

## **Headline 1: EU Media regulators discuss the future of European Media Regulation**

## **Headline 2: Cross-border EU exchange and cooperation is a great asset, especially in times of crisis**

On 4th June 2020, the members of ERGA met for their 13th Plenary, which due to the Covid19-pandemic took place in a virtual setting. ERGA members exchanged information and experience of how media companies in their country are coping with this worldwide crisis. ERGA's Vice Chair Karim Ibourki reported on the interim results of the ad-hoc Action Group, looking at the economic conditions of media service providers in the current COVID-19 crisis. The analysis shows that the media sector as a whole has been severely hit with serious economic losses especially for those players depending on advertising revenues. On the contrary, video on demand providers, vloggers and Over the Top (OTT) streaming services benefited from an increase in their customers basis and viewership. Mr Ibourki thanked the participating NRAs for their contributions and emphasized the importance of the measures taken by Member States and regulators to support the audiovisual media sector in this extraordinary situation.

### **The future of European Media Regulation**

ERGA members exchanged ideas for the future EU regulatory framework for the media in the digital environment. Giuseppe Abbamonte, Director for Media Policy at the Commission's Directorate-General for Communications Networks, Content and Technology encouraged ERGA to contribute to the ongoing debate of the Digital Services Act package, aiming to complete the regulatory environment for digital services. He stressed the importance of the Country of Origin principle and the added value ERGA brings by helping to ensure a consistent implementation of rules in the media environment. He also made reference to the challenges caused by the COVID-Crisis and the solutions that the Commission and Member States are working on. In this context, he highlighted importance of quality media and the role of strong media regulators, strengthened by the revised AVMSD, soon to be transposed by the Member States.

### **Work results from 2020**

In addition, ERGA members presented the outcomes of the work done so far on Disinformation and Accessibility and their contribution to the Rule of Law report of the Commission.

#### **Disinformation**

After publishing its Report on Assessing the Code of Practice on Disinformation ([link](#)), ERGA continues focusing on the problem of disruption of informational ecosystem. In 2020, ERGA has defined two workstreams in this area. The first one is dealing with the notions of disinformation and related concepts with the aim to get an overview of how this phenomenon is legally dealt with in different Member States. The definitions used by the different actors and the academic perspective on the topic are also looked at. The second workstream continues to assist the Commission in tackling disinformation and their monitoring of the Code of Practice. Here, ERGA is working on setting up guidelines for the improvement and harmonization of platforms' activities in different areas of the Code of Practice.

#### **Findability and prominence of content**

In addition, ERGA's work concerns an assessment of national measures to secure findability of content of general interest and prominence of European works. ERGA therefore currently collects best practices from ERGA's members in order to strive for the highest possible degree of consistency when implementing measures as regards audiovisual media services.

#### **Contribution to the Commission's Rule of Law report**

ERGA's Board member Charlotte Ingvar-Nilsson additionally reported about ERGA's contribution to the rule of law report of the European Commission. At the particular request from European Commissioner for Justice, Didier Reynders, ERGA's members provided snapshot on the regulatory framework in the Member States with a particular view on independence, structure and powers of NRAs.

## **Outlook: What will ERGA be working on next year**

The Plenary also discussed a first draft of ERGA's Work Programme for 2021, which has been prepared by the ERGA-Chair Tobias Schmid in close consultation with the Board and in concertation with the Commission. The document foresees an intensive discussion on the implementation on the ground of a fully operational AVMS Directive, an assessment of the potential impacts on the European media framework of upcoming proposals under the Digital Services Act Package, as well as a continuation of the work on Disinformation.

"Technological developments in the media have always been characterized by the impression of velocity. For us as media regulators, this can only mean two things: First, we need to focus on the protection of what – independent from any technological development – remains most worthy of protection and that is freedom of speech. Second, we do not need to rush but we surely need to be fast. Now is the time to work together to shape a modern and appropriate European media regulation" comments Dr Tobias Schmid, Chairman of ERGA in 2020 and Commissioner for European Affairs of the German Media Authorities and, the work programme of ERGA in 2021.

After the plenary, the work programme will be finalised taking into account the remarks from ERGA's members and will be adopted at the latest on 15 September 2020.

### *About ERGA:*

*The European Regulators Group for Audiovisual Media Services brings together heads or high-level representatives of national independent regulatory bodies in the field of audiovisual services. Thereby, ERGA advises and assists the European Commission in its work, to ensure a consistent implementation of the AVMSD as well as in any other matters related to audiovisual media services within the Commission's competence. In addition, ERGA aims to facilitate cooperation between the regulatory bodies in the EU by fostering the exchange of information, experience and good practices.*

*Dr Tobias Schmid, Commissioner for European Affairs of the German Media Authorities, is the Chairman of ERGA in 2020.*