European Parliament: Resolution on the Implementation of the Audiovisual Media Services Directive

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On 22 May 2013, the European Parliament adopted the Resolution on the Implementation of the Audiovisual Media Services Directive (AVMSD). The Resolution, which was written by Polish MEP Piotr Borys, stresses that the AVMSD is the backbone of EU media regulation: it guarantees a free flow of audiovisual media services and respects the right to freedom of expression and access to information, while protecting public interest objectives such as author's rights and media freedom.

At the same time, the report makes it clear that some Member States have not transposed the AVMSD in a timely manner or have not fully or correctly implemented it, and that the expansion of the audiovisual services markets with the development of hybrid services presents new challenges which call into question the adequacy and effectiveness of the AVMSD. Thus, the document calls on the Commission to encourage the consistent and full implementation of the AVMSD in Member States. It also calls on the Commission to carry out a full impact assessment of the current state of play on the market and of the regulatory framework and to closely monitor the development of hybrid services in the EU.

The Resolution also highlights the AVMSD's failures in the field of accessibility of audiovisual media services for the elderly and people with disabilities. The report encourages the rewording of Article 7 to include stronger, binding language requiring media service providers to ensure that their services are made available to these groups.

Other key points of the Resolution include: a call on the Commission to assess whether Article 14 and 15 have been implemented in a way that preserves the balance safeguarding the principle of freedom of access to information and the protection of rightholders; a call to ensure the effective implementation of Article 13 on the promotion of European audiovisual works; and a call to consider how the basic requirements of the AVMSD, which are applicable to non-linear services, can be extended to other online content and services which are currently out of its scope.

Finally, the report urges the Commission to analyse the effectiveness of the regulations on advertising aimed at children and minors. It also requests a ban on

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prejudicial advertising during programmes for children and young people and stresses that further efforts are needed in the field of improving media literacy for all EU citizens.

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