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**AUDIO-VISUAL POLICIES OF THE  
COMMUNITY**

**THE ROLE OF THE EUROPEAN  
PARLIAMENT**

**Television without frontiers  
Satellite television  
The audio-visual media industry**

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The opinions expressed in this document are those of the author and do not commit the European Parliament.

This document will be published in English only in the first instance. A translation into French will appear shortly.

## Foreword

The European Parliament has limited legislative powers. Formally speaking, the power to initiate legislation rests with the Commission, whereas the power to decide on it lies with the Council of Ministers. At first sight, Parliament's role appears to be advisory only.

Yet in politics, as the following pages illustrate, limited powers do not necessarily imply limited influence. Far from it. A judicious use of its powers under the Treaty often permits the European Parliament to bring its weight to bear on Community decisions. The politically important field of broadcasting provides numerous examples.

It has been the European Parliament that prompted the Commission into publishing, first, the Interim Report, and in 1984, the Green Paper on the Internal Market in broadcasting. As detailed analysis shows, the subsequent draft-Directive (1986) owes a great deal to the resolutions the EP adopted in October 1985, notably on advertising, cultural measures and copyright. Parliament has thus de facto initiated legislation.

In response to a series of written questions by MEPs, the Commission has initiated legal action (on the basis of Article 169 of the Treaty) against the governments of Belgium, France, and the Netherlands, whose broadcasting legislation appears to contain discriminatory provisions. In reply to other questions, the Commission has made clear that it seeks to prevent satellite tariffs discriminating between transborder services. It has also agreed to send to Parliament a strategy paper on the coming generation of television (HDTV, 3D TV, digital TV). Further examples can be found in the present document.

Parliament believes European broadcasting policy to be important, first, because cross-frontier radio and television broadcasts may help to create greater awareness among citizens of life in other Member States, hence permitting a lowering of the barriers of misunderstanding that still keep our peoples apart. Secondly, the Community can be of great use in stimulating audiovisual production in Europe. Finally, a common market in broadcasting will facilitate the development of the cable and satellite industry and related economic sectors.

Strengthened by the Single European Act, the European Parliament has every intention to continue guiding EC policy-making in the area of broadcasting.



Gijs de Vries  
President  
European Parliament Intergroup Television

## THE EUROPEAN PARLIAMENT AND THE AUDIO-VISUAL MEDIA

### INTRODUCTION

The idea of establishing a European audio-visual "area" follows the logic of a European market without borders, which the Community countries have decided to establish by 1992. This aim of a Community without frontiers is also enshrined in the Single European Act. The objective is that all Community citizens should have the right to receive any television broadcast from any Member Country in the Community.

The European Parliament has considerably influenced the European Communities' policy in broadcasting and the programme industry, particularly since the first direct elections in 1979. It has done this in three ways:

- first, by requesting the European Commission to propose Community legislation (through own-initiative reports and resolutions);
- secondly, by proposing amendments to the draft legislation (consultation phase);
- finally, by monitoring the European Communities' policies towards the media (written and oral questions to the Council of Ministers and European Commission, own-initiative reports and resolutions).

The Parliament's strong interest in the subject and its support for measures designed to create a European media area have led to three Community initiatives:

- the "Green Paper" and the Draft Directive on TV without frontiers (removal of legal obstacles);
- the Directive on uniform standards for Direct Broadcast via Satellite Television (removal of technical obstacles);
- the proposed support scheme for non-documentary cinema and television co-productions and the Action programme for the European Audio-visual media products industry.

The following study reviews a number of Parliament's resolutions in the three areas mentioned above, which asked the Commission and Council for action concerning a European media policy.

AUDIO-VISUAL POLICIES OF THE COMMUNITY

THE ROLE OF THE EUROPEAN PARLIAMENT

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**PART I**

**THE EUROPEAN PARLIAMENT AND THE AUDIO-VISUAL MEDIA**

**TELEVISION WITHOUT FRONTIERS: LEGAL OBSTACLES**

A1. FACT SHEET ON TELEVISION WITHOUT FRONTIERS  
LEGAL OBSTACLES

LEGAL BASIS OF COMMUNITY POLICY

Although there is no specific reference to television in the EEC Treaty, the Community can act on the basis of the Treaty which encompasses a large number of articles relevant to broadcasting activities. For example :

- Art. 9,12,30,31 (free movement of goods, including audiovisual products);
- Art. 48 to 66 (freedom of movement for workers, right of establishment, freedom to provide services);
- Art. 85 and 86 (competition rules);
- Art. 100 (technical harmonization);
- Art. 169 (procedure against infringements of the Treaty).

The thrust of the Community's initiatives lies in removing legal and technical restrictions on freedom to broadcasting services across the frontiers of Member States. The development of a Community-wide audio-visual space is one of the major proposals necessary to complete the internal market by 1992, as emphasized in the White Book on the Internal Market. The directly applicable provisions of the Treaty (Art. 59 and 62) prohibit all restrictions on the freedom to provide intra-Community broadcast services, and in particular those which discriminate against broadcasts from other Member States, i.e. imposing stricter conditions than internal broadcasts. Also because of numerous complaints, particularly from EP Members on Treaty violations (retransmission bans by cable of broadcasts from other Member States), the Commission has initiated infringement proceedings against certain Member States (Art.169). The Treaty (Art. 56(1) and 66) and the judgments of the Court of Justice allow three exceptions to the principle of freedom to broadcast across the frontiers of Member States. These concern measures justified on grounds of public policy, public security or health. The Court ruled that divergent national rules in these fields can be applied until Community harmonization is achieved. This applies, in particular, to national advertising (Debauve case) and copyright rules (Coditel case).

Because the disparity of the various national legislations may constitute an obstacle to cross-frontier broadcasting, a harmonization Directive has been proposed by the Commission (COM(86) 146 fin.) on the basis of Treaty Articles 57(2) and 66 (the taking up and pursuit of activities as self employed persons). Since Art. 57(2) has been changed under the Single European Act, the draft-Directive will be subject to qualified majority voting in the Council and to the cooperation procedure with the European Parliament.

The legal instrument for removing the remaining legal obstacles to TV broadcasting in the Community is a directive. Only a directive can, by harmonizing the basic legislation and creating a legal framework which guarantees the free circulation of broadcast material on agreed basic standards, ensure the necessary flexibility. It leaves states free to implement those standards in different ways and respects the Member States' cultural pluralism and regulatory systems in broadcasting.

## OBJECTIVES

- "The access of every Community citizen to the greatest number of programmes broadcast by the various channels of the Community, in conformity with the Treaty" (Report of the Ad Hoc Committee [Adonnino] on "A People's Europe" to the European Council at Milan, Bull.EC Supp. 7/85 pp.21-22).
- The establishment of a common market in broadcast services. This is of vital importance to Europe both culturally and economically. Cross-frontier broadcasting in the Community creates opportunities for:
  - a) the economic potential in the Community's audiovisual sector;
  - b) greater accessibility to Europe's cultural richness and variety through the immediate medium of television.
- A Community framework for broadcasting regulation having regard to international technological developments in broadcasting and telecommunications (Direct Broadcasting via satellite; cable TV and Integrated Services Digital Networks). These developments have led to:
  - a) national legislation losing its effectiveness;
  - b) drastic re-regulation of national broadcasting rules, which are diverging and which do not make proper allowance for the Community dimension.

If the Community waits too long in establishing a minimum of coordination, it will risk finding itself faced by fully developed national systems which will be then much harder to modify in the Community interest.

- The promotion of television programmes with European content to supplement the existing national ones.

## ACHIEVEMENTS

- Council Directive 63/607/EEC of 15.10.1963 which liberalised the import, distribution and utilization of films from Community countries.
- The Commission has submitted to the Council a proposal for a Directive to coordinate certain national measures relating to broadcasting (COM(86) 146 fin) in order to facilitate the free circulation of programmes.

The proposal aims to permit broadcasts which comply with the Directive's requirements to be received and retransmitted freely in all the Member States. The main requirements concern Community programme promotion, advertising, youth protection and copyright. While the Directive would allow Member States to apply more detailed and stricter rules to broadcasting organizations established on their territory, they would not be allowed to invoke these stricter national rules to prevent the reception and redistribution of television broadcasts from other Member States, once these comply with the provisions of the Directive.

## OUTLOOK FOR COMMUNITY INITIATIVES IN MEDIA POLICY

The development of a Community media policy has implications for the following areas:

### \*Copyright

- The Commission has announced its intention to publish a Green paper on copyright, which will deal, among other things, with audiovisual piracy, home copying and software protection.

### \*Relations with third countries

- Complementarity should be ensured between the work of the the Community and the Council of Europe concerning the development of a European media policy;
- Trade in services (also broadcasting) is an issue in the GATT negotiations (Uruguay Round).

### \*Competition policy

- The Commission has started to enforce the Community's competition rules in relation to broadcasting organizations. It intervened when agreements between broadcasting organizations seemed to infringe Art. 85 because they appeared to restrict competition and to affect trade between Member States (Sixteenth Report on Competition Policy, 1987, par. 62).  
Community competition policy is particularly relevant for safeguarding competition among emergent transnational media groups.

### \*Telecommunications

- The establishment of a common market for broadcasting runs parallel to the Community's initiatives in the telecommunications sector. Both sectors are in a period of transition and most Member States have reacted by re(de)-regulating their (often interlinked) national telecommunications and broadcasting systems. Re-regulation has been induced by a complex set of factors, for example: the convergence of broadcasting and telecommunications technology (cable, satellite); pressure from consumers; the development of new information services and private multi-media groups; the effects of deregulation in the USA and Japan on the Community (both for hardware and services). The Commission has initiated a discussion on the Member States' regulatory systems in telecommunications after the publication of the "Green Paper on the Development of the Common Market for Telecommunications Services and Equipment" in June 1987 (COM(87) 290 fin.). Parliament has repeatedly emphasized the importance of a Community framework both for broadcasting and telecommunications in order to avoid divergent national re-regulation in these related communication sectors. Parliament will shortly discuss the Telecommunications Green Paper.

## THE ROLE OF THE EP

The significance of legal obstacles to a European media space has been stressed by the EP in a large number of resolutions and questions to the Commission and Council. Already in its resolution of 4 March 1963, the EP called for the elimination of restrictions concerning the free movement of services in the film industry. In its resolutions of 12 March 1982 and 30 March 1984, the EP called for a comprehensive Community policy in the broadcasting area.

Given the internationalization of television, a Community policy would prevent distortions and irreversible imbalances. The EP expressed the view that outline rules should be drawn up on European radio and television broadcasting, inter alia with a view to protecting young people and establishing a code of practice for advertising at Community level.

Following these EP initiatives, the Commission published two reports, one (in 1983), on the current situation and trends in European television and one (in 1984) on the establishment of a common market for broadcasting, especially broadcasting by satellite and cable (the "Green Paper"). Subsequently, the EP discussed the Green Paper and adopted two resolutions on 10 October 1985 which influenced considerably the Commission's draft directive on TV without frontiers. The Commission had based its proposals broadly on the Parliament's views concerning the suitable content for a framework directive on broadcasting. The EP insisted again on a comprehensive media policy which includes not only the elimination of legal obstacles to cross-frontier television but also:

- a) the elimination of technical barriers for transfrontier broadcasting (a Community standard for Direct broadcast satellites) in connection with technological developments in telecommunications (cellular radio, broadband communications), programme production and reception technology (High Definition TV);
- b) support for the European programme industry.

Written questions from Members of the EP have successfully stimulated the Commission to initiate Treaty infringement procedures against those Member States which apply discriminatory measures to retransmission of cable broadcasts from other Member States. As a result of the infringement procedure (and the possibility of a Court of Justice case), France and Belgium have adapted their broadcasting legislation. A Court case concerning discriminatory provisions in Dutch media law is pending before the Court of Justice.

Within the EP, an inter-group "Television" was formed. The inter-group established a broad platform for Community media policy, working with all the interested parties on the formulation of a Community media policy. This has been particularly important for the discussions on the TV without Frontiers draft directive.



A2.

RESOLUTIONS OF THE EUROPEAN PARLIAMENT

TELEVISION WITHOUT FRONTIERS

- (1) Resolution of 8-2-1963 on the removal of restrictions to the provision of services in the field of cinema products.  
Ref. Resol. : OJ No.33 of 4.3.1963 p.476.  
Ref. Rapporteur: Schuijt Report doc. 120 on behalf of the Committee on the Internal Market.

Procedure: Consultation of the General Programme for the removal of restrictions to the provision of services and in particular film products. Published in OJ No.2 of 15.1.1962 p.32.

The EP welcomed the Commission proposal to abolish barriers to intra-Community trade and distribution of films.

Follow-up: The Council adopted Community Directive 63/607/EEC on 15.10.1963 obliging Member States to liberalise the import, distribution and showing of films from Community States. The Directive's provisions did not exclude national regulations for the projection of national film products. The Council did not follow EP's request to publish an annual report on the application of the Directive.

- (2) Resolution of 12-3-1982 on radio and television broadcasting in the European Community.  
Ref. resol. : OJ C 87 of 5.4.1982 p.110.  
Ref rapporteur: Hahn Report (Doc 1-1013/1981) on behalf of the Committee on Youth, Culture, Education, Information and Sport.

Procedure: Own-initiative report.

The EP called upon the Commission to submit a report on the media in the Community. This report should contain in particular information on:

- a) the legislation relating to the media in the Member States;
- b) the legal basis for action by the Community in media policy;
- c) legal instruments and scope of Community action;
- d) whether a convention on the media drawn up within the Council of Europe is advisable and, if appropriate, what form it should take;
- e) the legal requirements and practical facilities for the creation of a European television channel.

The Community should encourage national broadcasters and the European Broadcasting Union (EBU) to establish a European television channel. The EP also considered that outline rules should be drawn up on European radio and television broadcasting, inter alia with a view to protect young people and establishing a code of practice for advertising at Community level.

Follow-up:\* Interim report on "Realities and tendencies in European television: perspectives and options" (COM(83) 229 final). [Report from the Commission to the European Parliament]. This report contains a whole range of facts on satellite and cable television; it reviews broadcasting legislation in the Member States and the work of the Council of Europe; it discusses the facilities for creating a European television channel.

- \* Publication of the Green Paper on the establishment of a common market in broadcasting, especially broadcasting by satellite and cable (COM(84) 300 final, 14.6.1984) [Communication from the Commission to the Council]. The Green Paper was intended as a preparatory document providing a basis for legislative measures opening up intra-Community frontiers for national television programmes. Parliament insisted upon the publication of this Green Paper also in its resolutions on Community media policy of 30-3-1984 (Arfè, p. 9), 13-4-1984 (Hutton, p.10) and 25-5-1984 (Hahn, p.10).
- \* Financial participation of the Commission in Europa-TV. This international and multilingual venture by European public broadcasters collapsed at the end of 1986. One of the significant factors in its failure was the existence of national legal restrictions preventing it from gaining access to cable networks; it could not reach a sufficient audience to generate advertising revenue.

(3) Resolution of 30-3-1984 on a policy commensurate with new trends in European television .

Ref. resol. : OJ C 117 of 30.4.1984 p.201.

Ref. rapporteur : Arfè Report (Doc 1-1541/1983) on behalf of the Committee on Youth, Culture, Education, Information and Sport .

Procedure : Own-initiative report on the interim report of the European Commission concerning realities and trends of television in Europe (COM(83) 229 fin, 25.5.1983 ).

In this resolution Parliament reaffirmed its previous position calling on the Commission and Council to provide a reliable legal framework in which to implement the principles of the Treaty of Rome applicable to the subject (i.e. free circulation of broadcasting services). The EP also called on the Commission to submit its promised "Green Paper" on this question; it asked for the coordination of the different national systems including an anti-dumping-policy for films and rules for the allocation of Community and non-Community productions. The EP called for:

- a) Community support in the field of technical and industrial cooperation for transmission standards (in the EBU frame work);
- b) a European satellite television channel;
- c) European production of programmes.

Follow-up:\* Green Paper (COM(84) 300 final, 14.6.1984). See Bulletin EC 5-1984, 1.3.1-1.3.54.

- \* Proposal for a Council Regulation on a Community aid scheme for non-documentary cinema and television co-productions (COM(85) 174 final and amended in COM(85) 800 final). Council did not adopt this proposal. (see also C resol. 1., 2., 3., pp. 23, 24, 25)

(4) Resolution of 13-4-1984 on broadcast communication in the European Community (the threat to diversity of opinion posed by the commercialization of new media).

Ref. resol. : OJ C 127 of 14.5.1984 p.147.

Ref rapporteur: Hutton Report (Doc 1-1523/1983) on behalf of the Committee on Youth, Culture, Education, Information and Sport.

Procedure :Own-initiative report.

The EP took the view that the effects of new broadcasting technology should be studied and that the Community broadcasting framework should take account of proposals in the Council of Europe.

The resolution called also for Community harmonization proposals on Citizens' Band (CB) radios, to be brought into effect under the aegis of the European Conference of Postal and Telecommunications Administrations (CEPT), and for the creation of a European News film Agency.

Follow-up: for CB radio, see p.13.

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(5) Resolution of 25-5-1984 on European Media policy .

Ref. Resol. : OJ C 172 of 2.7.1984 p.212.

Draftsman : Mr.Hahn ,on behalf of EPP Group, Doc 1-293/84.

Procedure :Oral question with debate.

The EP called upon the Commission to submit a green paper forthwith and it urged the Council to state its position as soon as possible on the initiatives taken by the EP to initiate a European media policy.

Follow-up:\* Green Paper COM(84) 300 fin.

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(6) Resolution of 10-10-1985 on a framework for a European media policy based on the establishment of the common market for broadcasting, especially by satellite and cable.

Ref. resol. : OJ C 288 of 11.11.1985 p.113.

Ref. rapporteur : Hahn Report (Doc A2-75/1985) on behalf of the Committee on Youth, Culture, Education, Information and Sport.

Procedure: Reaction of the EP on the Commission's Green Paper  
-"Television without frontiers"- concerning the establishment of the common market for broadcasting, especially by satellite and cable.

The EP welcomed the Interim Report and the Green Paper's proposals to create a framework for a European media policy, which had been requested by Parliament at earlier occasions. Parliament pleaded again for the establishment of a common television environment, in which all discriminatory and restrictive practices would be abolished permitting transfrontier broadcasting and reception.

The EP called upon the Commission to submit proposals for directives and rules governing advertising, the protection of minors and copyright. The draft directives should incorporate provisions for:

- a) advertising (e.g. not more than 10% of any hour of broadcasting time; separation between advertising and programme material; rules for the types of products advertised i.e. a ban on tobacco advertising, strict rules for alcohol advertising; the use of codes to protect young people);
- b) copyright (an arbitration procedure in the absence of agreement between copyright holders and cable network operators);
- c) minimum European content in programmes and the harmonization of general broadcasting principles (minimum requirements).

The EP also called for proposals for the stimulation of European programmes (production fund) and for the establishment of a European television channel. The EP asked the Commission to submit a draft Directive instituting a common technical standard for direct broadcasting via satellite.

Follow-up:\* Proposal for a Council Directive on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of broadcasting activities ,COM(86) 146 final of 29.4.1986, "Draft-Directive on TV without frontiers". For Parliament's impact, see p. 14.

\* Action Programme for the European audiovisual media products industry, COM(86) 255 final of 12.5.1986. See also C2 resol.no.2, p. 24.

\* Proposal for a Directive on common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting ( COM(86) 1 final of 22.1.1986). See also B2 resol.no. 1.,p. 17.

- (7) Resolution of 10-10-1985 on the economic aspects of the common market for broadcasting in the European Community.  
Ref. resol. : OJ C 288 of 11.11.1985 p.119.  
Ref. rapporteur : De Vries Report (Doc A2-102/85) on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy.

Procedure: Own-initiative report as a reaction of the EP on the Commission's Green Paper (COM(84) 300 final).

The EP welcomed the Commission's intention to submit a draft-directive to harmonize certain aspects of national regulations concerning advertising as recommended in earlier resolutions by the European Parliament. The EP emphasized that only the absolute minimum of harmonized rules should be aimed for, and that detailed control of advertising should continue to be carried out at the national level. For the formulation of the directive, Parliament suggested that:

- on sponsorship, responsibility for the content and transmissions of programmes should remain with the broadcasting organizations;
- advertising should be separated from programme material and advertising content should follow a Community-wide code of practice;
- on copyright, arbitration provisions should be included in cases where copyright holders and cable distributors cannot reach agreement.

The resolution stressed that the initiative of a common market for broadcasting must be accompanied by the simultaneous development of a fully fledged European communications industry producing infrastructures and hardware on the one hand and software on the other. This implies:

- i) monitoring by the Commission of the (tele)communications sector and its new technologies which are converging with broadcasting technologies (e.g. second generation DBS satellites; integrated wide-band telecommunications and optical fibre) so as to increase the telecommunications industry's competitiveness and to avoid distortions from occurring;
- ii) Community promotion of the European programme industry and stipulations for European content in broadcasts.

Furthermore, the EP called for:

- a) a common standard for Direct Broadcasting by Satellite (DBS);
- b) a common European system for digital cellular radio for the 1990s;
- c) a Commission report on the implementation of the CEPT recommendation for Citizens' Radio;
- d) a Commission study of the competition policy aspects in the television and film industry and statistics on the media industry.

Follow-up:\* Draft-Directive on TV without frontiers (COM(86) 146 fin.)  
(See p.13. for details concerning Parliament's influence on  
the draft-directive);

- \* Green Paper on the development of the common market for telecommunications services and equipment (COM(87) 290 fin.). This Green Paper is meant as a discussion platform for Community proposals which ensure consistency in the Member States' systems of telecommunications regulation. Because of re(de)-regulation policies of several Community governments in both broadcasting and telecommunications, new barriers may be created which hamper the development of a consistent communications system within the Community;
  - \* Action Programme audiovisual media (COM(86) 255 fin.)  
(See p. 24);
  - \* Draft-Directive on Technical standards Direct Broadcast Satellites (COM(86) 1 fin.);
  - \* Mobile Telephones: Council Recommendation of 11 June 1987, EP resolution on digital mobile telecommunications of 10.4.1987;
  - \* Citizen's Band (CB) radio: Also in response to Parliament's resolution of 14.5.1984 (Hutton report, p.10), the Commission has promised to send Parliament a summary of the reactions of Member States concerning CEPT recommendations on CB radio (Written Questions 881/86, 479/86, 478/86, 479/86 in OJ C 112, 27.4.87 and OJ C 299, 24.11.1986 );
  - \* Competition Policy: The Commission is planning a study dealing with competition policy and television broadcasting and it will apply the Community competition rules in the audio-visual sector (Written Q. 1846/86, 2049/85 in OJ C 112, 27.4.87 OJ C 214, 25.8.86).
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- (8) The EP is currently discussing the draft-Directive on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of broadcasting activities (COM(86) 146 final).

In the draft-directive, the Commission had taken aboard most of EP's wishes, as expressed in the resolutions of 10.10.1985. The framework draft-directive took account of Parliament's views on the following items:

a) Advertising issues:

The draft-directive included the major points of Parliament's earlier resolutions, for example

- advertising separation from programme material;
- a sponsorship provision (Article 6) was included;
- the draft-directive proposed a maximum of 15% for the amount of advertising time allowed in cross-frontier broadcast;

b) Community preference:

The chapter on promotion of distribution and production of television programmes was included at the specific request of the EP.

In fact, many Member States and broadcasters have argued that this is the essential counterpart to the opening of the Community's internal frontiers and the guarantee that the creation of an enlarged market for broadcasting will operate in the interests of the European programme industry;

c) Copyright:

The Commission accepted a major change in relation to its earlier position expressed in the Green Paper, as a result of the consultations. As a solution to the complex and urgent copyright problems, Parliament had expressed a preference for contracts and arbitration. These problems frequently impede cross-frontier cable retransmission of broadcasts. The Commission's proposed solution for the copyright problem was based upon collective contractual arrangements and statutory licenses, as a last resort. Parliament had suggested in its resolutions to leave the difficult copyright provisions to a separate Green Paper on copyright and a draft directive on this subject. The Commission has announced that a copyright Green Paper is in preparation and will deal with other issues, some of which are of particular importance to the audio-visual sector (audio-visual piracy, rules for private copying, software).

Parliament has also a significant impact on the removal of legal obstacles to a common market in broadcasting by reminding the Commission of its Treaty obligations. Numerous written questions by MEPs to the Commission on discriminatory provisions in national media laws, have led to infringement proceedings by the Commission under Article 169 of the EEC Treaty.

**PART II**

**SATELLITE TELEVISION TRANSMISSION STANDARDS**

**TECHNICAL OBSTACLES**

**B1. FACT SHEET ON SATELLITE TELEVISION TRANSMISSION STANDARDS  
TECHNICAL OBSTACLES**

**LEGAL BASIS COMMUNITY ACTION**

Art. 100 (technical harmonization, modified into Art. 100 a in the Single European Act)

**BACKGROUND AND OBJECTIVES OF COMMUNITY POLICY**

Several communications satellites are already distributing television programmes. These programmes are re-broadcast by terrestrial transmitters (over-the-air television) or, in more densely populated areas of Europe, by cable from communal aerials. Shortly, new channels will be broadcast by more powerful Direct Broadcast Satellites (DBS) and can be received directly by viewers with their own (small) dish aerials. The technological opportunities and cross-frontier character of DBS necessitated the Community to adopt the MAC (Multiplexed Analogue Components) family of DBS transmission standards. These new standards were developed by European industry and the European Broadcasting Union: they are compatible with each other (thereby avoiding a repeat of the fragmentation of the European TV market caused in the 1960's by the rival German PAL and French SECAM systems) and allow better sound and vision reproduction, the simultaneous use of one vision channel and several sound channels (multilingual programmes) and a gradual evolution towards high definition television.

**ACHIEVEMENTS**

The Internal Market Council of 3 November 1986 adopted the Directive on common technical specifications of MAC/packet family of standards for direct satellite television broadcasting (86/529/EEC in OJ L 311, 6.11.86 p.28). The Directive is valid until the end of 1991 and takes into account technological progress.

**THE ROLE OF THE EP**

A recurring request of the European Parliament's reports on television issues has been the need for a common technical standard for direct broadcasting by satellite (DBS) avoiding the proliferation of different transmission standards as happened with the different European standards for colour television broadcasts in the 1960's.

On 28 October 1983, Parliament adopted an own initiative resolution, requesting the establishment of a uniform technical standard for television pictures and sound in the Community. More recently, in its resolution of 16 May 1986, the EP expressed its concern about the competitiveness of the European consumer electronics and programme production equipment industry in the face of the emerging de-facto standards for high definition television. The EP approved, on 22 October 1986, the draft directive on the MAC/packet family of DBS standards and underlined the need for the Community not simply to adopt the MAC family of standards but also to launch an EC strategy for the next generation of television (high definition, digital and three-dimensional television) and to undertake consultations with European industry.

B2.

RESOLUTIONS OF THE EP RELATING TO  
SATELLITE TELEVISION TRANSMISSION STANDARDS  
TECHNICAL OBSTACLES

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(1) Resolution of 28-10-1983 on the establishment of a uniform technical standard for television pictures and sound in the Community.

Ref. Resol. : OJ C 322 of 28.11.1983 p.277.

Ref. rapporteur: Hahn and others (Doc 1-873/1983).

Procedure: Own-initiative.

The EP called on the Member states and, more specifically, their regulatory authorities to agree on a uniform technical standard for television pictures and sound. It called on the Commission to contact the EBU and representatives of industry without delay to achieve this objective.

Follow-up: \* Communication of the Commission to the Council concerning the adoption of common standards for direct satellite television broadcasting (COM(85) 264 final of 31.5.1985);

\* Proposal for a Directive on common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting ( COM(86) 1 final of 22.1.1986).

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(2) Resolution of 16-5-1986 on standards for direct broadcasting by satellite.

Ref. resol : OJ C 148 of 16.6.1986 p.86.

Ref. rapporteur : De Vries (Doc B2-243/86), on behalf of the Committee on Economic and monetary Affairs and Industrial Policy.

Procedure: Oral question with debate.

The EP asked the Commission to review its draft-Directive on MAC standards and report back to Parliament because of questions raised on:

- compatibility within the MAC family and its upgrading towards full High Definition television (HDTV);
- a Japanese proposal for a world HDTV production standard to be put forward for adoption at the plenary session of the CCIR - Comité International de Radio Communication- (the world standardisation body for radio communication).

Follow-up:- See resol. of 22.10.1986 p.18; A common Community position was shown at the May 1986 Dubrovnik meeting of the CCIR which gave the European industry a breathing space of two years for the development of a world standard for High Definition TV;

- In the framework of the EUREKA conference in Stockholm on 30.6.1986, a project "Compatible High Definition TV System" was approved with a budget of 180 Mecu and a duration of 4 years. In addition, the definition phase of RACE contained also a HDTV project (pre-competitive research).

(3) Resolution of 22-10-1986 on the Draft-Directive on the adoption of common technical specifications of the MAC/packet family of standards for direct satellite television broadcasting.

Ref. Resol. : OJ C 297, 6.11.86 p.28.

Ref. rapporteur : De Vries Report (Doc A 2-108/86) on behalf of the Committee on Economic and Monetary Affairs and Industrial Policy.

Procedure: Consultation of draft-Directive (COM(86) 1 final).

The EP endorsed the Commission's proposal and did not request amendments to the Commission's proposal. It asked again for a Commission report on the television of the future and the Community's strategy in this matter. The EP underlined the need for the Community not just to adopt the MAC family of standards but to decide on a European strategy for High Definition TV and associated developments in digital and three dimensional television. It considered that the European electronics industry, broadcasters and programme makers should be involved in the formulation of such a strategy and that consumer interests should be taken into account.

Follow-up: The Commission promised to report to Parliament on the Community's strategy concerning new television technologies and to continue its consultations with industry on such a strategy;

The Industry Council of June 10 1986 and the Internal Market Council of 23 June 1986 had informally already reached an agreement pending the EP's opinion. The Internal Market Council meeting of 3.11.1986 formally adopted the Directive.

PART III

SUPPORT FOR EUROPEAN AUDIOVISUAL MEDIA PRODUCTS

## C1. FACT SHEET ON SUPPORT FOR EUROPEAN AUDIOVISUAL MEDIA PRODUCTS

### LEGAL BASIS

Art. 235 (Community measures not explicitly mentioned in the Treaty, unanimity voting required in Council)

### OBJECTIVES

The cultural sector in the Community is of vital importance to the future of Europe as both an economic and cultural entity. Private and public expenditure for cultural activities is increasing; employment in the cultural sector amounts to 3 - 4% of the workforce and is rising. Given the projected multiplication in TV channels and the subsequent increase in programme output in the 1990's, European film producers, TV films, series, news and documentaries are experiencing difficulties in the face of American competition. The U.S film and broadcasting industry has benefited considerably over a long period of time from the advantages of a big internal market.

Simple implementation of the principle of free circulation of broadcasts and the elimination of technical barriers is not sufficient to safeguard the quality, choice and economic health of European television given the fragility on the production side of certain aspects of Europe's audio-visual industries. Therefore, additional measures are needed to:

- redress the structural economic weaknesses of the programme production sector in the Community and find solutions for the problems in:
  - \* the costs and methods of production;
  - \* financing and distribution;
  - \* cooperation between cinema and television;
  - \* multinational co-productions;
  - \* the introduction of new technology in the audio-visual media;.
- maintain European identity and diversity, working for a better balance among the large and small cultural areas in Europe;
- increase mobility of persons, equipment and products of the European audiovisual industry;
- obtain better cooperation within Europe on the financing, production and distribution of audiovisual programmes and a closer partnership between cinema and television.

## ACHIEVEMENTS

- \* Council resolutions (Cultural affairs) of 22.6.1984 dealt with:
  - a) audio-visual piracy
  - b) the promotion and development of a European programme industry and
  - c) the harmonization of rules on the sequence of film distribution through the various media.(Bulletin EC 6-1984, 2.1.61, OJ C 204 of 3.8.1984).

The Commission is preparing a Green Paper on the prevention and suppression of piracy, rules for private copying, etc. This initiative is meant to prepare legislative proposals on copyright which are of particular importance to the audio-visual sector.

- \* The European Council approved, in Milan on 28 June 1985, the proposal contained in the "ADONNINO" report, which stressed inter alia the promotion of European audiovisual co-productions and proposed that 1988 should be the European Cinema and Television Year; the Council adopted on 13.11.1986 a resolution concerning the European Cinema and Television Year, referring to Parliament's resolutions of 10 October 1985 on a Framework for a European media policy and on the economic aspects of the common market for broadcasting in Europe (see A2 resolutions No. 6 and 7, p. 11-13.). A series of projects are undertaken by a steering committee under the presidency of Mrs. S. Veil. The committee organizes projects for the European Cinema and Television Year.
- \* The proposal for a Council regulation on a Community aid scheme for non-documentary cinema and television co-productions (COM(85) 174 fin.) was amended by the Commission and included most of Parliament's wishes. However, Council could not reach unanimous agreement on the proposal in its December 1985 meeting. It asked the Commission to draw up new proposals which resulted in the "Action programme for the European audio-visual media products industry" (MEDIA programme in COM(86) 255 fin.). The proposed programme MEDIA (Measures to Encourage the Development of the Audiovisual Industry) concerns the content of the networks and final media products, be they television programmes or films. It includes an action plan covering three main aspects of films and television, namely production, distribution and financing. After consultations with the media-industry in 1987 (preparatory phase), the Commission intends to establish concrete projects which will have to be approved by Community bodies.

## THE ROLE OF THE EP

The EP consistently called for a comprehensive Community media policy, which not only removes legal and technical barriers to a common market for broadcasting but also supports European audio-visual products.

For example, in its reaction to the Commission's Green Paper (resolutions of 10 October 1985), the EP had requested Commission and Council to institute specific measures to support the European programme industry. The Community's "TV without Frontiers initiative" will have no chance of achieving its objectives unless it is accompanied by the simultaneous development of a fully-fledged European communications industry, producing infrastructures and hardware on the one hand and software (programmes and information) on the other. In fact, the chapter on promotion of distribution and production of television programmes in the draft-directive was included at the specific request of the European Parliament.

Parliament has also adopted resolutions dealing specifically with support for audio-visual products. In its resolution of 10 October 1983 on the promotion of film-making in the Community countries, the EP called on the Commission to develop a European programme policy. The European film-making industry is in a serious crisis and Community action has to be taken in the areas of:

- financial engineering;
- cooperation between the television and film industries;
- efficiency of the distribution arrangements for films produced in the Community countries;

The problems concerning the fragmentation of the production and distribution of European programmes were highlighted again in the EP's opinion on the proposed aid scheme for non-documentary cinema and television productions (resolution of 8 October 1985). In addition to financial support, an organised distribution network of European films is needed in face of pressure of American giants. The EP dealt, in its resolution of 10 October 1985 (see A2 resolution No.7, p.12) with the different economic aspects of the common market for broadcasting in the EC. With the possibilities that DBS will bring, the EP asked, in its resolution of 11 December 1986, that all Member States support a multilingual European television which would form a link between the multitude of European cultures.

C2.

RESOLUTIONS OF THE EUROPEAN PARLIAMENT

SUPPORT FOR EUROPEAN AUDIOVISUAL MEDIA PRODUCTS

(1) Resolution of 10-10-1983 on the promotion of film-making in the Community.

Ref. resol. : OJ C 307 of 14.11.1983.

Ref. rapporteur: Pruvot report (Doc 1-504/83) on behalf of the Committee on Youth, Culture, Information and Sport.

Procedure: Own-initiative report.

The EP asked for a Community programme in support of audiovisual products. This involves: promotion of cooperation between television and film industries in the Community and increasing the efficiency of distribution arrangements for films produced the Community; financial support for film festivals and pilot experiments to open up new markets for Community films; the application of the competition rules in the EEC Treaty to commercial practices of distribution companies. Given the new means of transmitting films (cable, video recording, satellite), Parliament has also called for a Commission study on copyright.

Follow-up:\* Draft Regulation on a Community aid for non-documentary cinema and television co-productions, COM(85) 174 final.

\* The Commission is preparing a Green Paper on copyright.

\* Council Resolution of 13.11.1986 concerning Cinema and Television Year (1988) after the Commission's Communication (COM(86) 320 final) informing the Council of the aims to be pursued in the course of the 1988 European Cinema and Television Year.

(2) Resolution of 8-10-1985 on a Regulation on a Community aid scheme for non documentary cinema and television co-productions.

Ref. resol. : OJ C 288 of 11.11.1985, p.28.

Ref. rapporteur: Fajardie report (Doc A2-93/85) on behalf of the Committee on Youth, Culture, Education, Information and Sport

Procedure: Consultation on the proposed Regulation "Community aid for non-documentary cinema and television co-productions", COM(85) 174 final.

The EP delivered a favourable opinion on the draft regulation and was satisfied that the Commission had responded with a practical proposal to the EP's repeated requests for Community action in the audio visual field. It presented also amendments to the draft regulation which were partially incorporated by the Commission in its amended proposal (COM(86) 800 final).

Follow-up:\* The draft regulation was rejected by the the Council (ministers for Cultural Affairs) in December 1985. The Council asked the Commission to rework its proposals along broader lines which resulted in the Action Programme for European Audio-visual Media Industry (COM(86) 255 final). This programme (MEDIA) was presented by the Commission in May 1986 and has two phases:

- a) a preparatory phase consecrated to the formation of projects. It will be realized in the form of workshops, round tables and pilot projects;
- b) a realization phase which will have to be approved by Council.

In February 1987, nine out of twelve Member States signed a declaration of intention in Paris to give financial support to audiovisual co-production in Europe (plan Léotard). The French government had taken the initiative to reach agreement on an intergovernmental basis for the support of co-production, given the absence of unanimity in Council on the draft regulation.

(3) Resolution of 11-12-1986 on the European Community's information Policy.

Ref. resol. : OJ C 7 of 12.1.1987 p.111.

Ref. rapporteur : Baget-Bozzo report (Doc A2-111/86) on behalf of the Committee on Youth, Culture, Education, Information and Sport.

Procedure: Own-initiative report.

Although the resolution addressed primarily issues of how the Community institutions can improve communication with the public at large, it also dealt with developments in the European media scene after the demise of Europa TV. The EP supported again the creation of a multilingual European television programme (one picture, but in various languages of the Community), using the experience gained in the Europa TV experiment.

\* \* \* \* \*



ANNEX

SUMMARIES

THE EUROPEAN PARLIAMENT AND THE AUDIOVISUAL MEDIA

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## RESUME

### EUROPA-PARLAMENTET OG DE AUDIOVISUELLE MEDIER

Tanken om at etablere et europæisk audiovisuelt område er en logisk følge af det europæiske marked uden grænser, som EF-landene har vedtaget at gennemføre inden 1992. Et fællesskab uden grænser er et af de mål, der er nedfældet i Den Europæiske Fælles Akt. Tanken er, at alle europæere skal kunne modtage alle fjernsynsprogrammer fra alle Fællesskabets medlemsstater.

Europa-Parlamentet har haft betydelig indflydelse på EFs politik vedrørende fjernsyns- og programindustrien, især siden det første direkte valg i 1979. Denne indflydelse er blevet gjort gældende på tre måder:

- for det første har Europa-Parlamentet anmodet Kommissionen om at udarbejde forslag til fællesskabsretsakter (igennem initiativbetænkninger og beslutninger),
- for det andet har det udarbejdet ændringsforslag til de foreslåede retsakter (høringsfasen),
- og endelig har det overvåget EFs mediepolitik (skriftlige og mundtlige forespørgsler til Rådet og Kommissionen, initiativbetænkninger og beslutninger).

Parlamentets store interesse for dette emne og dets støtte til foranstaltninger med henblik på etablering af et europæisk medieområde har givet sig udslag i tre fællesskabsinitiativer:

- grønbogen og direktivforslaget om fjernsyn uden grænser (fjernelse af juridiske hindringer),
- direktivet om fælles standarder for direkte TV-transmissioner via satellit (fjernelse af tekniske hindringer),
- den foreslåede støtteordning for co-produktion af biograf- og fjernsynsspillefilm og handlingsprogrammet til fordel for den audiovisuelle industri.

I den følgende undersøgelse behandles en række af Parlamentets beslutninger på de tre ovennævnte områder, hvori det har anmodet Kommissionen og Rådet om at gøre en indsats til fordel for en europæisk mediepolitik.



## ZUSAMMENFASSUNG

### DAS EUROPÄISCHE PARLAMENT UND DIE AUDIOVISUELLEN MEDIEN

Der Gedanke, einen europäischen Audiovisionsraum zu schaffen, ist die logische Folge eines europäischen Marktes ohne Grenzen, der laut Beschluß der Mitgliedstaaten der Gemeinschaft bis 1992 geschaffen werden soll. Dieses Ziel einer Gemeinschaft ohne Grenzen ist auch in der Einheitlichen Europäischen Akte verankert. Das Ziel besteht darin, allen Europäern die Möglichkeit zu bieten, Fernsehsendungen aus allen Mitgliedstaaten der Gemeinschaft zu empfangen.

Das Europäische Parlament hat insbesondere seit der ersten Direktwahl 1979 die Rundfunk- und Fernsehpolitik der Europäischen Gemeinschaften und die Programmindustrie auf dreierlei Weise erheblich beeinflußt:

- erstens, indem es die europäische Kommission aufgefordert hat, gemeinschaftliche Rechtsvorschriften vorzuschlagen (durch Initiativberichte und Entschlieûungen);
- zweitens, indem es Änderungen zu den Entwürfen für Rechtsvorschriften vorgeschlagen hat (Konsultationsphase);
- und schließlich, indem es die Medienpolitik der Europäischen Gemeinschaften überwacht hat (schriftliche und mündliche Anfragen an den Ministerrat und die Europäische Kommission, Initiativberichte und Entschlieûungen).

Das starke Interesse des Parlaments an diesem Thema und seine Unterstützung für Maßnahmen zur Schaffung eines europäischen Medienraums hatten drei Gemeinschaftsinitiativen zur Folge:

- das "Grünbuch" und den Entwurf einer Richtlinie über das Fernsehen ohne Grenzen (Beseitigung von rechtlichen Hemmnissen);
- die Richtlinie über einheitliche Normen für die Direktübertragungen von Fernsehsendungen über Satelliten (Beseitigung technischer Hemmnisse);
- die geplante Förderhilfe für Film- und Fernsehproduktionen im Bereich Unterhaltung und das Aktionsprogramm zur Förderung der europäischen audiovisuellen Produktionsindustrie.

Die folgende Studie befaßt sich mit einigen Entschlieûungen des Parlaments zu den drei oben genannten Bereichen, in denen die Kommission und der Rat aufgefordert wurden, Maßnahmen im Hinblick auf eine europäische Medienpolitik zu ergreifen.



## ΠΕΡΙΛΗΨΗ

### ΤΟ ΕΥΡΩΠΑΙΚΟ ΚΟΙΝΟΒΟΥΛΙΟ ΚΑΙ ΤΑ ΟΠΤΙΚΟΑΚΟΥΣΤΙΚΑ ΜΕΣΑ ΜΑΖΙΚΗΣ ΕΝΗΜΕΡΩΣΗΣ

Η ιδέα της δημιουργίας ενός Ευρωπαϊκού Οπτικοακουστικού Χώρου συμβαδίζει με τη λογική της δημιουργίας μιας Ευρωπαϊκής Αγοράς χωρίς σύνορα που έχει ήδη αποφασισθεί από τα κράτη μέλη για το 1992. Το όραμα αυτό μιας Κοινότητας χωρίς σύνορα περιέχεται επίσης στην Ενιαία Ευρωπαϊκή Πρόξη. Ο στόχος είναι να μπορεί κάθε Ευρωπαίος να παρακολουθεί οποιαδήποτε τηλεοπτική εκπομπή προερχόμενη από οποιαδήποτε χώρα της Κοινότητας.

Το Ευρωπαϊκό Κοινοβούλιο έχει ασκήσει αξιοσημείωτη επιρροή στην πολιτική που ακολουθεί η Κοινότητα στο ραδιοτηλεοπτικό τομέα και στον τομέα της παραγωγής προγραμμάτων, ιδιαίτερα από το 1979 που διενεργήθηκαν οι πρώτες άμεσες εκλογές. Η επιρροή αυτή ασκήθηκε με τρεις τρόπους:

- πρώτον: ζητώντας από την Επιτροπή των Ευρωπαϊκών Κοινοτήτων να προτείνει κοινοτική νομοθεσία (με εκθέσεις πρωτοβουλίας και φηφίσματα),
- δεύτερον: προτείνοντας τροπολογίες σχεδίων νόμων (γνωμοδοτικό στάδιο),
- τέλος: παρακολουθώντας στενά την κοινοτική πολιτική των ραδιοτηλεοπτικών μέσων (γραπτές και προφορικές ερωτήσεις προς το Συμβούλιο των Υπουργών και την Επιτροπή των Ευρωπαϊκών Κοινοτήτων, εκθέσεις πρωτοβουλίας και φηφίσματα).

Το έντονο ενδιαφέρον του Κοινοβουλίου για το θέμα αυτό και η υποστήριξη εκ μέρους του μέτρων για τη δημιουργία ενός Ευρωπαϊκού Ραδιοτηλεοπτικού Χώρου οδήγησαν στην ανάληψη τριών κοινοτικών πρωτοβουλιών:

- την "Πράσινη Βίβλο" και το σχέδιο οδηγίας για μια τηλεόραση χωρίς σύνορα (άρση νομικών εμποδίων),
- την οδηγία σχετικά με την καθιέρωση κοινών προτύπων για την απευθείας μετάδοση μέσω δορυφορικής τηλεόρασης (άρση τεχνικών εμποδίων),
- το προταθέν πρόγραμμα υποστήριξης των κινηματογραφικών ταινιών με υπόθεση και των τηλεοπτικών συμπαραγωγών καθώς και το πρόγραμμα δράσης για την παραγωγή ευρωπαϊκών ραδιοτηλεοπτικών προγραμμάτων,

Στη μελέτη που ακολουθεί γίνεται ανασκόπηση μερικών φηφισμάτων του Κοινοβουλίου στους τρεις αναφερθέντες τομείς, με τα οποία ζητήθηκε από την Επιτροπή των Ευρωπαϊκών Κοινοτήτων και το Συμβούλιο να δραστηριοποιηθούν στον τομέα των ευρωπαϊκών ραδιοτηλεοπτικών μέσων.



RESUMENEL PARLAMENTO EUROPEO Y LOS MEDIOS DE COMUNICACION AUDIOVISUALES

La idea de crear un espacio audiovisual europeo está dentro de la línea de un mercado europeo sin fronteras, que los países comunitarios tienen decidido crear antes de 1992. Este propósito está también presente en el Acta Única Europea. El objetivo es que todos los europeos puedan recibir las emisiones provenientes de cualquiera de los países miembros de la Comunidad.

El Parlamento Europeo ha incluido considerablemente en la política de las Comunidades Europeas sobre las emisiones y la industria de programas, en especial desde las primeras elecciones directas en 1979. Esta influencia se ha realizado por tres vías:

- en primer lugar, pidiendo a la Comisión Europea que proponga una legislación comunitaria (mediante dictámenes por propia iniciativa y resoluciones);
- en segundo lugar, proponiendo enmiendas a los diferentes proyectos legislativos (fase de consulta)
- finalmente, controlando las políticas de las Comunidades Europeas en lo que respecta a los medios de comunicación (preguntas orales y escritas al Consejo de Ministros y a la Comisión Europea, dictámenes por propia iniciativa y resoluciones).

El gran interés del Parlamento en este asunto y su apoyo a las medidas destinadas a crear un espacio comunitario europeo, han llevado a tres iniciativas de la Comunidad:

- El "Libro Verde" y el proyecto de directiva sobre una televisión sin fronteras (supresión de las trabas legales)
- La Directiva sobre la unificación normativa para una televisión de emisión directa vía satélite (supresión de las trabas técnicas)
- El sistema de apoyo propuesto para el cine no documental y las coproducciones televisivas y el programa de acción para la industria europea de productos de los medios audiovisuales.

El siguiente estudio analiza varias resoluciones parlamentarias en las tres áreas anteriormente mencionadas, en las que el Parlamento pedía a la Comisión y al Consejo que tomaran medidas en lo relativo a una política europea de los medios de comunicación.



## R E S U M E

### LE PARLEMENT EUROPEEN ET L'AUDIOVISUEL

L'idée de créer un espace audiovisuel européen est conforme à la logique du marché européen sans frontières que les Etats membres ont décidé d'instaurer pour 1992. L'objectif d'une Communauté sans frontières, à savoir que tous les citoyens doivent être en mesure de recevoir les émissions télévisées en provenance de n'importe quel Etat membre, est également sanctionné par l'Acte unique européen.

Le Parlement européen a considérablement influencé la politique communautaire en ce qui concerne les émissions et l'industrie des programmes, en particulier depuis les premières élections au suffrage universel direct de 1979, et ce de trois manières :

- en invitant la Commission à présenter une législation communautaire (par le biais de rapports d'initiative et de résolutions) :
- en proposant des amendements aux projets de législation (phase de consultation) ;
- en contrôlant la mise en oeuvre des politiques communautaires relatives aux médias (questions écrites et orales au Conseil de ministres et à la Commission, rapports d'initiative et résolutions).

Le vif intérêt que le Parlement porte à ce sujet et le soutien qu'il accorde aux mesures destinées à créer un espace médiatique européen ont conduit à trois initiatives sur le plan communautaire :

- le "Livre vert" et la proposition de directive sur une télévision sans frontières (suppression des obstacles juridiques ;
- la directive sur l'adoption de normes techniques communes pour la diffusion directe de télévision par satellite ;
- la proposition relative à un régime de soutien aux coproductions cinématographiques et télévisuelles de fiction ainsi que le programme d'action en faveur de la production audiovisuelle européenne.

Dans l'étude ci-après sont examinées un certain nombre de résolutions du Parlement européen dans les trois secteurs précités, invitant la Commission et le Conseil à agir pour élaborer une politique européenne des médias.



## RIEPILOGO

### IL PARLAMENTO EUROPEO E I MEZZI D'INFORMAZIONE AUDIOVISIVI

L'idea di creare uno spazio audiovisivo europeo è conforme alla logica di un mercato europeo senza frontiere che i paesi della Comunità hanno deciso di stabilire entro il 1992. La creazione di una Comunità senza frontiere è prevista anche nell'Atto unico europeo. L'obiettivo prefisso è che tutti gli Europei devono essere in grado di ricevere tutte le trasmissioni televisive da tutti gli Stati membri della Comunità.

Il Parlamento europeo ha notevolmente influenzato la politica delle Comunità europee per quanto riguarda le trasmissioni e l'industria dei programmi, in particolare dopo le prime elezioni dirette nel 1979. A tal fine ha impiegato tre sistemi:

- in primo luogo, invitando la Commissione europea a presentare norme comunitarie (mediante relazioni d'iniziativa e risoluzioni);
- in secondo luogo, proponendo emendamenti ai progetti legislativi (fase della consultazione);
- in terzo luogo, controllando le politiche delle Comunità europee nei confronti dei mezzi d'informazione (interrogazioni scritte e orali al Consiglio dei ministri e alla Commissione, relazioni d'iniziativa e risoluzioni).

Il vivo interesse del Parlamento per tale problematica e il suo sostegno per le misure volte a creare uno spazio europeo dei mezzi d'informazione ha portato a tre iniziative comunitarie:

- il "Libro Verde" e il progetto di direttiva sulla televisione senza frontiere (soppressione degli ostacoli giuridici);
- la Direttiva sugli standard uniformi per le trasmissioni televisive dirette via satellite (soppressione degli ostacoli tecnici);
- la proposta concernente un regime di sostegno per i filmati diversi dai documentari e per le co-produzioni televisive, nonché il programma d'azione a favore dell'industria europea dei prodotti audiovisivi d'informazione.

Il seguente studio passa in rassegna alcune risoluzioni del Parlamento concernenti i tre suddetti settori, in cui si invitavano la Commissione e il Consiglio a intraprendere azioni in merito a una politica europea dei mezzi d'informazione.



## SAMENVATTING

### HET EUROPESE PARLEMENT EN DE AUDIOVISUELE MEDIA

Het plan om een Europese audiovisuele ruimte te stichten is een logisch gevolg van het voornemen van de lid-staten om voor 1992 een Europese markt zonder grenzen te stichten. Ook de Europese Akte omvat dit streven naar een Gemeenschap zonder grenzen. Het doel is dat iedereen in Europa alle televisie-uitzendingen van alle lid-staten in de Gemeenschap moet kunnen ontvangen.

Het Europese Parlement heeft in aanzienlijke mate invloed uitgeoefend op het EEG-beleid voor de radio-, televisie- en audiovisuele industrie, vooral na de eerste rechtstreekse verkiezingen van 1979. Het Parlement deed dit op drie manieren:

- ten eerste, door de Europese Commissie te verzoeken (via initiatiefverslagen en resoluties) een communautaire wetgeving voor te stellen;
- ten tweede, door amendementen voor te stellen op de ontwerp-wetgeving (overlegfase);
- ten derde, door speciale aandacht te besteden aan het EG-beleid voor de media (schriftelijke en mondelinge vragen aan de Raad van Ministers en de Commissie, initiatiefverslagen en resoluties).

De grote belangstelling van het Parlement voor dit onderwerp en zijn steun aan maatregelen voor de stichting van een Europese mediaruimte hebben geleid tot drie communautaire initiatieven:

- het "Groenboek" en de ontwerp-richtlijn voor TV zonder grenzen (opheffing van wettelijke obstakels);
- de richtlijn voor uniforme normen voor rechtstreekse uitzendingen via de satelliettelevisie (opheffing van technische obstakels);
- de voorgestelde steunregeling voor niet-documentaire co-producties voor bioscoop en televisie en het actieprogramma voor de Europese audiovisuele mediaproductie.

In het hierbij gaande overzicht wordt een aantal resoluties besproken van het Parlement in de drie hierboven vermelde gebieden, waarin de Commissie en de Raad worden verzocht het nodige te doen ten behoeve van een Europees mediabeleid.



SINTESEO PARLAMENTO EUROPEU E OS MEIOS DE COMUNICAÇÃO AUDIO-VISUAL

A ideia de estabelecer um espaço europeu audio-visual está subordinada à lógica de um mercado europeu sem fronteiras, que os países da Comunidade decidiram criar até 1992. Este ideal de uma Comunidade sem fronteiras é também enaltecido no Acto Único Europeu. O objectivo consiste em proporcionar a todos os Europeus a possibilidade de receberem programas televisivos de qualquer Estado-membro da Comunidade.

O Parlamento Europeu teve grande influência na definição da política comunitária para a indústria de difusão e programação, particularmente depois das primeiras eleições directas em 1979. Fê-lo de três maneiras:

- primeiro, solicitando à Comissão das Comunidades Europeias que propusesse legislação comunitária (através de relatórios de iniciativa e resoluções);
- em segundo lugar, propondo alterações aos projectos legislativos (fase de consulta);
- finalmente, controlando a execução da política das Comunidades Europeias para os meios de comunicação (perguntas orais e escritas ao Conselho de Ministros e à Comissão das Comunidades Europeias, relatórios de iniciativa e resoluções).

O enorme interesse do Parlamento nesta matéria e o seu apoio às medidas destinadas a criar um espaço europeu dos meios de comunicação estiveram na origem de três iniciativas comunitárias:

- o "Livro Verde" e a Proposta de Directiva sobre a "Televisão sem fronteiras" (abolição de obstáculos legais);
- a Directiva relativa à uniformização das normas para a Difusão Directa através da Televisão via Satélite (abolição de obstáculos técnicos);
- o regime de apoio proposto para co-produções cinematográficas e televisivas não-documentais e o Programa de acção a favor da produção audio-visual europeia.

O estudo que se segue constitui um apanhado de uma série de resoluções do Parlamento nas três áreas supramencionadas onde se pedia à Comissão e ao Conselho que tomassem medidas em prol de uma política europeia dos meios de comunicação.