[NL] Broadcasters resist Football Association's attempt to restrict journalistic freedom

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University of Florence) In a joint letter of 4 January 1996 to the Royal Dutch Football Association (KNVB), the broadcasting associations broadcasting in the Dutch public broadcasting system, the Dutch private commercial broadcasting companies SBS6 and Holland Media Group (owner of the Dutch private commercial broadcaster Veronica and the Luxembourg private commercial broadcasters RTL4 and RTL5) have protested against the conditions the KNVB has set in the negotiations for the production and broadcasting rights of the KNVB's leagues. According to these conditions, the broadcaster that `wins' these rights must `guarantee a positive image of football'. In their remarkable united position, the competing broadcasters have characterized such conditions as an unacceptable restriction of their journalistic freedoms.

Both this united front and the conditions the KNVB tries to impose raise questions under European competition law. Does the KNVB as an exclusive rightholder, make abuse of its dominant position which is prohibited under Article 86 of the EC Treaty and/or did the broadcasters engage themselves into concerted practices or even a cartel agreement which is prohibited under Article 85 of the EC Treaty. IRIS will keep you informed.

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