



EUROPEAN PARLIAMENT

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Committee on Civil Liberties, Justice and Home Affairs

2012/2132(INI)

31.1.2013

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Culture and Education

on the Implementation of the Audiovisual Media Services Directive
(2012/2132(INI))

Rapporteur: Cornelis de Jong

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SUGGESTIONS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Culture and Education, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Considers that concentration of media ownership may undermine freedom of information, in particular the right to receive information, and could lead to corruption and manipulation of public opinion; therefore asks the Commission to specify the ownership relations existing among the 7 500 broadcasters it has identified in the EU, with the aim of singling out the potential challenges relating to plurality in these media services; moreover, suggests a standardisation of provisions for regulators for the audiovisual sector in all Member States;
2. Calls on the Commission to continue to monitor and address any violations of the 12-minute rule, to examine the real amount of advertising and to consider, in particular, whether there is a need for reducing the limit in view of possible complaints by consumers;
3. Asks the Commission to submit as soon as possible the clarifications needed in respect of the issues it has identified in the field of commercial communications concerning sponsorship, self-promotion and product placement;
4. Regrets the fact that not all the grounds identified in Article 21 of the Charter of Fundamental Rights are mentioned in Article 6 of the Audiovisual Media Services Directive (the AVMS Directive); invites the Commission to consider extending the scope of that article, thus bringing it in line with the Charter;
5. Welcomes the approach taken by the Commission and the European Court of Justice in relation to the interpretation of Article 14 of the AVMS Directive; calls for a continued broad interpretation of the term ‘events which are regarded as being of major importance for society’, including sports and entertainment events that are of general interest, and encourages Member States to draw up lists of such events;
6. Highlights the fact that, in an increasingly digital environment, public media services play a crucial role in ensuring that citizens are able to access information online, and acknowledges in this regard that the provision of internet services by public media services contributes directly to their mission;
7. Stresses that as well as examining the scope and possible amendment of the Audiovisual Services Directive, there should be greater emphasis placed on compliance and implementation of the current Directive;
8. Emphasises that the exercise of the freedom of expression carries with it duties and responsibilities;
9. Calls on the Commission, in its next report, to focus especially on the problem of the digital divide, that is to say, the inequality and asymmetry as regards information resulting from inadequate access to new information and communication technologies;

10. Reaffirms the importance of protecting minors in television broadcasting; recommends that Member States take this into consideration, in accordance with Article 9(1)(g) of the AVMS Directive; furthermore, recommends that providers of television programmes or services designate an appointee for the protection of minors, to serve as a contact for users as well as an advisor for providers on issues regarding the protection of minors;
11. Calls on the Commission to ask the Member States to implement the rules of accessibility and to follow the situation closely in order to provide an overview of measures taken by the Member States;
12. Calls on the Commission to maintain, in the EU's external trade agreements, the definitions of audiovisual media services of the Directive, thus 'carving out' those services.
13. Calls on the Commission to present an annual report on freedom of the media in individual Member States.
14. Calls on the European Commission to investigate better methods of regulating alcohol advertising, as self-regulatory codes are not sufficient to protect minors effectively;
15. Highlights the need for a pan-European comparative study in order to further understand how children's, adolescents' and adults' media consumption behaviour is evolving; such a study would be beneficial to audiovisual policymakers at EU level and in the Member States;
16. Recommends the strengthening of the role of the European Audiovisual Observatory, as this would be an appropriate solution for collecting data concerning the promotion of European audiovisual works;
17. Asks the Commission to take into consideration the following aspects when launching public consultations on connected or hybrid television: standardisation, technological neutrality, the challenge of personalised services (especially for persons with disabilities), problems related to multi-cloud security, accessibility to users, protecting children and human dignity;

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	31.1.2013
Result of final vote	+ : 30 - : 1 0 : 2
Members present for the final vote	Edit Bauer, Arkadiusz Tomasz Bratkowski, Philip Claeys, Frank Engel, Kinga Gál, Nathalie Griesbeck, Sophia in 't Veld, Livia Járóka, Timothy Kirkhope, Baroness Sarah Ludford, Nuno Melo, Louis Michel, Claude Moraes, Georgios Papanikolaou, Jacek Protasiewicz, Carmen Romero López, Csaba Sógor, Rui Tavares, Nils Torvalds, Kyriacos Triantaphyllides, Wim van de Camp, Josef Weidenholzer, Tatjana Ždanoka, Auke Zijlstra
Substitute(s) present for the final vote	Birgit Collin-Langen, Cornelis de Jong, Mariya Gabriel, Monika Hohlmeier, Franziska Keller, Petru Constantin Luhan, Ulrike Lunacek, Raúl Romeva i Rueda, Sir Graham Watson