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(Information)

COUNCIL

**CONCLUSIONS OF THE COUNCIL AND OF THE REPRESENTATIVES OF THE GOVERNMENTS
OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL**

of 26 June 2000

**concerning the communication from the Commission on principles and guidelines for the
Community's audiovisual policy in the digital age**

(2000/C 196/01)

THE COUNCIL OF THE EUROPEAN UNION AND THE
REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES, MEETING WITHIN THE COUNCIL,

principles is that infrastructure and content should be
approached from different angles;

1. RECALLING the Council conclusions of 22 April 1999 and 28 June 1999 on the results of the public consultation on the Green Paper on Convergence;
2. RECALLING the resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council, of 25 January 1999 concerning public service broadcasting;
3. RECALLING the importance of the e-Europe initiative and the conclusions of the special European Council held in Lisbon on 23 and 24 March 2000;
4. AWARE THAT in its communication on principles and guidelines for the Community's audiovisual policy in the digital age the Commission sets out a series of regulatory principles of critical importance for defining the Community's strategy for the digital age;
5. TAKING NOTE THAT Europe is on the threshold of a new broadcasting and communications era, and that the transition from analogue to digital broadcasting is a key step in this process, as emphasised at the Conference on Digital Terrestrial Television held in Lisbon on 17 and 18 February 2000;
6. BEARING IN MIND other major reviews of Community policy, including the 1999 communications review, the communication on the development of the market for digital television in the European Union, and the Commission's proposals for the Media Plus programme;
7. IN VIEW OF the specific nature of the audiovisual sector, and noting that the central factor with regulatory principles is that infrastructure and content should be approached from different angles;
8. AWARE THAT another key message on general regulatory principles is that regulation should aim to be technologically neutral;
9. CONVINCED OF the continued importance of the dual system of broadcasting in Europe in the new digital audiovisual landscape and stressing the need for public service broadcasters to take advantage of the new information technologies;
10. STRESS that content regulation, which is undertaken in pursuit of general interest objectives, such as freedom of expression, pluralism, cultural diversity and consumer protection, should be based upon key principles such as proportionality, recognition of the role of public-service broadcasting and, where appropriate, self-regulation as a useful complement to State regulation and the independence of regulatory authorities, and that these objectives may be taken into account in the Member States' assignment of frequencies to the various broadcasting service operators;
11. STRESS that the transition from analogue to digital television is a key factor in ensuring access to the Information Society and in the battle against social and cultural exclusion and will require concerted action between public authorities, operators, content and service providers and consumer organisations and clear signals concerning the regulatory framework and the considerations which will inform the decisions of the Member States on the timetable for the transition;
12. STRESS that, in the public interest, access to infrastructure and to certain types of content should be guaranteed through appropriate means, taking into account market development; and that, with regard to infrastructure and the transition from analogue to digital broadcasting, open access and interoperability should be promoted;

13. STRESS that, whereas it is the responsibility of Member States to define national content regulation and to take decisions on key issues such as the timetable for the switch-off of analogue terrestrial transmissions, European cooperation is also essential, especially in terms of spectrum-planning, including frequency coordination and information exchange;
 14. STRESS, once again, the key importance of European content and, as a consequence, the need to uphold and foster support measures, while bearing in mind the need to promote complementarity and synergy between national and community measures as well as the need to safeguard cultural diversity;
 15. RECOGNISE the importance of exploiting new and emerging technologies for the creation and circulation of European audiovisual content;
 16. TAKE NOTE of, and commend, the ample consideration that the Communication accords to the principles of cultural and linguistic diversity and underline the need to remain constantly aware of the objective of promoting these principles in Europe in a complex and rapidly changing technological environment;
 17. INVITE THE COMMISSION, on the basis of its Communication, to:
 - (a) undertake further studies into the impact of digital television on the Information Society, employment and economic growth in Europe;
 - (b) identify and promote measures to enhance the competitiveness of the European content industry in the digital age, while, *inter alia*, promoting synergy between the relevant Community instruments;
 - (c) promote initiatives to combat social and cultural exclusion in this context;
 - (d) promote initiatives designed to foster European cooperation and exchange of experience on the transition from analogue to digital television;
 - (e) monitor carefully questions of access to content, including the development of electronic programmes guides;
 - (f) provide further analysis and information on how to promote cultural and linguistic diversity in the new digital environment within the Community.
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