EU Council/European Parliament: Towards a conciliation procedure in regard to 'Television without Frontiers' II

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Ad van Loon
European Audiovisual Observatory

In IRIS 1996-10: 9 we reported on the Decision by the European Parliament on the EU Council's common position concerning the amendment of the 'Television without Frontiers' Directive. We announced that, following the amendments adopted by the European Parliament, there would be a conciliation procedure. Such a procedure is an attempt to bring Parliament and the Council on one line, which is essential since the revision of tis directive is subjet to a co-decision procedure of the Council and the European Parliament.

In the Second Reading phase which took place in November 1996, Parliament could only amend the Council's common position on how to amend the present 'Television without Frontiers' Directive, if the amendments would be supported by at least 314 members. Parliament was unable to reach this majority for an amendment which would have introduced a stricter quota system in regard to the obligation to broadcast a minimum amount of European works. Also, this majority could not be reached for an amendment which would have brought all kinds of new information services under the scope of the 'Television without Frontiers' Directive.

However, Parliament did reach agreement on 29 other amendments which will now be subject to a formal conciliation procedure unless they would be accepted by the EU Council. However, only four out of these 29 amendments turned out to be acceptable for all Member states; three others have the support of a large majority. A conciliation procedure was therefore due to start this January.

Most difficulty is caused by two amendments in particular. One concerns the wish of the European Parliament to give Member States the possibility to ensure that broadcasters in their jurisdiction do not deprive a large part of the public from following live broadcasts of important sports events. The Council supports the objective behind this desire but disagrees on the means to achieve it. The other one concerns the introduction of a 'V-Chip', the European counterpart of the US 'V-Chip'. Parliament definitely wants Member States to provide the measures needed to encode programmes according to their level of potential harmfulness to minors and to equip every television set with a technical device for filtering programmes, within two years after a recognized European body has standardized this device. The Council insists unanimously that it is too early to introduce such a device and rating system. It sees problems in regard to the

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development of such a rating system and wants to study the possible implications in more depth. IRIS will keep you informed on the further developments in regard to the 'Television without Frontiers -II" Directive.

Opinion of the Commission pursuant to Article 189 b (2) of the EC Treaty, on the European Parliament's amendments to the Council's common position regarding the proposal for a European Parliament and Council Directive ameding Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, amending the Proposal of the Commission pursuant to Article 189 a (2) of the EC Treaty, 4 December 1996 COM(96) 626 final.

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:1996:0626:FIN:EN:PDF

The common position (EC) No 49/96 adopted by the Council on 8 July 1996 with a view to adopting Directive 96/.../EC of the European Parliament and of the Council amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities.

http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:1996:264:0052:0065:EN:PDF

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