers themselves offer technical assistance to achieve an objective – for example, where used as electronic networks by individuals unable to write in a bound notebook.

In this light, the access to technology equipment and tools provides enormous development and learning opportunities for persons with different types of disabilities, promoting social and cultural inclusion of citizens with special needs by: enabling or expanding the possibilities of accessing and using information, producing knowledge, interacting and relating with other people, and gaining entry to the job market.

At the same time, it is important to bear in mind that the use of new media as assistive technologies fosters a new mindset, by which society begins to view persons with disabilities through the prism of their individual projects and potential.

In the opinion of journalist Claudia Werneck, coordinator of Escola de Gente, a Brazilian NGO, this is of particular importance to children and youth who are raised within the context of the aesthetics and ethics of an inclusive society – in which the display of closed captioning on the TV screen, for instance, is normal practice – and who, as such, are much more likely to see disabilities as a natural part of their world.[10]

─────────────────────────────────────┘

EXPANDING PROTECTION

The increasing accessibility of new media is accompanied by a host of challenges in regard to promoting and protecting the rights of girls and boys. For while the Internet offers boundless potential for education, it has also revealed itself to be fertile ground for rights violations, exposing children to new types of violence (including abuse, grooming, and the dissemination of child pornography) and cyberbullying.

Aggression, abuse, and violence employed on the Internet have serious psycho-social consequences for victims and, due to the complexity of these practices, the solution does not reside merely in the exercise of State power, but must include the efforts of families, civil society, and media organizations themselves.

To ensure full access to the benefits of new media, digital inclusion programs should be developed to foster a free, ethical, and participatory digital culture. At the same time, criminal activities and the risks that accompany online interactions must be combated, without resorting to "vigilante" style laws that unduly restrict free expression.

In this context, many users – in particular the youngest groups – tend to ignore the fact that cyberspace consists of a new type of public square in which the information and images broadcast are available to millions of people. Attaching excessive value to the "public disclosure of private life," a notable feature of our age, also warrants attention.

Girls and boys must be made aware, for example, that photographs posted on networking sites are not only visible to family members and friends and that online exposure of any kind can drift through cyberspace for eternity. In this light, educational policies are critical and should be implemented in conjunction with regulatory and law enforcement measures.

POTENTIAL RISKS

CYBERBULLYING

Cyberbullying is the newest manifestation of a long-standing practice: deliberate, repeated, and apparently unmotivated aggression (physical, moral, or material). The phenomenon, which until recently concerned mainly educators, has gained momentum online.

Acts of aggression are now expressed through threatening emails, negative messages posted on social networking sites, and cell phone messages with text and photographs which are embarrassing or demeaning to victims. Generally, the aggression is committed by teenagers against peers or teachers they do not like, causing psychological harm to the victims.

CHILD GROOMING

Another practice that has taken on new manifestations online is child grooming: acts deliberately committed by individuals to draw closer to children and establish an emotional bond with then, in order to reduce the child's inhibitions and prepare the way for sexual abuse or sexual exploitation. On the Internet, abusers themselves often pretend to be children to gain the trust of their intended victims.

In 2009, Facebook was involved in a dispute regarding the precautions taken to prevent this practice. The British organization Child Exploitation and Online Protection Centre received complaints that the site was being used for purposes of child grooming. In response, Facebook redoubled its efforts to ensure the safety of users.

In recent years, a number of programs adapted to social networking sites have been developed to identify grooming and warning parents about actual or suspected cases. For example, in an effort to protect children against abuses in 2003 Microsoft's MSN portal imposed restrictions on the access to chat rooms.

PEDOPHILIA AND CHILD PORNOGRAPHY

Pedophilia is a psychopathology, namely a sexual development disorder characterized by a compulsive and obsessive sexual desire for children and adolescents. Pedophiles become criminal offenders the moment they use a child's or adolescent's body for their sexual satisfaction, whether or not physical violence is used.

In enabling pedophiles to approach children and to assume any personality they wish or adopt language designed to attract young people in anonymity , the Internet has given new shape and form to the practice: instant messaging, chats, blogs, photoblogs, and social networking sites, in addition to emails, have become potential platforms for grooming boys and girls.

In *Navegar com segurança* (Safe Internet surfing), Childhood Brazil lays out some of the most common rights violations on the Internet:

- **Online abuse**: Sexual abuse is a situation in which the sexuality of a child or teenager is invaded and used for the sexual gratification of an adult, even if no physical contact occurs. On the Internet, abuse includes nudity and masturbation on webcams, the dissemination of erotic or pornographic photographs, the display of genitals, and the use of sexually explicit language.
- **Online child pornography**: Presenting, producing, selling, supplying, disseminating, or publishing sexually explicit images involving children or teenagers online.
- **Online grooming**: The use of webcams and chat tools, among other resources, by adults or older teenagers to convince the child – through seduction or intimidation – to produce and distribute erotic films of him or herself, an activity classified as child pornography.[11]

SEXTING

A new phenomenon, and one typical of the digital convergence age, is sexting (a contraction of the words sex and texting), which refers to the dissemination of erotic or sensual content by electronic means – cell phones, webcams, etc.

A recent phenomenon – one that began to be identified around 2005 – the practice is most common among teenagers. A study conducted in the United States by the National Campaign to Prevent Teen and Unplanned Pregnancy found that one in five Americans 13-19 years of age engages in sexting.

In addition to the embarrassment and humiliation it can cause – in the United States, a 19-year-old teenager reportedly committed suicide following the unauthorized dissemination of a nude photograph of her by a former boyfriend –, sexting offers yet another avenue for pedophiles and child pornographers.

THE ROLE OF EDUCATION

The complexity and specific characteristics of new media underscore the importance of education as strategic an instrument as regulatory enforcement *(see more on media education in Chapter 1)*. In the context of broad and rapid dissemination of the Internet, education and awareness-raising on the need for safe Internet surfing represent an effective antidote to the practices described above.

In this light, parents and educators have a fundamental role and need to be prepared to provide children and youth with proper guidance to ensure they receive the basic information on Internet safety before logging on.

Dialogue, guidance, and adherence to some basic safety rules – such as those below, provided by Safernet, a Brazilian non-governmental organization – can contribute to reducing the associated risks.

- *Never disclose passwords, full name, addresses, telephone numbers, or intimate photographs;*
- *Do you post photographs of yourself on the school bulletin board, on the bus, or at the beach? Why post on the Internet? Think twice before posting something. Once you're online, it is virtually impossible to control the use of your content;*
- *Communicate with education. Respect should apply in all spaces and to all people, including strangers;*
- *Avoid saving passwords and login information on your computer to prevent theft;*
- *Be careful when downloading files; they may contain viruses, inappropriate materials, or unlawful content. Antivirus filters provide extra protection;*
- *Never allow the installation of programs on your computer and do not download anything if you don't know what it is or where it came from;*
- *Search for providers and services that offer security features and are recognized as ethical and responsible;*
- *Talk to friends, kids, parents, and/or teachers to keep yourself up to date on Internet safety features.*[12]

PORNOGRAPHY LEADS THE LIST OF COMPLAINTS IN BRAZIL

Data from the second half of 2010 published by Safernet indicate that "child pornography" was the primary source of the complaints entered with the entity (18,783 complaints), topping "tolerance of and incitement to the commission of crimes against human life" (6,191), "racism" (1,891), and "religious intolerance" (727).

INTERNATIONAL EXPERIENCE

PROTECTING AND CENSORSHIP

Around the world, protecting children and youth has been invoked as a central justification for the enactment of Internet regulations, according to *Freedom of Connection – Freedom of Expression: the changing legal and regulatory ecology shaping the Internet*, an Oxford University report commissioned by the United Nations Educational, Scientific, and Cultural Organization (Unesco).[13]

However, few measures have endeavored to strike a balance between the need to protect and free expression online. The July 2009 *Montevideo Memorandum on the Protection of Personal Information and Privacy on Internet So-*

cial Networking Sites, Principally in relation to Children and Adolescents, signed by a number of Latin American countries, represents an attempt to establish principles to ensure this balance.[14] The document offers several recommendations for Member States in connection with preventive measures and educating children and youth on proper use of the Internet, the implementation of public policies, the formulation of effective laws, and the application of enforcement measures by States on the Internet content and services industry.

In broader analyses of the measures proposed to date, experts note that government action aimed at restricting the access to specific content as a means to protect children should be based on transparent regulations that focus on specific potential risks and benchmarking of their effectiveness. This would serve to reduce the potential of regulatory measures being interpreted as a mechanism to censor or harass Internet users.

However, the issue is still in its initial stages and countries should follow its evolution closely. In this setting, international dialogue and the development of common technical parameters have the potential to contribute to the implementation of regulatory measures consistent with the goal of preserving the essential characteristics of the Web while protecting the rights of children.

CONTROVERSIAL DECISIONS

In many parts of the world, there is substantial controversy on protecting the free movement of ideas and content on the Internet. One such dispute revolves around the Hadopi Law, enacted in France in 2009, often dubbed the "Sarkozy Law" (in reference to then president Nicolas Sarkozy). Hadopi, an acronym for Haute Autoritépour la Diffusiondes Oeuvres et la Protectiondes Droitssur Internet (High Authority for the Dissemination of Works and Protection of Rights on the Internet), includes measures to regulate Internet access, with a view to ensuring compliance with the applicable copyright laws. Organizations opposed to the statute claim the measure is inherently repressive. Further, they are highly critical of the fast track judicial procedures applied to those charged with violating the law, the prohibition on subscribing to a second provider during the time the accused user's connection is suspended, and the penalties imposed for negligence in the event of third party downloads of copyrighted content.

Some countries have gone much further than France. For example, China exercises stringent controls on the flow of information and Internet access and has been the target of widespread criticism internationally. A study by the Open Net Initiative (an entity composed of researchers at the University of Toronto, Canada; the Harvard School of Law, US; and Cambridge University, Great Britain) concluded that the People's Republic of China operates one of the largest and most sophisticated online censorship systems in the world, although local authorities do not officially acknowledge engaging in "filtering."

In recent years, a dispute between the Chinese Government and Google spilled over into the public domain. After a series of negotiations, Google was able to renew its Internet license in China after promising to comply with domestic law by blocking users from automatically redirecting to an unfiltered site in Hong Kong.

FUNDAMENTAL PRINCIPLES

The fact that the bulk of Internet crimes are already covered by existing laws does not preclude the need for in-depth analysis of the specific characteristics of the Web, as stated above. Some of the issues capable of providing guidance to the debate on Internet governance are set out in a document issued by Brazil's Conselho Gestor da Internet (Internet Management Council):

PRINCIPLES OF INTERNET GOVERNANCE AND USE IN BRAZIL

1 - Freedom, privacy, and human rights

Internet use should be guided by the principles of free expression, individual privacy, and respect for human rights, recognizing these as central to the preservation of a just and democratic society.

2 - Democratic and collaborative governance

Internet governance should be exercised in a transparent, multilateral, and democratic manner, with the participation of all sectors of society, while preserving and fostering the collective and creative nature of the Internet.

3 - Universal access

Internet Access should be universal to ensure it serves as an instrument of social and human development, contributing to the construction of an inclusive and non-discriminatory society for the benefit of all people.

4 - Diversity

Cultural diversity must be respected and protected and its expressions should be stimulated without the imposition of beliefs, customs, or values.

5 - Innovation

Internet governance should promote continuous development and expand the dissemination of new technologies and models of use and access.

6 - Web neutrality

Web traffic filtering and privileges should be subject solely to technical and ethical criteria, rendering unacceptable the application of political, commercial, religious, and cultural motives or discrimination or favoritism of any other nature.

7 - Non-Imputability of the Web

The effort to combat unlawful acts online should be directed at the legally responsible parties and not at access and transmission platforms, ensuring the overarching principles of defense of liberty, defense of privacy, and respect for human rights should be preserved.

8 - Functionality, security, and stability

The global stability, security, and functionality of the Web should be preserved actively and on the basis of technical measures consistent with international standards and the promotion of best practices.

9 - Standardization and interoperability

The Internet should be based on open standards to enable interoperability and the participation of all individuals in its development.

10 - Legal and regulatory ecosystem

The legal and regulatory ecosystem should preserve the dynamic character of the Internet as a collaborative environment.

CHILDREN AND DIGITAL INCLUSION IN LATIN AMERICA

Children and youth have the right to information, entertainment, and interaction through new technologies, as well as the preservation of their singular status as developing individuals. As we have seen, because of this principle and the centrality of Internet access today to the right of communication, combating digital exclusion has emerged as a critical tool to reduce inequality and leverage future opportunities of citizens. The approaches some countries in the region have taken to this issue are laid out below:

URUGUAY

In a regional setting marked by widespread digital exclusion, Uruguay stands as a relative beacon in Latin America: it is the first country in the region to provide every primary public school student with a laptop. The devices, also known as "US$ 100 laptops" or "kids' laptops," are part of a digital inclusion project developed by Nicholas Negroponte, a professor and researcher at the Media Laboratory of the Massachusetts Institute of Technology (MIT).

The program encompasses all Uruguayan children (in urban and rural areas alike) 5-12 years of age. In 2010, the Plan was extended to high school students, although it has yet to be universalized.

Approximately 70% of the laptops have gone to children without a computer at home, helping, in this way, to break down barriers while tackling the challenge of unequal access to computers and the Internet – benefiting principally low-income families with at least one child in public school, according to analyses of the plan.[c]

Additional regulatory measures and ICT protection strategies remain in the incipient stages in Uruguay.

---

c   www.planceibal.edu.uy.

PARAGUAY

In the field of education and digital inclusion, Paraguay has instituted a number of valuable strategies. According to the study "Política de Incorporación de TIC al Sistema Educativo Paraguayo" ("Policy to Incorporate ICT in the Paraguayan Educational System") – launched by the Ministry of Education and Culture in 2011 – implementation of the country's Education Reform has led to an array of initiatives to address this question.[15]

In 1997, steps were taken before the World Bank through the MECES - Programa de Mejoramiento de la Calidad de la Educación Secundaria (Program to Strengthen the Quality of Secondary Education) to implement the World Links Program, with a view to integrating ICT in existing secondary and vocational education curricula, launching a pilot plan to incorporate ICT in classrooms, promoting training for educators in pedagogical uses of the Internet, and developing collaborative thematic projects to foster the integration of students in the global village.

At the same time, the Ministry of Education and Culture has been deeply engaged in the field of digital content for education since early 2000, developing and operating the Arandu Rape educational portal, part of RELPE - Red Latinoamericana de Portales Educativos (Latin American Network of Educational Portal). Another significant initiative is the Enciclopedia Virtual Paraguaya (Paraguayan Virtual Encyclopedia), an interactive page with updated information, including photographs, maps, Paraguayan folkloric music, and other didactic resources aimed at supporting the development of student academic skills.

COSTA RICA

In 2011, the Fundación Paniamor (Paniamor Foundation) and Save the Children submitted Bill No. 18230 on the protection of the rights of children and youth against violence and crimes in the context of information and communication technologies to the National Assembly. Further, the two entities entered a proposal to amend articles 173, 173 bis, and 174 of the Penal Code.[d]

The following provisions of the bill deserve particular note:

- The text classified a number of acts as violations of the rights of girls, boys, and youth, with a view to preserving their sexual freedom, life, physical and psychic welfare, privacy, and informational self-determination.
- The bill includes a proposal to update the material concepts of child pornography, for the purpose of introducing new terminology into the official lexicon, such as grooming for sexual ends of individuals under the age of 18 years; sexting (the transmission of child pornography over cell phones), and sexual tourism involving boys, girls, and teenagers, including penalties for related to advertising or publicity.
- The bill would prohibit conduct such as the incitement to games that promote violence and are harmful to life or the physical integrity of minors. Similarly, it would prohibit the manufacture, production, reproduction, possession, and dissemination of material containing images of real or simulated torture of minors.
- The right to informational self-determination is given prominence and would be protected by criminalizing the violation of the personal information of individuals under the age of 18 years, providing, in these cases, for the application of criminal sanctions against individuals who develop and maintain databases and disseminate private information on minors.[16]

---

d   (La nación, opinión, Carlos Tiffer, October 20, 2012).

BRAZIL

Ensuring full digital conclusion is a major challenge in Brazil. Measures to stimulate the use of these technologies for the production and dissemination of content consist of a disparate set of largely weak and initiatives dispersed among a menagerie of programs. Another deficiency, as noted by Coletivo Intervozes, involves the failure to stimulate educational activities. "The approaches are limited and addresses only the use of new technologies as an end, not as a means to promote citizenship and the exercise of citizen rights," says the organization in *Propostas do Intervozes para a I Conferência Nacional de Comunicação* (Intervozes Proposals to the 1st National Conference on Communications).[17]

One of the most noteworthy government measures in the field is the PNBL - Programa Nacional de Banda Larga (National Broadband Program). Unveiled in May 2010 (Decree No. 7175), the Program is designed to secure expanded Internet access

Brazil: regulations and governance models

Brazil has a dedicated body tasked with coordinating and integrating Internet service initiatives in the country and promoting technical quality, innovation, and dissemination of service offerings – CGI.br - Comitê Gestor da Internet no Brasil (Brazilian Internet Management Committee). The Committee represents a pioneering Internet governance effort to foster the participation of society and business organizations in decision-making connected to the implementation, administration, and use of the Web. Since July 2004, the CGI.br has selected civil society stakeholders to take part in the Committee meetings and discussions with government representatives on the sector's priorities.

Yet, notwithstanding this innovative governance model proposed legislative measures considered by stakeholders in the field unduly restrictive, to the extent they are seen to be driven primarily by the objective of enforcement and punishment of Internet crimes, continue to make way through the National Congress continues to consider. The most controversial proposal is Bill 84/99 introduced by former Senator Eduardo Azeredo (PSDB-MG). The "Azeredo Law," also referred to as the "Digital AI-5," sets out a number of provisions which reach well beyond questions centered on user access to and downloading of content: specifically, the statute would require providers to maintain user information for a period of three years (connection and site access records). It would also sanction the release of user information to law enforcement agents without a court order.

In "Projeto Gera Criminalização em Massa" ("Bill Generates Mass Criminalization"), an article published in the *Folha de São Paulo* by the director of the CTS - Centro de Tecnologia e Sociedade (Center for Technology and Society) of the Getúlio Vargas Foundation, Ronaldo Lemos, argues that the bill is "inconceivable in a Democratic society governed by the rule of law," as it constitutes a direct violation of civil rights, in addition to opening the door to "vigilantism" and "transforming providers into law enforcement entities." In Ronaldo Lemos' view, combating cybercrime (including bank fraud) is a legitimate endeavor, but one which must be pursued without "violating fundamental rights or criminalizing everyday activities."

> In conjunction with these efforts, the Marco Civil da Internet (Civil Framework for the Internet) is currently under development. The bill defines rights and duties based on the idea that the preservation and guarantee of Internet neutrality should serve as essential principles of the Web. Through a public discussion and consultation procedure launched in 2009 and coordinated by the Ministry of Justice, citizens in a variety of spheres and regions of Brazil were given the opportunity to enter recommendations on the instrument, an effort that drew approximately 2,000 formal contributions. The new proposed Framework Law was submitted to the National Congress in August 2011.

> The idea is that the Civil Framework become a reference in delimiting the rights and duties of providers, content producers, and Internet users in Brazil. Entities engaged in the field, such as the Instituto NUPEF - Núcleo de Pesquisas, Estudos e Formação (Institute Center for Research, Studies, and Training) and the Getúlio Vargas Foundation Center for Technology and Society, prepared a report on Internet governance, noting that the key problem with the bills currently under consideration in the Congress resides in the unwarranted priority given to the development of criminal statutes over civil regulatory models, which should be the first step in any regulatory process. In the opinion of the two organizations, the resort to law enforcement and criminal justice should be seen as a last option applied only when all other regulatory measures have failed.[18]

for the wider population. In 2011, the effort began to bear fruit with the execution of an agreement involving the country's telephone operators. According to the document, operators are required to submit an initial schedule to the Ministry of Communications of the first cities selected for implementation of 1 Mbps Internet service offerings at a monthly subcription fee of R\$ 35.00 per month. All schedules will include quarterly targets, which the Ministry will evaluate and track prior to and following installation of the respective services.

To various sectors of civil society, the agreement does not meet the goal of universal service, in the same way, for instance, the "Banda Larga é um direito seu!" ("Broadband is a right") initiative does. Operated by a wide range of entities since 2010, the effort is aimed at pushing for the adoption of government policies that are line with consumer needs. According to representatives of the campaign, continuous and active follow-up is required to ensure broadband policies are guided by the public interest and the goal of universal access. "The recent course adopted by the government largely eschews the idea of public services as a driver of citizen rights in favor of a market-driven approach," concludes the manifesto on the campaign's site. The participating entities have also criticized the relatively weak guarantees provided by the agreement's signatories in respect of fulfilling the instrument and the low download limits established in the document.

CONCLUSION

CHALLENGES OF NEW MEDIA

In reviewing the topic examined in these pages, it is important to underscore that consideration must always be given to the potential implications of any proposed Internet regulation. For example, there is an enormous difference between regulating the activities and messages broadcast by a small number of radio or television networks and exercising control over content accessed by billions of users connected to the Web at any given time. In addition, it is important to keep in mind that the Internet breaks down and reaches beyond national borders. As such, any regulatory effort, necessarily requires international cooperation agreements and specific codes of conduct.

While the issue has gained in prominence, there is a widespread view that all Internet regulations must strive to preserve the intrinsic principles of democratization and freedom. In other words, the right of broad Internet access must be assured – including through digital inclusion programs – as well as the right to the free flow of information and user privacy.

The challenge, therefore, is to develop tools that do not disfigure or distort the Internet, but safeguard its democratic character, while fostering a free, ethical, and participatory digital culture. In this light, it is essential to lay out the rights and responsibilities for using digital platforms in the clearest terms possible. Ultimately, the objective must always be to enact legislation designed to guarantee and expand rights, rather than restrict freedom. ∎

References

[1] ECONOMIC COMMISSION FOR LATIN AMERICA AND THE CARIBBEAN – ECLAC. **Statistical Information and Communication Technology Database**. Available at: www.cepal.org/tic/flash/. Accessed: January 14, 2011.

[2] COMITÊ GESTOR DA INTERNET NO BRASIL. **Pesquisa sobre o uso das tecnologias de informação e de comunicação no Brasil 2011**. São Paulo: Comitê Gestor da Internet no Brasil, 2012. Available at: cetic.br/usuarios/tic/2011-total-brasil/analises.htm. Accessed: July 1, 2012.

[3] COMITÊ GESTOR DA INTERNET NO BRASIL. **Pesquisa sobre o uso das tecnologias de informação e de comunicação no Brasil**: TIC Crianças 2010. São Paulo: Comitê Gestor da Internet no Brasil, 2011. Available at: cetic.br/usuarios/criancas/2010/analises.htm. Accessed: July 1, 2012.

[4] THE NIELSEN COMPANY. **How Teens Use Media**, 2009. Available at: blog.nielsen.com/nielsenwire/reports/nielsen_howteensusemedia_june09.pdf. Accessed: September 1, 2011.

[5] JJENKINS, H. **Convergence culture**: where old and new media collide. New York: New York University Press, 2006.

[6] WAGNER, Flávio R. Habilidade e inclusão digital - o papel das escolas. In: COMITÊ GESTOR DA INTERNET NO BRASIL. **Pesquisa sobre o uso das tecnologias da informação e da comunicação 2009**. São Paulo, 2010. Available at: www.cetic.br/tic/2009/. Accessed: September 1, 2011.

[7] KAISER FAMILY FOUNDATION. **Generation M2**: Media in the Lives of 8- to 18-Year-Olds. Available at: convergenciadigital.uol.com.br/cgi/cgilua.exe/sys/start.htm?infoid=23775&sid=15. Accessed: January 14, 2011.

[8] TRUCANO, Michael. **Knowledge Maps**: ICT in Education, 2005. Available at: http://www.infodev.org/en/Publication.8.html Accessed: November 26, 2012.

[9] FAGUNDES, Léa. **Inclusão digital**. Porto Alegre, 2005. Available at: revistaescola.abril.com.br/politicas-publicas/planejamento-e-financiamento/podemos-vencer-exclusao-digital-425469.shtml. Accessed: September 8, 2011.

[10] WERNECK, Claudia. **Você é gente?** 2.ed. Rio de Janeiro: WVA, 2003.

[11] CHILDHOOD. **Navegar com segurança**: protegendo seus filhos do abuso *online* e da propaganda infantojuvenil na internet. Cartilha, 2006. Available at: www.childhood.org.br/wp-content/uploads/2008/11/Navegar-com-Seguranca-2008-1.pdf. Accessed: September 8, 2011.

[12] SAFERNET BRASIL. **Cartilha de prevenção para o uso da Internet**. Available at: www.safernet.org.br/site/prevencao/cartilha/safer-dicas/internet. Accessed: September 8, 2011.

[13] DUTTON, William H. Et al. **Freedom of Connection**, Freedom of Expression: The Changing Legal and Regulatory Ecology Shaping the Internet. UNESCO, 2010. Available at: portal.unesco.org/ci/en/files/30748/12837652519UNESCO-19AUG10.pdf/UNESCO-19AUG10.pdf. Accessed: September 8, 2010.

[14] INSTITUTO DE INVESTIGACIÓN PARA LA JUSTICIA. **Memorandum sobre la protección de datos personales y la vida privada en las redes sociales en Internet, en particular de niños, niñas y adolescentes**. Montevideo, 2009. Available at: www.iijusticia.org/Memo.htm. Accessed: September 8, 2011.

[15] http://www.mec.gov.py/cms/adjuntos/2937

[16] http://www.asamblea.go.cr/Centro_de_informacion/Centro_Dudas/Lists/Formule%20su%20pregunta/Attachments/642/penal2.pdf

[17] COLETIVO INTERVOZES. **Intervozes lança propostas para a I Conferência Nacional de Comunicação**. Available at: www.intervozes.org.br/noticias/intervozes-lanca-propostas-para-a-i-conferencia-nacional-de-comunicacao. Accessed: September 8, 2011

[18] CENTRO DE TECNOLOGIA E SOCIEDADE; INSTITUTO NUPEF. **Pontos para uma discussão sobre políticas de Tecnologias de Informação e Comunicação**, 2009. Available at: www.nupef.org.br/sites/default/files/CTS_Nupef_7.0.pdf. Accessed: September 1, 2011.

Learn more

Centro de Tecnologia e Sociedade – CTS [Brazilian Center for
Technology and Society]
direitorio.fgv.br/cts

ECLAC – ICT Statistical Information Database
www.cepal.org/tic/flash

Comitê Gestor da Internet no Brasil [Brazilian Internet Management
Committee – Brazilian Internet governance bory]
cgi.br

Observatório Nacional de Inclusão Digital [National Digital Inclusion
Observatory –
Brazilian public policy observatory]
www.onid.org.br

Safernet [Brazilian Non-Governmental Organization]
www.safernet.org.br

Política de incorporación de TIC al Sistema Educativo Paraguayo [Policy to
Incorporate ICT in the Paraguayan Educational System - Document issued by the
Ministry of Education and Culture of Paraguay]
*www.mec.gov.py/cms/recursos/9690-politica-de-incorporacion-de-tic-al-sistema-
educativo-paraguayo---version-en-espanol*

Portal Plan CEIBAL [CEIBAL Plan Portal – Uruguayan ICT Policy]
www.ceibal.edu.uy

ANDI Latin America network

The Children's Chapter Agency / Social Journalism was launched in 2000 as an initiative of the Third Sector group. Because of its significant impact, the initiative evolved into an independent organization in 2003. With the objective of improving the dialogue between the social sector and newsrooms, the institution collaborates with communications professions to facilitate a more balanced approach to social information and bolster the inclusion of perspectives advocated by civil society organizations in the media.

The National Children's News Agency – ANNI / Eco Youth is a civil not-for-profit communication and development association. Founded in 1997 by Bolivian communicators and journalists to promote and defend the rights of boys, girls, and young persons, the entity pursues communication efforts focused on rights. Its activities are directed toward leveraging the processes for citizenship building by generating and supporting communications initiatives for the education and development of children, teenagers, and young persons.

ANDI – Communication and Rights is an NGO founded in 1993 by journalists. Its mission is to contribute toward enhancing the quality of public information on human and sustainable development, with an emphasis on the rights of children and teenagers. ANDI has become one of the primary channels for awareness-raising and mobilization in the Brazilian communications field and an international reference model. ANDI's activities are rooted in maintaining ongoing dialogue with newsrooms, communications groups, journalism schools, and organizations committed to advancing the social agenda.

The Communications Agency: Journalism Allied to Children, Social Development, and Research – PANDI is an organization devoted to promoting the rights of children on the Colombian media, political, and social agenda. Its activities focus special emphasis on children through the effort to ensure continuing and committed news coverage.
The Agency provides guidance from a rights perspective to government, social, and private organizations on issues related to communication strategies, media mobilization, event organization, corporate social responsibility programs, publishing, among other initiatives.

Communicate with Respect / International Children's Defense – DNI Costa Rica is a social organization that has been engaged in the implementation of national, regional, and international programs since 1994. It is part of the Global DNI Movement, an initiative composed of more than 45 participating countries and founded on the UN Convention on the Rights of the Child, its optional protocols, and other international human rights instruments.

The Children's Communication Agency – ACCNA / Yupana Foundation is a non-governmental organization founded in 1995. It is engaged in communications, participatory action, and social initiatives aimed at strengthening social movements active in citizenship building, in particular that of children.

The News Agency for Children – La Nana / Civitas Center Association is a communications, culture, and development NGO with the mission of contributing toward giving expression to communicators as human and social beings, as well as contributing to the promotion of voices, especially those excluded from the traditional spaces reserved for the expression of ideas and views. The entity is active in media monitoring (through La Nana and the Women's and Media Observatory) and in the delivery of continuing assistance programs for professionals engaged in the effort to enhance the quality of the country's journalism.

The National Communications Network for Children's Rights / Center for the Promotion of the Rights of Youth and Children – Two Generations is a not-for-profit non-governmental organization founded in 1990 to promote the social defense of children's rights based on the view of children as subjects of rights.

The Global News Agency / Global Association of Global Children is an organization composed of experts, all united and committed to the rights of children, that endeavors to strengthen citizen participation and influence the legislative and public policy process in coordination with civil society stakeholders and the State. The organization is guided by the conviction that boys, girls, and teenagers who are assured the full exercise of their rights can contribute to the construction of a more just and democratic society. The Global News Agency strives to stimulate, in partnership with journalists, the media, and civil society organizations, views that offer substantive critiques, yet are respectful of the rights children.

Agencia Comunicación Educativa / Asociación Civil Equipo UNO Consultores
Tel: (51 1) 445-5542
agencia_comunicacioneducativa@ya-hoo.es
www.comunicacioneduca.org.pe

The Educational Communications Agency / Team One Consultant Civil Association was founded in 2000 to contribute, through consulting efforts and educational communication, to the objective of improving Peruvian human development rates, with an emphasis on the most disadvantaged segments of society. It is composed of a specialized staff representing a wide range of development fields, through which it has successfully executed, to date, fifty initiatives.

URUGUAY

Voz y Vos - Agencia de Comunicación por la Infancia e la Adolescencia / El Abrojo
Tel/Fax: (598 2) 9030144
/ 9030144
vozyvos@vozyvos.org.uy
www.vozyvos.org.uy

The Communication for Children Agency – Voices and You / El Abrojo stimulates a communications culture among journalists, the mass media, information sources, and other social actors aimed at promoting the defense of children's rights on Uruguay's public agenda. Voices and You also encourages socially responsible and quality journalism.

VENEZUELA

Agencia PANA - Periodismo a favor de la Niñez y la Adolescencia / Cecodap
Tel: (58 212) 952-8955
Fax: (58 212) 951-5841
panas@cecodap.org.ve
www.cecodap.org.ve

The Journalism for Children Agency – PANA / CECODAP is a Venezuelan social organization that works to promote and defend the rights of boys, girls, and teenagers. It was established in 1984 by initiative of a group of education and social science professionals. Following passage of the UN Convention on the Rights of the Child in 1989, CECODAP began to devote its activities and proposals to the diffusion, follow-up, and defense of the rights of children in Venezuela.

EXECUTIVE SECRETARIAT OF THE NETWORK

Executive Secretary:
María Silvia Calvo

Contact
secretariaejecutiva@redandi.org

Organization
Global Infancia (Global Childhood)

Director
Marta Benítez

Avenida Madame Lynch 268 esq. Víctor Heyn
Edificio Balpar, planta alta - barrio Villa Aurelia
Asunción, Paraguay
Tel.: (595 21) 510 624 / 510 445

THE RIGHTS OF CHILDREN AND THE RIGHT TO MEDIA

This publication, a part of the package of activities of regional scope developed by the ANDI Latin America Network, offers a broad analysis of 10 key themes designed to ensure positive movement across the region toward the development of programs to guarantee, promote, and protect the rights of children and youth in the media field.

The objective is to provide support to public officials, civil society organizations, and business firms in implementing shared solutions to strengthen a media ecosystem guided by democratic principles and the need to offer young generations content capable of contributing to their full development.

Each chapter includes the following sections

- Overview and conceptual framework of the issue
- Relevance for the rights of children
- Successful initiatives in countries outside Latin America
- Initiatives under development in Latin America.

10 strategic themes

1. Media education in the school system
2. Stimulating quality audiovisual productions for children
3. Regional and national programming
4. Participation of children and youth in the production of media content
5. Regulating broadcast images and identifying/identity of children and youth
6. Systematic evaluation of the impact of audiovisual content
7. Establishing programming times and age classifications (TV Ratings)
8. Regulating children's advertising
9. Child entertainers in the media
10. New Technologies – promoting inclusion and strategies for social protection