Audiovisual policy: media and digital technology

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PURPOSE : to present the principles and the guidelines for the Community's audiovisual policy in the digital age. CONTENT : digital technologies are bring about major changes in the audiovisual sector. These will very likely require the adoption of both the regulatory framework and the various support meachanisms for this sector. It is therefore of vital importance for the operators in this sector to benefit from a clear and predictable policy environment in which to plan investment and develop strategies for their businesses. This is essential if they are to make the most of the opportunities offered by the digital broadcasting and production techniques and by the new means of distribution and new types of activities, for example, via the Internet. This Communication is intended to contribute towards that predictability by setting out the European Commission's priorities for the next five years as well as the aims and the principles of the Community's audiovisual policy for the mid-term future. The Commission considers that the digital revolution does not call into question the need for audiovisual policy to identify relevant general interests and, where necessary, to protect them through the regulatory process. Technological developments, however, call for ongoing evaluation of the means and methods used, in order to ensure that they continue to be proportionate to the objectives to be achieved. In addition, audiovisual policy is concerned with services providing audiovisual content intended for the public: such services constitute "communication to the public" and may affect certain general interests associated with the media sector as a whole (for example, with regard to copyright and neighbouring rights, protecting the integrity of artistic works, the protection of minors, of consumers, cultural diversity and so on). With regard to regulation, the Commission proposes separate approaches to the regulation of transmission infrastructure and content: services providing audiovisual content should be regulated according to their nature and not according to their means of delivery. Adaptation should be evolutionary rather than revolutionary. A balanced approach to public service broadcasting is needed and self-regulatory mechanisms may well play a bigger role in achieving public interest objectives. In light of technological developments, the Commission considers that certian regulatory questions are likely to pose problems in the near future and therefore warrant further analysis now. These include cultural and linguisic diversity, questions of access to audiovisual content, the protection of minors and advertising. With regard to support mechanisms, the principles of complementarity beween national and European levels, Community added value and adaptability should apply. These are incrporated in the Commission's proposal for a new MEDIA programme. The proposed "MEDIA Plus" programme also takes account of the challenges and opportunities created by the digital age. Coordination between this end and other Community actions, such as the Fifth Framework Programme for Research and Development and the "eEurope" initiative will beensured. In external relations, and with regard to future trade negotiations in the framework of the WTO, it is vital for the Community and its Member States to maintain their freedom of action in the audiovisual sector if Europe is to retain its cultural and linguistic diversity. Similarly, it is important that the accession countries implement rapidly and in full the Community acquis in the audioviusual sector. In conclusion, the Commission reaffirms the fundamental principles which are the heart of the Community's audiovisual policy. The Community should develop this policy on the basis of the existing regulatory instruments and support mechanisms. Technological and market developments must be closely monitored to ensure that the relevant instruments are adapted as necessary. In this respect, and over the next five years, particular areas for attention will be the Television without Frontiers Directive, ensuring access to audiovisual content which reflects Europe's cultural and linguistic diversity, the protection of minors and consumer protection in advertising. Community support mechanisms for the audiovisual sector must be reinforced and adapted to ongoing developments and needs.