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Revision of the European Convention on Transfrontier Television

Reply to Recommendation[1]: Recommendation 2036 (2014)
Committee of Ministers

1. The Committee of Ministers has carefully examined Parliamentary Assembly Recommendation 2036 (2014) on the "Revision of the European Convention on Transfrontier Television", which it has transmitted to the Steering Committee on Media and Information Society (CDMSI), for information and possible comments.

2. The Committee of Ministers notes that one of the main achievements of the European Convention on Transfrontier Television was to set binding legal standards in relations between European Union member States and non-European Union member States which are parties to the convention. It considers the discontinuation of the revision of the convention as a serious step back from this perspective, but sees no possibility to continue this work at the present stage, since 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. As the draft revised convention contains a number of provisions which might not necessarily be in line with the European Union acquis, individual European Union member States would not be able to become party to the revised conventionif it were to be adopted.

3. Due to this regrettable deadlock, the Committee of Ministers has not allocated any resources to work on the convention over the last three years and sees no reason to review its position for the time being. Given also the present budgetary context, it will not presently consider the drafting of a new convention focusing on freedom of expression aspects of media regulations.

4. As regards the Assembly's request that the Committee of Ministers draft guidelines on media freedom adapted to the changing media landscape, the Committee recalls the guidelines contained in Recommendation CM/Rec(2007)11 on promoting freedom of expression and information in the new information and communications environment, as well as the criteria for media policy makers set out in Recommendation CM/Rec(2011)7 on a new notion of media. The Committee of Ministers is fully aware that developments in information and communication technologies and their application to mass communication have led to significant changes in the media system. As it has stated in the latter of these recommendations, media-related policy must take full account of these and future developments, embracing a notion of media which is appropriate for such a fluid and multi-dimensional reality. All actors – whether new or traditional – who operate within the media ecosystem should be offered a policy framework which guarantees an appropriate level of protection and provides a clear indication of their duties and responsibilities in line with Council of Europe standards. The Committee sees no reason to develop further standards on this topic for the time being.

1. Adopted at the 1207th meeting of the Ministers' Deputies (17 September 2014).