Published on *Digital Agenda for Europe* (https://ec.europa.eu/digital-agenda)

European Regulators Group for Audiovisual Media Services
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The European Regulators Group for Audiovisual Media Services brings together heads or high level representatives of national independent regulatory bodies in the field of audiovisual services, to advise the Commission on the implementation of the EU's Audiovisual Media Services Directive (AVMSD) [1].

On 3 February 2014, the European Commission adopted a Decision [2] setting the objectives for the Group:

- to advise and assist the Commission in its work, to ensure a consistent implementation of the AVMSD as well as in any other matters related to audiovisual media services within the Commission's competence.
- to facilitate cooperation between the regulatory bodies in the EU, as provided for in the directive regulating audiovisual media services.
- to allow for an exchange of experience and good practices.

See the text of Commission Decision C(2014) 462 [2] of 3.2.2014 on establishing the European Regulators Group for Audiovisual Media Services.

The first meeting of the Group [3] took place on 4 March 2014, in Brussels. You can consult the rules of procedure [4] adopted by the Group. A second meeting [5] was held on 21 October 2014.

ERGA adopted its Work Programme for 2015. [6]

ERGA also adopted a statement [7] on the need for regulatory independence. ERGA asks the European Commission, as the initiator of European legislation, to take the considerations in this statement and the following work into account in the context of the upcoming REFIT exercise of the AVMS Directive. ERGA statement on the independence of NRAs in the audiovisual sector.

During their third meeting [8], held in Paris on 14 April 2015, ERGA Members adopted a joint statement on freedom of expression [9] and a scoping paper on territorial jurisdiction in a convergent audiovisual world [10].

Background information

The AVMSD [1] recognizes the role of the independent regulatory authorities [11] which, in most Member States are responsible for the enforcement of the national measures transposing the rules of the Directive.

In general, regulators in the field of audiovisual media services supervise audiovisual programmes' compliance with European and national rules. This provision should provide a basis for an increased cooperation between regulators and the Commission in order to achieve an overall better enforcement of the rules of the Directive notably when issues of jurisdiction are at stake. More broadly, this exchange of information and cooperation allows discussions at EU level on issues of interpretation and application of provisions of the Directive, especially advertising rules. Such discussions allow a more consistent application of the rules and thus a level playing field throughout the EU.

- In its 2013 report [12], the independent High Level Group (HLG) on Media Freedom and Pluralism [13] recommended the formalisation of cooperation between regulatory bodies in the field of audiovisual media services to share common good practice and setting quality standards.
- Moreover, the majority of the respondents to the public consultation on the independence of audiovisual regulatory bodies [14] replied that the cooperation between regulatory bodies is crucial in the convergent environment. They also supported the legally mandated gathering of these authorities at European level.
- The European Council conclusions of November 2013 [15] also invited Member States to ensure the independence of their audiovisual regulatory bodies and the Commission to strengthen cooperation between regulatory authorities in the field of audiovisual media services.
- In September 2013, the Commission consulted national audiovisual regulators on the tools used in the application of Article 13 AVMSD, dedicated to the promotion of European works on-line. See the questionnaire and a summary of replies here [16].
- Also in 2013, the Commission organised a Public consultations on the independence of the audiovisual regulatory bodies and on the Independent Report from the High Level Group on Media Freedom and Pluralism [17] (closed).
- A study on the independence of regulators, INDIREG, was conducted on behalf of the European Commission. The final report [18] analysed the implementation of the legal framework for the functioning of the media regulatory bodies in the Member States, candidate and potential candidate countries of the European Union as well as identifying the key characteristics of an independent regulatory body. The authors of the study devised a tool for the self-assessment of independence and efficient functioning of the media regulatory bodies, based on formal and de facto criteria, such as status and powers, financial autonomy, autonomy of decision-makers, knowledge and accountability and transparency mechanism.
- Since 2003, an informal group of European Regulators meets annually.

Article 30: Member States shall take appropriate measures to provide each other and the Commission with the information necessary for the application of this Directive, in particular Articles 2, 3 and 4, in particular through their competent independent regulatory bodies.

Tags:

audiovisual [19]
media [20]
services [21]
directive [22]
Implementation [23]
regulatory bodies [24]
Audiovisual regulators [25]

Last updated on 23/04/2015

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Links
[1] https://ec.europa.eu/digital-agenda/audiovisual-media-services-directive-avmsd
[2] http://ec.europa.eu/digital-agenda/news-redirect/14155
[3] https://ec.europa.eu/digital-agenda/news-redirect/14888
[4] http://ec.europa.eu/information_society/newsroom/cf/document.cfm?action=display&doc_id=4910
[5] https://ec.europa.eu/digital-agenda/news-redirect/18755
[6] http://ec.europa.eu/information_society/newsroom/cf/dae/document.cfm?doc_id=7339
[7] http://ec.europa.eu/information_society/newsroom/cf/dae/document.cfm?action=display&doc_id=7310
[8] https://ec.europa.eu/digital-agenda/news-redirect/22654
[9] http://ec.europa.eu/newsroom/dae/document.cfm?action=display&doc_id=9350
[10] http://ec.europa.eu/information_society/newsroom/cf/dae/document.cfm?action=display&doc_id=9387
[11] https://ec.europa.eu/digital-agenda/list-eu-audiovisual-regulators
[12] https://ec.europa.eu/digital-agenda/sites/digital-agenda/files/HLG%20Final%20Report.pdf
[13] https://ec.europa.eu/digital-agenda/en/high-level-group-media-freedom-and-pluralism
[14] http://ec.europa.eu/digital-agenda/news/public-consultation-independence-audiovisual-regulatory-bodies-read-contributions
[15] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2014:032:0006:0007:EN:PDF
[16] http://ec.europa.eu/information_society/newsroom/cf/dae/itemdetail.cfm?item_id=14365
[17] http://ec.europa.eu/digital-agenda/en/public-consultations-media-issues
[18] http://ec.europa.eu/avpolicy/info_centre/library/studies/index_en.htm#regulators
[19] https://ec.europa.eu/digital-agenda/en/tags/audiovisual
[20] https://ec.europa.eu/digital-agenda/en/tags/media
[21] https://ec.europa.eu/digital-agenda/en/tags/services
[22] https://ec.europa.eu/digital-agenda/en/tags/directive
[23] https://ec.europa.eu/digital-agenda/en/tags/implementation
[24] https://ec.europa.eu/digital-agenda/en/tags/regulatory-bodies
[25] https://ec.europa.eu/digital-agenda/en/tags/audiovisual-regulators-0