

# Committee of Ministers: Recommendation on Promotion of Democratic and Social Contribution of Digital Broadcasting

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On 28 May 2003, the Committee of Ministers of the Council of Europe adopted Recommendation Rec(2003)9 to member states on measures to promote the democratic and social contribution of digital broadcasting. The Appendix to the Recommendation sets out a set of basic principles for digital broadcasting, as well as key points for consideration in the context of the transition to the digital environment, from the perspectives of the public on the one hand, and broadcasters (especially public service broadcasters) on the other.

In its preambular section, the Recommendation reiterates “the need to safeguard essential public interest objectives in the digital environment, including freedom of expression and access to information, media pluralism, cultural diversity, the protection of minors and human dignity, consumer protection and privacy”. It also reaffirms that “the specific role of public service broadcasting as a uniting factor, capable of offering a wide choice of programmes and services to all sections of the population, should be maintained in the new digital environment”.

The substantive part of the Recommendation opens with a call on States authorities to “create adequate legal and economic conditions for the development of digital broadcasting that guarantee the pluralism of broadcasting services and public access to an enlarged choice and variety of quality programmes, including the maintenance and, where possible, extension of the availability of transfrontier services”. It contemplates the protection or adoption of “positive measures to safeguard and promote media pluralism, in order to counterbalance the increasing concentration in this sector”. The protection of minors and human dignity and the prevention of incitement to violence and hatred are identified as priorities for the digital environment. The need for schemes to provide information and training relating to digital equipment and new services is likewise highlighted.

The Recommendation also picks up on and develops the preambular commitment to public service broadcasting (PSB). Member States are called upon to ensure universal access to PSB programmes in the new digital environment and to give PSB a central role in the transition to terrestrial digital broadcasting.

According to the basic principles for digital broadcasting set out in the Appendix, States should adopt strategies for digital switch-over which seek to promote “co-operation between operators, complementarity between platforms, the interoperability of decoders, the availability of a wide variety of content, including free-to-air radio and television services, and the widest exploitation of the unique opportunities which digital technology can offer following the necessary reallocation of frequencies”. It is also recommended that relevant authorities encourage regional or local services in their licensing processes for digital broadcasting services.

A number of specific public-interest objectives are also treated, including the accessibility of digital broadcasting services and related content for the aurally and visually impaired and the functional characteristics of electronic programme guides (EPGs) (i.e., complementarity; availability of positions on EPGs for all service providers on terms that are “fair, reasonable and non-discriminatory”; prominent display of, and easy access to, public service channels; user-friendliness for consumers).

From the perspective of broadcasters, the Appendix first enumerates a set of general principles. It then considers a selection of principles and features that apply specifically to PSB: the need to fulfil its remit in a manner that is adaptive to the new digital environment; the continued importance of universal access to PSB; the desirability of maximising the potential of must-carry rules to ensure the accessibility of PSB services and programmes via digital platforms; the need for “a secure and appropriate financing framework” in order for PSB to hold its own in the new digital environment.

***Recommendation Rec(2003)9 of the Committee of Ministers to member states on measures to promote the democratic and social contribution of digital broadcasting, adopted on 28 May 2003***

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