



Resolution 1978 (2014)¹

Final version

Revision of the European Convention on Transfrontier Television

Parliamentary Assembly

1. The Parliamentary Assembly recalls that the European Convention on Transfrontier Television (ETS No. 132, “the ECTT”) was the first international legal instrument ensuring unimpeded transmission of programmes regardless of borders and that it was opened for signature shortly before the European Economic Community (now European Union) adopted its Directive 89/552/EEC “Television without Frontiers”.
2. The Assembly notes that the European Union legal framework on audiovisual services has evolved with technological changes since 1989, in particular through the adoption of the Audiovisual Media Service Directive (AVMS) in 2007; by contrast, the ECTT has been revised only once, in 2002, and the work on its draft second amending protocol was discontinued in 2009 following the European Union’s objection on the grounds that it had exclusive competence in this field.
3. The Assembly recalls Article 24 of Directive 89/552/EEC as amended by Directive 2007/65/EC, which stipulates that, in fields in which this directive does not co-ordinate, it shall not affect the rights and obligations of member States of the European Union resulting from existing conventions dealing with telecommunications or broadcasting.
4. The Assembly deplores the fact that the revision of the ECTT and the work of its Standing Committee on Transfrontier Television (T-TT) was discontinued. It notes 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.
5. It recalls that media regulation, closely linked to the right to freedom of expression, has been a priority of the Council of Europe, which has set relevant standards in this field. Therefore, the Assembly strongly shares the legitimate intention expressed by the High Contracting Parties of the ECTT to revise and modernise the ECTT in order to adapt it to the newest technological standards.
6. The Assembly therefore calls on the European Union to:
 - 6.1. clarify which issues related to the regulation of audiovisual media services it believes to fall within the scope of its exclusive competence;
 - 6.2. resume talks with the Council of Europe on the revision of the ECTT;
 - 6.3. reflect on the need for a new convention embodying a modern legal framework on media issues at the trans-European level.

1. *Assembly debate* on 31 January 2014 (9th Sitting) (see [Doc. 13383](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr James Clappison; and [Doc. 13406](#), opinion of the Committee on Culture, Science, Education and Media, rapporteur: Sir Roger Gale). *Text adopted by the Assembly* on 31 January 2014 (9th Sitting).
See also [Recommendation 2036 \(2014\)](#).



7. The Assembly also calls on member States of the European Union to:
 - 7.1. exert their influence within the European Union in order that work on the revision of the ECTT may be resumed;
 - 7.2. promote the establishment of a coherent pan-European legal framework for media freedom, protecting freedom of expression and taking into account recent technological changes and the protection of freedom of expression and media freedom by Article 10 of the European Convention on Human Rights (ETS No. 5) and also properly reflecting the needs and interests of non-European Union member States of the Council of Europe.
8. The Assembly calls on all member States of the Council of Europe to promote the revision of the ECTT and to uphold the Council of Europe's leading role in setting standards on media policies and laws protecting freedom of expression in Europe.