[BE] CSA demands control over RTL Belgium

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The Conseil Supérieur de l'Audiovisuel de la Communauté Française (audiovisual regulatory body for the French Community of Belgium - CSA) wants to bring RTL Belgium under its control. However, the broadcaster, which belongs to the RTL Group and operates the RTL-TVi, Club RTL and Plug RT channels, only recognises the authority of the Autorité luxembourgeoise indépendante de l'audiovisuel (Luxembourg independent audiovisual authority - ALIA).

The CSA is the regulatory body for the French Community of Belgium. On 29 June 2017, it announced that it wanted to bring the broadcaster RTL Belgium under its control and that complaints against RTL Belgium would no longer be sent to its Luxembourg counterpart, the ALIA. It will now examine the legislation of the French Community of Belgium and the agreements that were concluded with regard to the broadcaster.

Belgium's federal structure is reflected in the Belgian media landscape, which is characterised by the cultural and political division of the country. The politico-administrative system is split into three regions with their own legislative and executive institutions (Flanders, Wallonia and Brussels). In parallel, the country is also divided into three Communities (Flemish, French and German), each with their own parliaments and governments. Above these two tiers are the Belgian federal government, which is responsible for national affairs, and the supranational decision-making bodies of the European Union.

Since deciding on 1 April 2010 to forward all complaints against RTL Belgium to the ALIA in Luxembourg, the CSA had not dealt with any such complaints.

The CSA's decision to deal with public complaints against RTL Belgium itself followed several periods of monitoring of the activities of the broadcaster's channels, as well as analysis of the distribution of powers, which, in the CSA's opinion, showed that it made more sense for the broadcaster to fall under Wallonia's jurisdiction rather than that of Luxembourg. However, the broadcaster and the ALIA disagree, arguing that, since the RTL Group is based in Luxembourg, that country's media law provisions should apply and its activities should therefore be monitored by the ALIA.

One consequence of Belgium's federal structure is that each of the Communities has its own independent media authorities. There are no national media covering

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all three Communities; the Belga news agency is the only organisation that works in all three, although it is divided into three editorial offices, each of which compiles and publishes news for its respective Community. In addition, Belgian media report relatively rarely on events in other parts of the country, which means they themselves play a significant part in the cultural divide within the country.

At present, the regulation of broadcasting and media in Belgium takes place primarily at Community level, within the framework of EU law. As a result, each of the three Communities has its own media regulatory authority. Alongside the CSA for the French Community, the Vlaamse Regulator voor de Media (VRM) monitors the Flemish media sector, publishes an annual report on media concentration and issues licences for new radio and television broadcasters. The Medienrat (Media Council) fulfils the same role for the German Community. All three are also members of the Conference of Regulators of Electronic Communications Networks, along with the Belgian Institute for Postal Services and Communications.

Communiqué de presse du CSA, 6 juillet 2017

http://csa.be/breves/1138

CSA press release, 6 July 2017

Communiqué de presse de l'ALIA, 10 juillet 2017

http://alia.lu/fr/Actualit-s/Surveillance-des-programmes-RTL-TVi-Club-RTL-et-Plug-RTL

ALIA statement, 10 July 2017

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