

**MINUTES OF THE 24th MEETING OF THE CONTACT COMMITTEE  
ESTABLISHED BY THE TELEVISION WITHOUT FRONTIERS DIRECTIVE**

**on 15 November 2006**

**1. Agenda**

The Chairman welcomed the members of the Contact Committee (CC). The agenda was adopted.

**2. Review of the “Television without Frontiers Directive”- Progress report of the European Commission on the discussions in the European Parliament, the Council Audiovisual Working Group and the COREPER**

The Commission services reported on progress made in the co-decision procedure. The Council agreed on a General Approach on 13 November 2006 and (after the meeting of the Contact Committee) the European Parliament, in its first reading on 13 December 2006, largely confirmed the Commission's proposal with a clear consensus on scope, co-and self-regulation, European works and the two-tier approach. The adopted amendments are largely consistent with the Council's General Approach.

**3. Art 3a Television without frontiers Directive – Events of major importance to society**

The Commission services reported on the follow-up to the judgment of the CFI in case T-33/01 Infront v. Commission. The effect of the judgment is that, for the moment, the national measures containing lists of major events which were notified to and examined by the Commission in the past and remain in force (there are seven such lists: Austrian, Belgian, French, German, Italian, Irish and the UK one, while the Danish list has been revoked in the meantime) do not enjoy mutual recognition under Article 3a(3).

Given that the appeal against the CFI's judgment by the Commission does not cover the substance of the case, the Commission is bound to apply the Court's main finding i.e. that the verification under Article 3a (2) of the Directive leads to a Commission act (decision) that should be adopted in accordance with its internal rules. Consequently, the results of such verifications done in the past, which took the form of letters from the Director General, will be re-adopted in accordance with the correct decision-making procedures.

The Finnish delegation presented a very short list of major events, which includes:

- the Olympic Games,
- the Football World Cup,
- the Football European Cup,
- the Hockey World Championship,

- the Nordic World Ski Championship,
- the World Championship in Athletics,
- the European Athletic Championship.

The Commission services indicated that they did not see any element in these measures, which would put into question the compatibility thereof with Community law. The Contact Committee adopted Opinion Nr 9 [Doc TVSF(2006)5] and considered the Finish measures according to Art 3a TVWF unobjectionable.

#### **4. Participation of Switzerland in the Contact Committee**

The Commission services informed the Contact Committee on the legal provision governing the relations with Switzerland. There are two possibilities to involve CH. Either to organise side meetings with members of the Contact Committee with CH or to organise debriefings by the Commission of CH on relevant aspects of the meetings of the CC. The second option seems in general preferable, but this does not exclude having meetings of members of the CC with CH on specific issues of common interest.

Two delegations and an observer delegation nevertheless would support observer status for Switzerland.

#### **5. Representation in the newsroom and on-screen of ethnic, racial and national minorities. Actions against Racism and Xenophobia – request for inputs from Member States**

The Commission services presented the Questionnaire on the representation in the newsroom and on-screen of ethnic, racial and national minorities. It was stressed that the mass media, and especially TV played and will continue to play a crucial role in the way citizens Europeans perceive non-indigenous citizens. The Commission would like to promote a closer cooperation between Member States for exchanges of best practices and experiences. The Questionnaire submitted is the first step towards a better knowledge of the state of play in the Member States.

The delegations exchanged their views. The deadline for the replies was fixed at the end of January 2007.

#### **6. Mobile TV**

The Commission services presented the outline for a Communication on mobile TV, which should be published in Spring 2007. In preparation of this Communication a questionnaire will be sent out to Member States.

#### **7. Problems arising in relation to "RTL-TVi", "Club RTL" and "Plug TV"**

The Belgian delegation presented its submission to the CC concerning the issue of the relevant jurisdiction for "RTL-TVi", "Club RTL" and "Plug TV". A discussion followed with other delegations concerned. Delegations agreed to cooperate better in order to find concrete solutions to such problems. The Luxembourg and Belgian delegations thus mention their will to find a

solution which guarantees the respect by the CLT of the engagements for audio-visual production foreseen by the regulation of the French Community of Belgium.

**8. Any other business.**

The Commission services invited delegates to reply to the Questionnaire on European citizenship, within the framework of a Commission funded research project [[www.intune.it](http://www.intune.it)].