Committee of Ministers: Reply to Parliamentary Assembly's Call to Revise the European Convention on Transfrontier Television

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In January 2014, the Council of Europe's Parliamentary Assembly adopted a resolution on the revision of the European Convention on Transfrontier Television (Resolution 1978 (2014)). The resolution noted that the Convention had been "the first international legal instrument ensuring unimpeded transmission of programmes regardless of frontiers", but also noted that while the EU's Audiovisual Media Services Directive had been amended in 2007, the Convention had not been revised since 2002 (see IRIS 1998-9/4).

The Parliamentary Assembly's 2014 resolution stated that it "deplores the fact" that the revision of the Convention and the work of its standing committee on transfrontier television were discontinued. It also noted that the "current blockage of the revision may lead to normative conflicts in Member States bound by the updated European Union Directive and the unamended ECTT and prevents non-European Union Member States from having an updated legal instrument in a constantly changing media environment". The Assembly recommended that the Council of Europe's Committee of Ministers resume work on the revision of the Convention (Recommendation 2036 (2014)). The Assembly has made previous calls for the revision of the Convention in its 2009 recommendation (1855) (see IRIS 2009-3/2).

The Committee of Ministers has now responded to the Parliamentary Assembly's recommendation. In its reply (Doc. 13605, 23 September 2014), the Committee stated that the discontinuation of the revision of the Convention was "a serious step back", but that it "sees no possibility to continue work at the present stage". The Committee explained that this is because "it has been informed by the European Union delegation that most issues covered by the convention fall under the exclusive external competence of the European Union and that the European Union does not have any intention to become party to the convention".

Moreover, the Committee states that, due "to this regrettable deadlock", it has not allocated any resources to working on the Convention in the past three years and "sees no reason to review its position for the time being". Finally, because of "the present budgetary context", the Committee will not consider drafting a new convention focusing on the freedom of expression aspects of media regulation.

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Committee of Ministers, Reply to Recommendation 2036 (2014), 23 September 2014

http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=21152&lang=en

Parliamentary Assembly, Recommendation 2036 (2014) on Revision of the European Convention on Transfrontier Television, 31 January 2014

http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-EN.asp?fileid=20507&lang=en

Parliamentary Assembly, Resolution 1978 (2014) on Revision of the European Convention on Transfrontier Television, 31 January 2014

http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=20506&lang=en

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