

*Letter ref. 6715/A/4777 datelined Brussels 1 August 2003 from Constantin Chalastanis of the Greek Permanent Representation to N. G. Van der Pas.*

Dear Director-General,

In response to your letter ref. DG EAC C1/mb D(2003) 11339/5.6.2003, enclosed please find the Greek competent authorities' replies to the questionnaire on protection of minors and human dignity.

Yours sincerely,

C. Chalastanis

*[Translator's note: at the very end of the questionnaire there is a note from the Greek authorities saying that any replies given in **bold** are the same as those given in the 2000 questionnaire. As agreed with Mr Petit, I have indicated this fact at the relevant places, i.e. I have not translated such texts.]*

## Replies to the European Union Questionnaire

Concerning the Recommendation of the Council of 24 September 1998 on the development of the competitiveness of the European audio-visual and information services industry by promoting national frameworks aimed at achieving a comparable and effective level of protection of minors and human dignity (98/560/EC).

### Internet

*1. Has an association of Internet Service Providers (ISPs) been established in your country? Please give details of the ISP association(s).*

So far in Greece no umbrella association of ISPs has been set up. However, a non-profit organisation, known as the 'Greek Self-Regulating Organisation for Internet Content', 'SAFENET' for short, has been in existence since 22.11.1999 located at Odos Valtetsiou 43-45 in Athens. The organisation's aim is to promote self-regulation arrangements for safer use of the Internet through combating illegal and offensive content on the World Wide Web.

The bodies participating in the abovementioned organisation are:

- OTENET Ltd, Kifisias 56, Marousi, Attica
- FORTHNET Ltd, Vasilika Vouton, Herakleion, Crete
- ASSOCIATION OF GREEK INTERNET USERS, Patriarchou Ioakeim 30-32, Athens
- 'QUALITY OF LIFE' CONSUMERS' ASSOCIATION, Valtetsiou 43-45, Athens
- Hellas On-Line Ltd, Charilaou Trikoupi 151, Kifisia
- INTEAL AKROPOLIS Ltd, Sapphos 17, Kallithea, Attica
- COMPULINK NETWORK Ltd, Leoforos Syngrou 44, Athens
- INTEAL LTD COMPANY FOR PRODUCING AND MARKETING COMPUTER PRODUCTS AND NETWORKS AND PROVIDING HI-TECH SERVICES, L. Syngrou 190, Athens.

*2. Has a code of conduct been drawn up by the ISPs in your country? If possible, please provide a copy or the web address where it can be accessed.*

No code of conduct has been drawn up so far by the ISPs in Greece.

*3. To what extent were public authorities and consumers involved in the drawing up of the ISP code of conduct? Is consultation of public authorities and consumers required when the code is revised or amended?*

See answer to question 2.

*4. Are there any legal requirements in your country which apply specifically to ISPs and how they should deal with illegal or harmful content accessed over the Internet? If so, what are they?*

Greece does not have any specific legal requirements for ISPs. However, the relevant provisions of Greek civil and penal law are applied to combat illegal and offensive Internet content. These provisions regulate the legal relations of both natural and legal persons.

*5. Are there any specific requirements for ISPs to inform the police or judicial authorities about illegal content offensive to human dignity, which is available over the Internet?*

There are no specific requirements for ISPs to inform the police or judicial authorities about such matters. However, in order to investigate crimes committed via the Internet (tracking down IP addresses, electronic profiling of offenders), once the public prosecutor has issued a corresponding warrant the competent police authorities directly contact the ISP involved in order to obtain the requested information. In this connection, during the past two years Attica Security Directorate's Subdirectorates for Protection of Minors has investigated a total of 11 cases involving transmission of material containing child pornography via the Internet and arrested 25 people.

*6. Has a "hotline" for reporting harmful or illegal content been established in your country? If so, please give details (including web and e-mail address) of the hotline(s), including their method of financing.*

The urgent need to control and restrict the flow of illegal content on the Internet (child pornography, illegal acts with minors as victims) led to the creation in Greece of an initial hotline called SAFELINE, which has been working since March 2003. This hotline takes complaints concerning crimes committed via the Internet, and its address is [www.safeline.gr](http://www.safeline.gr). It should be noted here that, according to Greek Police information, almost all the investigations by the European police authorities into crimes committed on the Internet were due to information obtained via the hotlines in various European countries.

*7. Of the problematic Internet content which has been reported, approximately what proportion of this is hosted outside your country or outside the EU?*

At the moment there we have no clear-cut idea of the proportion of problematic Internet content that comes from the European Union, Greece or third countries. This is because there is no system for fully recording and monitoring content sent on the Internet.

*8. What measures and initiatives have been taken, either by public authorities or by operators, to raise public awareness of hotlines? Are these measures and initiatives judged to have been effective?*

So far various initiatives and measures have been taken by the public authorities to raise public awareness of not just hotlines but also generally as regards taking measures to monitor illegal content transmitted via the Internet. For example, the website of the Public Order Ministry and the Greek Police Headquarters contain guidelines informing parents how to protect their children from negative Internet content. In addition, the Attica Security Directorate's Subdirectorates for Protection of Minors has used the mass media to inform parents and guardians about the measures that need to be taken and on filtering methods to prevent minors from accessing unsuitable and harmful programmes.

*9. Where hotlines have been established, please give, in so far as possible, an estimation of their effectiveness in reducing the extent and accessibility of harmful and illegal content. This could include public opinion as to their effectiveness/efficiency as well as the views of operators.*

As already noted in the reply to question 6, Greece has had a hotline since March 2003. Since it has not been in operation for very long we cannot draw any clear-cut conclusions about its effectiveness in reducing the extent and accessibility of harmful and illegal content. However, as far as we are aware, the Greek Police has already been in contact with SAFELINE to decide what kind of cooperation they will have and how they will work together so as to enable the hotline to operate to its maximum potential and thus keep illegal content on the Internet down to a minimum.

*10. Apart from any involvement in the work currently funded by the Community Action Plan on promoting safer use of the Internet, have any efforts been made, either by industry or public authorities, to develop a filtering and rating system for the Internet in your country? If so, what progress has been made and what are the difficulties encountered?*

There are currently no specific initiatives in Greece for developing an Internet filtering and rating system.

*11. Do any obligations exist, either in law or in relevant codes of conduct, for ISPs to inform subscribers about available filtering and rating systems and age verification software?*

So far in Greece no obligation exists for ISPs to inform subscribers about available filtering and rating systems and age verification software.

*12. What measures have been taken at national, local or regional level to spread awareness of safer Internet issues? Have these been part of a larger plan for "media education"? Have they been supported by public funds or by private funding (e.g. from industry or from voluntary associations) or by a mixture of public and private funding?*

At the initiative of the EETT [*National Telecommunications and Posts Board*] eight ISPs and computer companies plus two non-profit organisations joined forces to set up a civil-law non-profit body called the 'Greek Self-Regulating Organisation for Internet Content', 'SAFENET' for short (see our reply to question 1). One of its staple activities is to inform young people, guardians and teachers about the advantages and dangers of the Internet, especially regarding illegal and harmful content. The organisation is supported by private funding (company contributions) and intends to take part in Community programmes and obtain EU funding.

Furthermore, back in 1999 the Education and Religious Affairs Ministry set up the Greek School Network (GSN, web address = www.sch.gr). It is the education system's Intranet, providing telematic services for all secondary schools and for about 60% (scheduled to rise to 100% by the end of 2003) of primary schools and also for a large number of administrative units. The GSN has done a lot since it was set up to help protect pupils from exposure to harmful Internet content. The funding for devising and operating this service comes exclusively from public sources, national and community.

*13. Is there any indication that the development of the Internet in your country has been slowed down by public fears concerning harmful and illegal content which may be accessed over the Internet?*

According to the available data, the Internet in Greece has developed steadily in the past five years. This development, both in qualitative and quantitative terms, does not seem to have been negatively affected by public fears over harmful and illegal Internet content, although this does not mean that Greek Internet service users are not concerned by the ever increasing appearance of such content.

*14. Is the current level of international co-operation in this matter, particularly within Europe, seen as sufficient? If not, what measures could be taken to improve it?*

The current level of international cooperation in this matter, particularly within Europe, cannot be deemed sufficient as it stands now. As is known, there is no common or harmonised legislative framework governing crimes committed via the Internet, not as regards prosecution or as concerns prevention, and this is also due to the Internet's special nature. Neither is there the necessary international coordination among the competent authorities so as to adopt a joint policy for combating illegal content and exchanging information and data. In addition to adopting a joint policy and common legislative framework, efforts should be undertaken to investigate the possibilities that the new technologies provide for controlling illegal Internet content.

*15. Have you already covered or do you intend to cover by the above mentioned self-regulation measures or by regulation similar services such as transmission via mobiles, in particular as concerns UMTS?*

So far there are no provisions concerning this in Greece.

*16. Please describe any initiatives which have been taken to control online chat-groups, in particular measures taken in order to avoid any abuse, which could be harmful to minors?*

As for controlling online chat-groups, the Greek Police has set up a special police unit which surfs the Internet and keeps an eye on them, and if it comes across exploitation of minors or transmission of child pornography, it initiates the stipulated procedures for the arrest and prosecution of offenders.

*17. Please describe measures which have been taken in order to improve media-literacy (e.g. teaching children how to make a responsible use of new media)?*

The Education and Religious Affairs Ministry has, as part of a health education programme for primary and secondary education, set up arrangements for informing pupils about proper use of television and the Internet, and the pupils take part in projects to do with this topic.

*18. Is there any specific regulation or self-regulation concerning the specific question of the right of reply with respect to online-media? Have there been concrete problems during the last two years concerning these issues, in particular problems involving cross-border aspects?*

So far Greece has not had any specific self-regulation arrangements or agreements concerning the right of reply with respect to online media, by contrast with the situation as regards traditional mass media, printed and electronic, where the right of reply is regulated by Article 14(5) of the amended Greek Constitution of 2001 and by more specific laws relating to the print and electronic media. As for online media at this present time, use is made of the general provisions in the Greek Civil Code governing protection from offences against the person and the related penal provisions governing simple and defamatory advertising.

### Broadcasting

*19. Have broadcasters in your country established a system of self-regulation relating to the protection of minors? Please give details of this, particularly with regard to membership.*

**[most of text in bold – not translated; the following is not in bold]**

E. Greek Advertising and Communication Code.

F. Code of Conduct for News and Other Journalistic and Political Broadcasts.

*20. Does this system of self-regulation include a code of conduct regarding the protection of minors and harmful content? (Please note, this question does not concern only advertising specifically aimed at minors. It concerns audiovisual content which could be harmful to minors, regardless of whether this is contained in advertising or in general programming.)*

The abovementioned self-regulation texts contain codes of conduct regarding protection of minors and on harmful content.

**[most of remaining text in bold – not translated; the following is not in bold]**

- Also, as stipulated by Act 2863/2000, the holders of operating licences for free-to-air radio and television stations and for furnishing accompanying radio and television services, along with the Greek Association of Advertising Companies, the Greek Advertising Federation, drew up the Greek Advertising and Communication Code governing the content and mass media presentation and promotion of adverts by the said holders.
- Article 10 of Presidential Decree 77/2003 on ratifying the Code of Conduct for News and Other Journalistic and Political Broadcasts explicitly bans (i) portrayal of minors in picture, by name or in any other manner which clearly reveals their identity and (ii) their participation in any broadcasts covered by the said Code when they are witnesses to or victims of criminal acts or mishaps or at any event find themselves in difficulties. The aforementioned Article also bans interviews with minors under 14.

There is a blanket ban on minors appearing as criminal offenders or responsible for mishaps.

*21. Are on-screen warning icons required, either by law or by codes of conduct, for potentially harmful television programmes? Are acoustic warnings before such programmes required, either by law or by codes of conduct? Where such measures are used, are they considered to be effective?*

**[text in bold – not translated]**

*22. Do any broadcasters established in your country use technical filtering devices to ensure that minors may not view harmful programmes? If so, what measures and initiatives have been taken to ensure that parents and guardians are aware of these devices and how to operate them. Are these devices held to be an effective means of protecting minors in your country?*

**[text in bold – not translated]**

*23. Please describe measures which have been taken in order to improve media-literacy (e.g. teaching children how to make a responsible use of television)?*

The Education and Religious Affairs Ministry has, as part of a health education programme for primary and secondary schools, set up arrangements for informing pupils about proper use of television and the Internet, and the pupils take part in projects to do with this topic.

#### Video Game Software

*24. Are there any specific legal provisions in your country concerning the sale of video games? (This question concerns the physical sale of video game software, not the provision of software over the Internet for downloading onto computers.)*

So far there are no specific legal provisions in Greece governing the sale of video games and their rating. At the present moment in time the Development Ministry is drawing up legal provisions to further protect the physical health and sound mind of consumers, minors in particular.

*25. Is there any self-regulatory system in place which covers questions relating to age-rating for video games? (e.g. such as the system of self-rating which has been announced by the Interactive Software Federation of Europe (ISFE)) If so, please give details.*

So far Greece does not have such a self-regulatory system.

*26. Are current measures to protect minors from harmful video games considered to be effective?*

Current measures to protect minors from harmful video games are not considered to be sufficient, given that the importation and distribution thereof is governed by general trade law and consumer protection provisions which need to be supplemented so as to cover the entire breadth of today's market targeted on minors, both as regards advertising and also sale.

27. *As online games and computer games, especially on LANs (Local Area Networks), are very similar, have you also included them into measures of self-regulation and/or regulation?*

The reply here is also in the negative, in line with those given to questions 24, 25 and 26.

#### Other Content Delivery Systems

28. *With regard to cinema, videocassette and DVD rating systems, have there been any major developments since the year 2000?*

The cinema rating systems have not changed since 1998.

#### General

29. *In what way have you associated consumer associations, voluntary associations and non-governmental organisations to the implementation of the Recommendation?*

30. *Is the lack of coherence between the various rating and classification systems for audiovisual media (cinema, television, videocassettes, video games, Internet) seen as problematic in your country, e.g. in terms of creating confusion among customers? Are any measures or initiatives being considered to introduce greater coherence in the way audiovisual media are evaluated and classified? Has there been any cooperation to this extent with other Member States or organizations from abroad?*

The lack of coherence between the various rating classification systems for audiovisual media is such as to create problems, because content deemed to be harmful in line with a classification procedure in place for one audiovisual medium may be freely accessible by minors as soon as it appears in another such medium. Problems could also come about through the lack of coherence between the various audiovisual media classification systems operated by the various EU Member States. Therefore, it would be useful to take initiatives to gradually move to a more uniform classification system for audiovisual media content, not just within each Member State, but also Europe-side, so as not to confuse consumers and also to facilitate the circulation of content.

31. *Have the efforts in your country with respect to the protection of minors been accompanied by scientific boards and specific studies with respect to violence or other harmful content and their impact on minors? Are there any voluntary agreements by broadcasters and by content providers on the Internet?*

The Education and Religious Affairs Ministry has taken the initiative on this matter in Greece by introducing a web filtering service on the Greek School Network. The following boards have been set up to ensure smooth operation of this service:

- **The Greek School Network's Board for Content Policy and Code of Conduct**, with the task of shaping policy on the Greek School Network's content, content filtering, operation of chat lines within the network and the code of conduct for websites on the network's servers.
- **The Greek School Network's Board for Content Management and Code of Conduct**, with the task of implementing policies adopted by the aforementioned board, i.e. management of the [www.sch.gr](http://www.sch.gr) website (editorial board),



implementation of the content filtering policy, responsibility for policy with regard to operation of chat lines on the network and monitoring application of the code of conduct for websites on the network's servers.

*32. If you are aware of any study or scientific report which has been prepared on this issue during the last two years, please transmit a copy or give the references.*

Although there is no comprehensive list of studies and publications prepared on this issue during the last two years, for the information of interested parties we indicate below studies and publications funded by the Education and Religious Affairs Ministry concerning design and implementation of the web filtering service.

#### STUDIES

I. P. Zerfos, K. Kotsokalis, "Edunet Study on Proxy/Cache Services", Athens 1999.

II. M. Avgoulea, "Defining a Policy on Controlling Access to the Greek School Network", Patra, August 2001.

#### PUBLICATIONS

[omitted: see original = in English]

*33. The Commission is aware that Member States' authorities may not be in a position to answer all the questions posed here. Nevertheless, the Commission would request that they be answered insofar as possible. Any additional information and any relevant views which might help the Commission in evaluating the effectiveness of the self-regulatory approach laid out in the Recommendation on the Protection of Minors should also be given.*

**NB: the content of the replies written in bold is the same as that given in the previous 2000 questionnaire**