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Doc. 12645
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Implementation of the European Convention on Transfrontier Television

Reply to Written question[1]: Written question No. 591 (Doc. 12452)
Committee of Ministers

1. As regards the first question asked by the Honourable Parliamentarian, the Committee of Ministers recalls that at its 1069th meeting (4 November 2009), following a request by the European Union Presidency, it agreed to postpone to one of its forthcoming meetings the agenda item whereby it would have sent the draft Amending Protocol to the European Convention on Transfrontier Television to the Parliamentary Assembly for an opinion.

2. The Steering Committee on the Media and New Communication Services (CDMC) expressed its deep concern about the interruption of the process towards adoption of the Amending Protocol during its 12th meeting (8-11 June 2010). Moreover, the Standing Committee on Transfrontier Television (T-TT), during its 45th meeting (1-2 July 2010), acknowledged with deep regret the standstill in the revision process and considered the consequences and possible solutions.

3. There have been a number of contacts on this subject, including at high level, between the Secretariat and the European Commission, followed by an exchange of letters between the Secretary General and the Vice-President of the European Commission, Ms Neelie Kroes. In particular, Ms Kroes asserts that the European Union has exclusive competence to enter into international agreements in the field covered by the European Convention on Transfrontier Television.

4. Against this background, the Committee of Ministers endorsed proposals by the Secretary General for priorities in 2011 which included, *inter alia*, discontinuing work on transfrontier television. This was confirmed by the Committee of Ministers when adopting the Programme of Activities and Budget for 2011, which excludes allocations for the continuation of this work. Final arrangements as regards the European Convention on Transfrontier Television will be considered within the framework of the review of the relevance of Council of Europe conventions generally, in the light of the opinion of the Contracting Parties to the Convention and taking into account also the views of relevant Council of Europe bodies (CDMC, T-TT) and of the European Union institutions.

5. The Committee of Ministers notes that, in accordance with the Memorandum of Understanding between the Council of Europe and the European Union, and also with a view to avoiding to the extent possible the kind of problem experienced with the above-mentioned draft Protocol, contacts have increased between the Secretariat of the Council of Europe and the European Commission and early consultations on draft legislation take place regularly.

1. adopted at the 1116th meeting of the Ministers' Deputies (15-16 June 2011)