

***Screening Chapter 10  
with Croatia and Turkey***



---

***Explanatory Session, 13 June 2006***

***Audiovisual policy***

***General framework***

**European Commission, DG INFSO AND MEDIA**

**Audiovisual and Media Policy Unit**

---

# Goals and actions of EC audiovisual policy



---

## Goals:

- **Ensure the conditions necessary for the competitiveness of European industry**
- **Realisation of space of freedom of movement of the European audiovisual works**
- **The development of cultural diversity in these fields.**

## Actions:

- **Regulatory framework**
  - **External measures**
  - **Support mechanisms: the MEDIA programmes (to be dealt with separately)**
-

# **Audiovisual Policy Regulatory framework**



- 1. European Media Standards (Article 6 of the Treaty on the European union)**
- 2. Service freedom of movement : Article 49 of the EC Treaty); Cultural policy (Article 151 of the EC Treaty) and industrial policy goals (Article 157 of the EC Treaty).**
- 3. Protocol on the system of public broadcasting in the Member states**
- 4. The Television without Frontiers Directive, Interpretative Communication on advertising, Recommendation on the Protection of minors, Recommendation on film heritage (to be dealt with separately)**

# Audiovisual Policy Regulatory framework



## 1. European Media Standards (Article 6 TEU):

- ♦ « 1. The Union is founded on the principles of liberty, democracy, respect for human rights and fundamental freedoms, and the rule of law, principles which are common to the Member States.
- ♦ 2. The Union shall respect fundamental rights, as guaranteed by the European Convention for the Protection of Human Rights and Fundamental Freedoms signed in Rome on 4 November 1950 and as they result from the constitutional traditions common to the Member States, as general principles of Community law. (...)

**Systematically addressed in parallel with the progressive alignment with the other elements of the European Community audiovisual *acquis*.**

# **Audiovisual Policy Regulatory framework**



---

## **2. Justification for action:**

**Freedom to provide services: Article 49 of the EC Treaty);**

**Cultural policy (Article 151 of the EC Treaty)**

**Industrial policy goals (Article 157 of the EC Treaty).**

# Audiovisual Policy

## General framework

---



3. **Protocol on the system of public broadcasting in the Member states.**
    - Confirms the importance attached to the role of PSB.
    - Member State are free to organise PSB broadcasting in the interests of the public.
    - Funding limited to the performance of the PSB tasks. It must not affect trading conditions and competition in the Community to an extent which would be contrary to the common interest. (Communication from the Commission on the application of State aid rules to public service Broadcasting (2001))
-

# **Audiovisual Policy**

## **External measures**

---



### **UNESCO Convention on Cultural Diversity. Emphasises:**

- ◆ **The specific and dual nature of cultural goods and services;**
- ◆ **The legitimacy of public policies in its protection**
- ◆ **Defines appropriate links with other international instruments for its effective implementation.**

### **The EU position at WTO on audiovisual products. Freedom for action in the field of audiovisual policy:**

- ◆ **Exceptions to the Most Favoured Nation clause (MFN)**
  - ◆ **Absence of commitments concerning National Treatment and Market Access for the audiovisual sector.**
-

# Contact information

---



María Luisa Fernández Esteban

European Commission

DG INFSO and Media

Audiovisual and Media policy Unit

**+32 – 2 – 29 54374**