European Commission: Broadcasting Regulators Encouraged to Reinforce Cross-border Cooperation under the Television without Frontiers Directive

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On 24 March 2006, the European broadcasting regulators convened yet again as a follow-up to their first meeting almost exactly a year ago (see IRIS 2005-5: 5). This year's meeting brought together the broadcasting regulators' representatives of the 25 EU Member States and Croatia, Turkey, Norway and Liechtenstein. One of the prime concerns and discussions of the day revolved around combating hate speech while respecting the fundamental freedoms laid down in the European Union Charter of Fundamental Rights. Among the latter, freedom of expression and freedom of the media have an important role to play as cornerstones of a pluralistic democratic society. Though these freedoms must be scrupulously respected, clear forms of incitement to racial or religious hatred in the media must be banned. On-demand audiovisual media services, and technological developments such as digital and mobile television, are on the rise and present the audiovisual sector with new challenges.

In the course of 2005, hate broadcasts of the foreign Al Manar station were suspended as European satellite systems ceased to transmit them. This was made possible thanks to close cooperation between European broadcasting services, and the European Commission encourages further cooperation. The regulators have therefore welcomed the Commission's proposal to launch a new EU Intranet Cooperation Forum to enhance joint efforts in fighting clear cases of incitement to hatred via broadcast and audiovisual media services.

The regulators also discussed the modernisation of the Television without Frontiers Directive and in particular noted it may prove an effective instrument to prohibit incitement to racial or religious hatred as the amendments introduced by the Commission target not only regular broadcasts but all audiovisual media services regardless of the technological platforms used to deliver and receive them.

Other issues, such as diverging national licensing systems for mobile broadcasting were discussed, as these different systems could hinder pan-European services and infrastructure. Aside from these licensing procedures, the lack of a common spectrum allocation was also brought up as it could be a hurdle in the establishment of cross-border mobile services.

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