

COMPARATIVE MEDIA POLICY, REGULATION AND GOVERNANCE IN EUROPE

UNPACKING THE POLICY CYCLE

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Chapter 7

The Europeanization of the European Media: The Incremental
Cultivation of the EU Media Policy

Stylianos Papathanassopoulos

This chapter argues that since the mid-1980s, the European Union (EU) has sought to initiate policies to 'Europeanize' the whole communication sector of its Member States. These policies have sought to Europeanize, i.e., harmonize as well as to protect the media sector and to make it competitive both in the internal European market and in the global market. Additionally, these policies have tried to protect European cultural identity from the 'American challenge'. The EU, through an incremental policy process and ongoing revision, if not modernization, of its regulatory framework, has expanded its jurisdiction to most aspects of the communication landscape from TV advertising and programme quotas to production, distribution and training, from the definition of European works to cultural and linguistic diversity, from copyright protection to the protection of minors, from telecommunications to the convergence of the media and digital television. Therefore, this chapter aims to explore the extent to which the EU has been able to construct or give rise to a set of media policies that are European in scope and transnational in impact. It will discuss the *Audiovisual Media Services Directive*, as well as various interventions of the European Union in areas of media policy, such as media ownership, and measures to protect the European audio-visual landscape through the MEDIA programme.

From European integration to EU communication

Although, 'Europeanization' is a fashionable but contested concept (Olsen 2002: 923; Graziano and Vink 2007; Lenschow 2006), it can be understood as a complex process of political and policy change, i.e. of 'transfer', since it affects all EU Member States (Featherstone and Radaelli 2003). As Radaelli (2000: 26–27) notes 'large-scale policy transfer is involved in the so-called *acquis communautaire*, the body of European legislation that candidate countries must accept before joining the Union' (see also Bauer et al. 2007). This is because the dynamics of Europeanization can be 'understood in terms of a limited set of ordinary processes of change, well known from other institutionalized systems of governance' (Olsen 2002: 923). In other words, Europeanization 'is an incremental process re-orienting the direction and shape of politics to the degree that EC political and economic dynamics become part of the organizational logic of national politics and policy-making' (Ladrech 1994: 70).

Although a unified Europe at the policy level is still no more than a vision, the EU has succeeded in creating a hybrid model with which to deal with these processes. Although this is far from the European Union Federation to which the most passionate enthusiasts aspire, it is nevertheless more state-like than any other arena for international cooperation. EU Member States exhibit both similarities and crucial differences. Compared with other international organizations the Member States have similar economic and political systems, and since 2000 some of them even have a common currency. This makes it possible for the EU to work on the basis of common values, and to a certain extent, on common objectives. The latter creates what is a dominant feature of the EU's policy-making procedure, i.e. its emphasis on finding a balance between the opinions of interested parties in order to arrive at a consensus and then to a common approach against the international environment (Thatcher 2004). This is almost certainly what has happened in the media field: larger European countries created pressure for change and therefore for new policies; the negotiation process that followed brought forth a compromise which, in turn, became a Directive that was intended to be applied in all the EU countries. We can trace this process in respect of the EU's involvement in the communications field, initially in the television system, then telecommunications and finally in the information and communications technology and digitization. In effect, its competence now embraces the entire communication sector (see also Humphreys and Simpson 2008). These stages of involvement are examined in the next section.

The EU, through the European Commission, intervenes in all aspects of the communications sector and the European Commission considers itself the watchdog of the harmonized European communication landscape. This may, however, be an exaggeration. For example, a proposal in mid-2008 by the European Commission to create an EU Telecoms Authority with broad regulatory powers was not accepted by the Member States.

In the communications field, the aim of the then European Community to harmonize and eventually to 'Europeanize' the audio-visual sector began in 1983 with the publication of the 'Realities and tendencies of European television' (CEC 1983) report which led to a much discussed Green Paper (CEC 1984) and then to the well-known Directive (CEC 1989 and 1997a) for a *Television without Frontiers*, which became the *Audiovisual Media Services Directive* in 2007. The effort to 'Europeanize' the European communication sector now incorporates a much broader remit than simply television as seen in the publication of another Green Paper on *The Convergence of the Telecommunications, Media and Information Technology Sectors and the Implications for Regulation, towards an Information Society Approach* (CEC 1997c). The breadth of its claimed competence can also be seen in the EU's initiatives in the late 1990s and early 2000s, in the Public Service Broadcasting protocol in the 1997 Amsterdam Treaty and the *Communication on the state aid rules to public service broadcasting* in 2001, in the Chapter of Fundamental Rights of the EU in 2000 and in the new *Regulatory Framework For Electronic Communications* in 2002 (Harcourt 2008: 18–19).

One way or another, the EU has attempted since the mid-1980s to initiate a policy in Europe that will 'Europeanize' the whole communication sector of its Member States.

This policy with its strong elements of industrial policy and considerations has sought, on the one hand, to harmonize and protect the media sector (e.g. *Television Without Frontiers*), and, on the other hand, to make it competitive in the internal European market and the global market too (liberalization of the telecommunications market, the MEDIA programmes, *eEurope*, Info Action Plan). At another level, perhaps, it has also tried to protect the European cultural identity from the 'American challenge'. In other words, as in other sectors of the economy and society, the EU has incrementally extended its reach across most aspects of the communication landscape from TV advertising and programme quotas to production, distribution and training, from pluralism to the broadcast of major events, from the definition of European works to cultural and linguistic diversity, from copyright protection and the protection of minors (Füg 2008), from telecommunications to the convergence of the media and digital television.

This 'EU Europeanization' of the communication field is also a two-way process: one, 'from above', orchestrated from Brussels, and one, from below, where organizations or citizens of the Member States complain and object to the European Commission and particularly to the European Court of Justice (ECJ) (Harcourt 2002, 2005), which has emerged as a key factor in ensuring compliance with European laws and directives among the Member States (Glenn 2004).

Thus, the extent to which the audio-visual has been implemented in the Member States is a problematic area. The dissatisfaction of the European Commission, as well the ECJ, with the mode of implementation led to substantial pressure for revisions to national media laws (see also Harcourt 2002: 738). Certainly, the processes of Europeanization are complex, sometimes contradictory and uneven phenomenon since the pace towards Europeanization is different among the different Member States and that such differences often create problems of implementation so giving rise to discrepancies. In spite of all this, one could argue that there is a consistent, if not a strong, process of Europeanization in respect of communications policies, and that European institutions (the European Commission, European Parliament and European Court of Justice) have been shown themselves, either directly or indirectly, to be major catalysts of Europeanization (Harcourt 2002: 749). One should also note, however, that in certain circumstances the Commission has 'offered a good mechanism for national policy makers to shift blame and justify change' (Thatcher 2004: 772). This is certainly true in regard to Central and Eastern European countries, which have achieved an extensive legislative alignment to the EU legislation, including media, in order to become candidates for the EU enlargement (see de Smaele 2007).

From *Television without Frontiers* to Audiovisual Media Services

On 13 December 2005, the European Commission proposed the earlier announced revision of the *Television without Frontiers* (TWF) Directive. A year later, in November 2006, the European Parliament adopted the amendments proposed by the European Commission

(EC), and months later, in March 2007, the European Council adopted the revision of the new directive which from now on will be known as the *Audiovisual Media Services Directive* (AVMSD), codified in 2010. As noted, the original TWF Directive was adopted in 1989 and revised in 1997. Since its inception, it has sought to harmonize the European audio-visual landscape by setting up a series of minimal rules for audio-visual regulation (television advertising, audio-visual production) in the European Union, and to create common rules for a level-playing field for European TV channels. On the other hand, the AVMS Directive applies to both linear (or television broadcast service) and non-linear media (on-demand) services. Under the Directive both types of services are subject to some basic rules – such as consumer protection and encouraging European production – but the regulation of non-linear services is much lighter, and providers of non-linear services are likely to be able to be self-regulated. The notion of introducing a ‘non-linear’ category that would be subject to regulation was one of the most controversial points. Some Member States (typically France) or MEPs supported the principle of TV-like regulation largely extended to ‘non-linear’ services (in order to keep protecting consumers and the creative industry). On the other hand, some Member States (typically the United Kingdom) or MEPs feared that any regulation on these emerging services might inhibit market development (*Screen Digest*, January 2007). This is reminiscent of the divisions over quotas that were debated furiously in the 1990s during the negotiations over the TWF Directive. As always, a compromise has been sought. While the regulation of TV (or linear) services remains almost unchanged, some broadcasters desired more flexibility.

Country of origin

The ‘country-of-origin principle’ is regarded as the cornerstone of the EU Television Policy and has been often criticized as being insensitive to the legitimate national public interest to protect viewers and consumers of audio-visual media content and to allow them to make choices between what is being offered. The Directive sets out a streamlined infringement procedure with tight deadlines under the supervision of the European Commission. For example, the country-of-origin principle made it possible for some Nordic channels (such as TV3, based in London) or some French-speaking channels (such as RTL9, based in Luxembourg) to avoid the demanding regulations of Sweden and France (Herold 2008).

Table 7.1: The main steps in EU audio-visual policy.

- | | |
|--|----|
| • 1984 – Green Paper on the establishment of a common market in broadcasting | 36 |
| • 1989 – The <i>Television without Frontiers</i> Directive was adopted | 37 |
| • 1997 – The TWF first revision | 38 |
| • 2007 – The <i>Audiovisual Media Services Directive</i> | 39 |
| • 2010 – AVMSD Codification | 40 |
| • 2016 – New Directive? | 41 |

1 Advertising

2
3 The AVMSD is simpler and more flexible compared to the previous ones. In fact, it removes
4 some of the existing quantitative limits. Although the main advertising time limit of
5 12 minutes of advertising in any given hour has been maintained, the three-hours-per-day
6 limit has been deleted. Moreover, the rules governing the insertion of advertising breaks
7 during programmes have become more flexible. In the AVMSD, complex rules apply to the
8 frequency of breaks, according to genres; generally one interruption for each period of
9 45 minutes. Thus, commercial breaks can occur 'once for each scheduled 30-minute period'
10 for every category of programme. By and large, the AVMSD has followed a rather liberal
11 approach in respect of advertising, and this has generally been welcomed by associations,
12 representing broadcasters (see also Woods 2008). On the controversial issue of food
13 advertising aimed at children, no specific provisions were made (for example, protection of
14 the children from adult content) but the Parliament asked Member States and the
15 Commission to encourage audio-visual service providers to develop a code of conduct
16 regarding children's programming containing advertising, sponsorship for unhealthy food
17 and drinks.

20 Product placement

21
22 Product placement is a novelty in the AVMS Directive and it was extremely controversial.
23 After examination by the members of the European Parliament, the Directive defined
24 product placement as 'any form of audio-visual commercial communication consisting of
25 the inclusion of or reference to a product, a service or the trademark thereof so that it is
26 featured within a programme, in return for payment or for similar consideration' and has
27 incorporated a blanket ban on product placement within the EU, from which countries can
28 opt out if they wish. But, product placement 'shall be prohibited' in principle (Article 3g)
29 'unless Member States decide otherwise' (Article 3.2). According to the AVMS Directive
30 (Article 3f), product placement is 'admissible' in film, drama and sports but programmes
31 that contain product placement have to be appropriately identified at the start and the end
32 of the programme, and when a programme resumes after an advertising break, in order to
33 avoid any confusion on the part of the viewer.

36 Promotion of European works

37
38 Although the circulation of European works outside their national markets has improved in
39 the last decade, US productions are still dominant. For instance, the annual EU trade deficit
40 with the United States in this sector is estimated to be €7 billion. The concern over American
41 imports in light of the deregulation of broadcasting after 1980 has been expressed in the

context of the 1993 negotiations in the Uruguay Round of the GATT (General Agreement on Trade and Services), especially on the trade in cultural goods and programmes, as well as its successor GATS (General Agreement of Trade in Services), started in 2000 under the general liberalization of online services and the Trade Related Intellectual Property Rights (TRIPS) agreement (Young 2007). The EU, though concerned with the *défi Américain* (the American challenge), could not take any further steps as it was not able to impose stricter TV programming quotas in the 1997 revision of the *Television without Frontiers* Directive. Thus, in terms of policy direction, the EU has in practice failed to support its initiative on *exemption culturelle* in spite of the fact it is much the most lucrative export market for US media (Tunstall 2008). One might also note that the programming sector has been 'protected' because it was seen as serving functions other than regulating competition (such as maintaining cultural diversity and integrity), taking the 'characteristics of social trade politics' (Young 2007: 802).

In spite of US dominance, European works have had a greater impact on the programme schedules of European TV channels, with broadcasters preferring EU films and fiction to those produced by Hollywood or in other countries. The input of the EU should be recognized here, since both the TWF and AVMS directives encourage the broadcasters of Member States to transmit as much European content as they can (Article 16 of the AVMSD). The AVMSD also requires Member States to ensure that on-demand audio-visual media service providers promote, where practicable and by appropriate means, the production of and access to European works. They also have to report to the Commission on the application of this provision within 2 years of the transposition date of the Directive and every 4 years thereafter. A Commission report examining the implementation of the provisions confirmed that, by and large, the rules have been observed, with more than 66.4 per cent of EU programming time devoted to European films and fictions in 2010, with almost three-quarters of prime-time TV viewing devoted to European programmes (CEC 2011). In addition, the average share of independent producers' works broadcast by all European channels in all Member States declined from 35.3 per cent in 2007 to 39.4 per cent in 2010. However, the decline was greater if one looks at the data for 2006 (37 per cent).

Major events

The AVMSD (Article 14) aims to ensure the free reception of selected events of major importance for society. However, it does not define what exactly constitutes events of major importance, but leaves it to the Member States to draw up, in a transparent and predictable fashion, their national lists of events and also to determine if the public should have access to the selected events by fully or partially live or deferred coverage. The implementation of this regulation remains a problematic area.

1 The MEDIA programme

2
3 In seeking to increase the number of domestic productions, the Commission decided to
4 continue its audio-visual support programme, MEDIA. MEDIA has been developing and
5 strengthening Europe's film industry since 1991. Through MEDIA I, MEDIA II, MEDIA
6 Plus and MEDIA Training, it has supported the development and distribution of
7 thousands of films, as well as training activities, festivals and promotion projects
8 throughout the continent. Under MEDIA Plus and MEDIA Training (2001–06) alone,
9 the sum of more than €0.5 billion was distributed among 8000 projects. Every year, 300
10 new European films are funded by the Commission, and half of the European films
11 watched in cinemas are shown with its support. Several MEDIA-funded films have proven
12 this investment worthwhile, as they have won the Palme d'Or (*Entre les murs*, France) and
13 the Grand Prix (*Gomorra*, Italy) at the Cannes Film Festival, as well as the Oscars (*The*
14 *Counterfeiters* [*Die Fälscher*], Austria; *La Vie en rose* [*La Môme*], France; and *Slumdog*
15 *Millionaire*, UK). The MEDIA 2007 multi-annual programme provided a €755 million
16 boost to Europe's film industry until 2013. Almost 65 per cent of the total budget aims to
17 help the broader circulation of European works. MEDIA 2007 was focused on the phases
18 before and after film production.

19 By making the distribution of European works a clear priority, the MEDIA programme
20 in general has sought to improve the market share of European films shown in the Member
21 States. The programme also significantly raised the visibility of the diverse cultures of Europe
22 on the world stage, and helped to increase the competitiveness of the audio-visual industry.
23 The Commission has been exploring ways of launching a new programme to increase the
24 share of European movies in markets outside the EU, which is currently very marginal. The
25 project MEDIA Mundus foresees expenditure of €60 million from 2011 onwards to promote
26 cooperation with third countries, particularly Canada, Australia, Japan, India and China,
27 to improve the penetration of EU movies into their markets, and vice versa. Although
28 in principle the project will be open to anyone, it is clear that it is meant to counter US
29 dominance in the global cinema market.

30 In general, the MEDIA Programme was adapted continuously to support the European
31 audio-visual industry since 1991. But the Commission went further: within the Maastricht
32 Treaty, it exploited an additional discretionary exemption for 'aid to promote culture
33 and heritage conservation'. In effect, the Commission has called for support for the film
34 industry, which has been suffering from structural weaknesses, including the under-
35 capitalization of companies, the fragmentation of national markets, which are dominated
36 by non-European productions, and poor transnational circulation of European works.
37 National aid enables the Member States to develop their capacity to define and implement
38 policies for the purpose of preserving cultural diversity in Europe, while the Commission
39 has aimed to encourage cooperation between Member States, or even to support and
40 supplement their action.

41

Media ownership EU policy

The EU has not only tried to regulate public broadcasters (see Chapter 5), but also the private media sector. But its regulation of concentration has remained a controversial issue (Papathanassopoulos and Negrine 2011). Since the mid-1980s the European Parliament has been calling on the Commission to take an initiative in order to control, if not impede, the ongoing concentration of ownership in the European media sector. In 1992, the Commission published its Green Paper on *Pluralism and Media Concentrations in the Internal Market* (CEC 1992). This consultative document reviewed existing levels on media concentration in Europe. The Green Paper was heavily influenced by industrial imperatives and the policy orientations of the DGIII and argued that the European media industry was hindered by extensively different ownership rules in each Member State, whereas media companies were attempting to pursue their activities and investments (see also Harcourt 1998). In effect, the media owners were against any EU initiative to harmonize legislation on media ownership at the European level, while some larger ones, like News Corporation and Fininvest were against any EU action since it could be regarded as an impediment to investment. In the meantime, within the Commission there was growing debate on the matter while as in the case of the 'Television Directive', many questioned whether the Commission was competent to pursue policies aimed at safeguarding pluralism.

After a two-year period of consultations, debates and considerable lobbying from major international and national media groupings, Commissioner Mario Monti was prepared in July 1996 to present a first draft for a Directive on Media Pluralism to his colleagues. Among the main proposals of this draft was (a) the imposition of a 30 per cent upper limit on 'monomedia' ownership for radio and television broadcasters in their own broadcasting areas; (b) an upper limit of 10 per cent for 'multimedia' concentration (i.e. ownership for a combination of different media (television, radio and/or newspapers); (c) all market shares would be based on multiple audience measures within the area in question.

Once again these proposals, reasonable and practical for some, contested by others, raised new controversies. DG XV put forward a new version in March 1997. In this new version, the title of the proposed Directive was changed from 'Concentrations and Pluralism' to 'Media Ownership' in the Internal Market. This signalled a move to deflect the focus away from pluralism (where the Commission's competence would be in question) towards the aim of removing obstacles to the Internal Market. In effect, the then 'new' Draft Directive of 1997 differed a little from the one in July 1996. What was, however, important was that with the modification of 'flexibility' it was not securing the issue of pluralism either. As Doyle (2007) points out, it was clear that in practice, the 'flexibility clause' would allow Member States to maintain whatever upper restrictions on ownership are affordable – either economically or politically – in their own territories. This point makes the fact that the proposed Directive was eventually abandoned more questionable. The fact is that even this proposal, although it enjoyed the support of a number of Commissioners, provoked a storm of protest from media companies, especially by the European Publishers Council, which

1 saw it as an obstacle to compete in the ‘information society’. Moreover, the EU was already
 2 pre-occupied with the 1997 Green Paper on the *Convergence of the Telecommunications,*
 3 *Media and Information Technology Sectors, and the Implications for Regulations.* The Green
 4 Paper deems that the trends towards consolidation and diversification in response to new
 5 opportunities opened up by liberalization of EU and world markets and with a view to the
 6 opportunities offered by convergence will go on (CEC 1997c: 6–7).

7 As Radaelli (2000: 36) points out, ‘the EU media concentration policy process has
 8 witnessed a persistent attempt of the Commission to finalize a draft proposal’, but it
 9 has become rather clear that any attempt to tackle the issue of media ownership and
 10 concentration at a European level is unrealistic. The industrial imperatives of the information
 11 society and the new opportunities, stakes and interests of the convergence of the media,
 12 telecommunications and information society make it difficult to tackle this thorny problem.
 13 As Iosifidis (2007) notes, convergence has already revealed the inadequacy of European
 14 initiatives to harmonize sectorial ownership regulation. Added to this is the inadequacy
 15 of the tools used to measure and evaluate such things as market concentration and market
 16 influence.

17 In short, the EU seems powerless to regulate the issue of concentration, apart from
 18 scrutinizing the mergers and acquisitions under the competition law (see also Doyle
 19 2007). This has been recognized by the Economic and Social Committee, which addressed
 20 those questions on its own initiative. According to Radaelli (2000: 36) ‘isomorphism has
 21 been instrumental in this advancement of the EU media policy process, but in a very
 22 unconventional way’. Indeed, the EU had the williness but not the backing to impose a policy
 23 on the ownership issue. In fact, it is extremely difficult for the EU to develop a coherent
 24 policy on mergers and concentration of activity since the measurement of market strength
 25 is extremely difficult to assess. Large diversified conglomerates cannot easily be classified
 26 under any single category. This is more so with the entry of multimedia companies, which
 27 are expanded in various sectors of the communication domain and the convergence of
 28 telecommunications and media sectors, which will alter the structures and the economics in
 29 the wider sector. Competition on the new communication environment may be affected by
 30 the existence of bottlenecks at each level of the vertical supply chain – the various markets
 31 for content, transmission networks and/or technical services – as each of these constitutes
 32 an essential input for a pay-TV operator. Competition on the pay-TV market can be affected
 33 by leveraging of market power from one level to another or through foreclosure effects
 34 caused by vertical integration.

35 In 2007, the Commission produced a working paper on media pluralism, which stressed
 36 the need to ensure that citizens have access to a variety of information sources, allowing them
 37 to form opinions without ‘undue influence of one dominant opinion-forming player’ (CEC
 38 2007b). It also noted that the emergence of new technology should not be taken as a threat
 39 to media pluralism. That said, it has failed to control Google and its dominant position
 40 *vis-à-vis* Internet searches and services in the region. On 26 November 2013, the Council
 41 of the European Union and the representatives of the Governments of the Member States,

meeting within the Council, adopted ‘conclusion on media reform and pluralism’ in the digital environment. In those conclusions, the Council invites the Commission to (*Official Journal of the EU* 2014):

- continue to support projects that aim to enhance the protection of journalists and media practitioners;
- continue to support the independent monitoring tool for assessing risks to media pluralism in the EU (MPM);
- strengthen cooperation between Member States’ audio-visual regulatory authorities and promote best practice as regards the transparency of media ownership;
- assess the effectiveness of these measures in order to consider any further steps.

The problem, however, remains. Media ownership in the EU is highly concentrated, while media regulatory authorities across Europe face strong political pressures (see the report of Centre for Media Pluralism and Freedom 2016). In June 2017, the Council of Europe adopted Resolution 2179 on political influence over media that stresses the major changes in the media industry and calls for greater transparency on media ownership.

Concluding remarks

Since the publication of the Green Paper on ‘Convergence’, the European Commission has come to realize that the then regulatory framework for television broadcasting in Europe can no longer correspond to the realities of the communications sector. In fact, in the Internet era, audio-visual policy is under major revision and within the wider digital policy.

By and large, the EU has consistently sought to provide a framework favourable to the development and harmonization of the media sector as well as to support the European programme and cultural industry. EU media regulation shows the effort of the EU not only to *Europeanize* the European audio-visual universe but also to make it more competitive and responsive to the needs of the global and regional markets. While in the past some questioned the competence/jurisdiction of the EU to deal with media output, today they ask for its support.

The most significant change in the AVMSD was the introduction of the concept of ‘audio-visual services’ and of minimal regulation applying to both linear and non-linear audio-visual services. While the AVMSD appears to be more realistic compared to previous ones, it is yet to be seen whether and to what extent it would apply. This also has to do with the EU’s approach asking from governments to encourage self-regulation in certain fields, sometimes combined with government intervention (‘co-regulation’) – where their legal systems allow. Such regimes must be broadly accepted by the main stakeholders and provide for effective enforcement.

In 2012, the European Commission presented a report on the application of the AVMSD showing that 25 Member States notified complete transposition of the AVMSD into their national legislation. But on contested areas it presents problems. For example, the Commission monitored advertising practices in eight Member States during the reference period. In a number of Member States the 12-minute limit of advertising spots is regularly breached. By and large, the most problematic issues arising from the Directive are on (a) advertising breaks and product placement; (b) gender stereotypes; (c) broadcasting rights for events of major importance and (d) insufficient promotion of European and independent works (CEC 2012: 1–13). These discrepancies to a certain degree show how the processes of Europeanization are complex, sometimes contradictory and an uneven phenomenon since the pace towards Europeanization is different among the different Member States. Moreover, such differences often cause problems of implementation thus giving rise to new discrepancies. These discrepancies also confirm Castells's (2000) approach of the EU as a 'network state' in which the European polity is characterized by a complex network of European national and sub-national institutions that give rise to a *Europe à la carte*, i.e. different levels of integration depending upon countries and issues. But one must admit, the EU may not have managed to give rise to a borderless television in Europe, but at least has been successful putting the cement for a harmonized television system, with common rules and regulation across Europe. The Commission in May 2015 announced the creation of a 'Media framework for the 21st century'. In effect, the Commission on 6 July 2015 launched a public consultation aiming to invite all stakeholders, ranging from market players to individual users of *Audiovisual Media Services*, to share their views on an array of issues related to the AVMSD in order to review the existing rules, and offer a regulatory environment for audio-visual media services, fit for the digital era (CEC 2015b). In fact, the review of the AVMSD is one of 16 key action points, presented by the Juncker Commission on 6 May 2015, in its Strategy to complete the Digital Single Market (CEC 2015a).

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