

EPRA ANNUAL WORK PROGRAMME for 2017

27 January 2017

Contents

Introduction	1
1. European Media Policy Context	2
2. Plenary Themes	3
3. Working Groups	4
At a glance: EPRA annual Work Programme for 2017	8

Transparency and Accountability are two key values for EPRA as stated in our recently adopted 3-year organisational Strategy. Reflecting these values, this Annual Work Programme, which lays out EPRA's priorities and anticipated work for 2017, was prepared by assembling member authorities' suggestions collected further to a call for topics. Further to a consultation phase, the Board approved the final WP on 27 January in Brussels.

As set out in EPRA's Strategic Goals and Objectives for 2017-2019, we will continue to serve our members by hosting two plenary meetings of EPRA each year over the period. The two plenary meetings in 2017 will take place on **17-19 May in Edinburgh** (hosted by Ofcom) and **11-13 October in Vienna** (hosted by KommAustria/RTR). We will keep the present meeting structure comprised of two plenary sessions and four working groups in 2017, two of them biannual, two of them ad-hoc.

The Board has been impressed by the number of responses and by the quality of suggestions received from the EPRA network. Clear trends emerged from the responses and this facilitated the process of selection.

The recently adopted Vision, Mission & Values of EPRA, as well as the Strategy Goals & Objectives agreed for 2017-2019, provided clear and helpful guidance for the Executive Board in the decision-making process and the phrasing of individual topics.

One key EPRA goal is to provide members with tools to increase the understanding of wide-reaching contextual changes in broadcasting regulation and to offer an opportunity to highlight and debate the impacts in a non-combative, politically-neutral forum. This implies being **future-oriented** in the choice of topics on the EPRA agenda to explore innovative means of regulating and analysing the audiovisual sector.

Three additional considerations were taken into account when drafting this programme: the desire to **add value** for members and other stakeholders; the wish for **complementarity** with other audiovisual networks to achieve the best use of resources and the willingness to develop a **collaborative approach** with external organisations (e.g. industry, academia, sectoral interest groups) to gain additional insight and perspectives.

Against this background, the plenary sessions in 2017 will address **News in the Digital Age** (Plenary 1) and **Promises & Challenges of Digital Disruption** (Plenary 2).

The biannual working groups will illustrate the great variety in the missions of media regulators by focusing on **Media Literacy** and on **Licensing & Authorisation Procedures**.

The two ad-hoc groups will focus on: **"The Future of Radio"** (spring 2017) and **"The changing Relationship between Citizens & Regulators"** (autumn 2017).

1. European Media Policy Context

With regard to EU-28 media policy and regulation developments, 2016 was a very eventful year. At the end of May, the European Commission published a [legislative proposal](#) for a revised Audiovisual Media Services Directive together with the full results of the [REFIT evaluation](#) and the [impact assessment](#).

The implementation of the [Digital Single Market strategy](#) (DSM) continued at a quick pace with the publication on 14 September 2016 of extensive proposals to review the copyright framework in the digital single market, including a draft Directive on copyright in the digital single market and a draft Regulation. This draft "[copyright package](#)" was published together with an explanatory [Communication](#) and an extensive [Impact Assessment](#) on the modernisation of EU copyright rules.

On the same day, proposals for the review of the regulatory framework for electronic communications (the so-called "[telecom package](#)") were unveiled, introducing a European Electronic Communications Code aimed at replacing all existing regulatory tools in the telecoms field and setting the basis for the so-called "Gigabit society".

Concerning the re-allocation of the 700 MHz band for mobile services, the European Parliament, the European Council and the European Commission reached a political agreement on an EU-wide approach for the use of the ultra-high frequency band (470-790 MHz) including the 700 MHz band (694-790 MHz) on 14 December 2016. This agreement builds on a proposal presented by the [Commission in February 2016](#). The Council and the Parliament are expected to endorse the agreement in early 2017.

2016 also marked the formal adoption of the EU General Data Protection Regulation (the "[GDPR](#)").

Implementing the Digital Single Market Strategy will remain a priority item on the EU agenda in 2017. The remaining proposals are expected to be released in early 2017, and the European Commission announced its intention to work closely with the European Parliament and European Council to advance swiftly on the proposals already put forward.

With particular regard to the AVMS Directive, the adoption of the report of the European Parliament by the CULT Committee is expected for February and a Council General Approach by the Council in May under the Maltese Presidency. The Audiovisual Working party is already meeting in January 2017 to discuss a Presidency compromise text.

At the Council of Europe level, on 13 April 2016, the Committee of Ministers adopted a [Recommendation](#) to its 47 member states encouraging them to periodically prepare national reports evaluating their level of respect for human rights with regard to the Internet, and to share their findings with the Council of Europe. Also on the same date, the Committee of Ministers adopted a [Recommendation on the protection of journalism and safety of journalists and other media actors](#).

The Committee of experts on media pluralism and transparency of media ownership (MSI MED) is expected to finish the drafting of a [Recommendation of the Committee of Ministers on media pluralism and transparency of media ownership, a feasibility study on the use of Internet in elections](#) as well as a [feasibility study on a standard-setting instrument on media coverage of elections](#) with a specific focus on gender equality.

In parallel, the Committee of experts on Internet Intermediaries (MSI-NET) will also pursue its discussions in 2017 on a [Draft Recommendation of the Committee of Ministers to Member States on Internet Intermediaries](#) and a [Draft Report on the Human Rights Dimensions of Algorithms](#).

Recent events of interest included a seminar on “Public service media and democracy”, organised in Prague on 10-11 November 2016 in cooperation with the EBU as well as a workshop on the basis of a report prepared by the Reuters Institute for the Study of Journalism at Oxford University on “The future of news: Media and Journalism in the Age of Digital Convergence” on 1 December 2016.

With regard to the Parliamentary Assembly, the PACE has called on national parliaments to discuss online media and journalism and to [adopt general standards for the protection of fundamental freedoms and rights of Internet users, journalists and online media](#) by adopting a resolution on 25 January 2017.

2. Plenary Themes for 2017

EPRA aspires to address current challenges and issues as well as also to anticipate change in the regulatory and policy sphere in order to stay relevant for its members. Against this background, our first Plenary session “**News in the Digital Age**” will have both current and future aspects while the second session “**Promises & Challenges of Digital Disruption**” will adopt a future-oriented approach in both the May and October meetings.

PLENARY SESSION 1: News in the Digital Age

The Oxford Dictionary's Word of the Year 2016 is **post-truth** – an adjective defined as ‘*relating to or denoting circumstances in which objective facts are less influential in shaping public opinion than appeals to emotion and personal belief*’. It was chosen among other candidates such as “Brexitteer” or “hygge” owing to a spike in frequency of use in the context of the EU referendum in the UK and the presidential election in the US. Facebook and Google have also recently become the focus of criticism relating to fake news and their central role in their propagation, a phenomenon which impacts elections and could also play a role in upcoming elections in EU countries.

Against this backdrop, a plenary session devoted to **News in the Digital Age** will provide room for a timely and multi-faceted discussion building on the outcome of:

- last year's biannual working group on “*Media in Times of Crisis*”, which looked at strategies, responses, regulation and co-regulation of issues linked to incitement to crime, terrorism and reporting on crisis situations and how to deal with bias, false and deceptive materials from the perspective of service providers and regulators;
- past Plenary sessions on Pluralism (“*How to ensure and assess media pluralism and diversity of media content*”, Berne/Nuremberg 2015);
- past discussions on access to quality content in a multiplatform environment (“*Public service content in a multiplatform environment: from must carry to must-be-found*”, Nuremberg 2015).
- **Spring session “News in the Digital Age: Focus on access, plurality, measurement & trust”**
As discussed in last year's working group, news and current affairs programmes can be crucial in times of crisis by providing accurate, timely and comprehensive information. The session will focus on access to content and news, look at plurality of provision, how measurements of news consumption are made and examine levels and issues of trust

among viewers. Against this background, the changing patterns concerning the access and consumption of news by millennials will be a focus of the analysis.

- **Autumn session** “News in the Digital Age: Focus on Standards & Regulatory Perspectives”
The session will focus on standards, regulatory perspective and the role of regulators. Has the relevance of impartiality and objectivity diminished over the years? Should ensuring balance be a requirement? What are the challenges for EPRA members of overseeing questions of accuracy in the regulated space? What is the impact of news in the unregulated space - in particular in the context of elections?

PLENARY SESSION 2: Exploring the Promises & Challenges of Digital Disruption and the Impact on Media Regulation

The responses to the call for topics included many suggestions for EPRA to consider how technology continues to disrupt established practices, and their potential impact on market players, business models and regulation.

2016 saw the launch of Facebook Live giving anyone with a phone the power to broadcast to anyone in the world. In this context, there are many topics that would call for an analysis of how technology and policy and regulation interact. Issues such as media distribution over networks, platforms and app stores, or media personalization of content are likely to provide food for debate for both a spring and autumn session.

Our second biannual session will thus aim to document and analyse some of the major shifts recently brought about by emerging technology. This will support EPRA members’ understanding of the regulatory implications and help identify potential issues of compliance and enforcement. The exact phrasing of the two sub-sessions will be agreed in cooperation with the content producer of the session.

In order to provide the best expertise for this session, we will involve carefully selected external Content Producers from industry or academia. This suggestion is consistent with EPRA’s approach to working collaboratively, not only amongst audiovisual regulators, but with academics, industry and other related stakeholders in the European policy and regulatory fields. We consider such an approach as complementary to ERGA’s Work Programme for 2017 which lays an emphasis on training (ERGA Academia) and on preparing members for self- and co-regulation.

3. Working Groups for 2017

Breakout groups during EPRA meetings allow for more practical and focused exchanges than in the plenary sessions and facilitate interaction between members. Two of them are **biannual groups** for discussion in the May and October meetings so as to enable continuity and cover various angles of one topic. The other two are ad-hoc groups (i.e. topic addressed at just one meeting) aimed to address topical, emerging issues.

For our biannual working groups in 2017, we will focus on the following two subjects selected among members’ responses to the call for topics:

- **Media Literacy**
- **Licensing & Authorisation Processes**

The Board believes that these two groups reflect the great variety of tasks that regulators are currently entrusted with (hot topic vs. evergreen) and are thus likely to appeal to a large number of members. Both groups were also selected because they had promising potential in terms of synergies with other initiatives, members' involvement and final deliverables - in keeping with EPRA's concern to make an optimal use of members' resources.

Both topics allow for practically-oriented discussions on key missions of regulators, enable the exchange of experience, best practices and expertise and are thus likely to reinforce the practical cooperation between regulatory authorities.

3.1. WG1: Media Literacy (Biannual WG)

In 2017 media literacy is likely to remain a hot topic on the European agenda, not least owing to growing awareness of the importance of fostering critical thinking and effective debate with regard to media content. In a [Resolution of 23 November 2016](#), the European Parliament highlighted the role of media literacy in counteracting disinformation and fake news. For its part, the European Commission recently announced that the budget for media literacy would be doubled in 2017 as recognition of the key importance of media literacy to tackle current societal challenges especially around critical thinking. Provisions on the promotion of Media Literacy are also likely to be re-inserted in new versions of the draft AVMSD.

Media Literacy was first addressed by EPRA in 2008, at a time when very few regulators had a duty in relation to the topic and it was a relatively new concept. Findings of a Working group in 2014 on "[Media Literacy: Empowering Users](#)" highlighted the increased role that regulators were playing in the area, notably in researching media literacy or as a facilitator to coordinate various initiatives by stakeholders. In 2015 a working group on "[Research & regulators: Towards an evidence-based approach](#)" also identified media literacy as a promising theme to foster the exchange of research findings between media regulators.

A biannual working group in 2017 will identify recent trends in media literacy policy, such as a renewed interest in the development of critical thinking, highlighting best practices and recent initiatives (by members' authorities, civil society, public authorities, academia or audiovisual content providers) and report on any evolution in the role played by media regulators.

This group will benefit from promising synergy potential with the recent activities of the EU Commission's Media Literacy Expert Group (MLEG) and the soon-to-be-published [mapping exercise of media literacy practices in the EU-28](#) conducted by the European Audiovisual Observatory. The topic being closely linked to the plenary on news in a digital age, such a group will also allow a continuation of relevant discussions within a smaller setting with a more practical focus.

The Board also believes that such a group will be in clear complementarity with the activities of ERGA, especially its sub-group on Protection of Minors. The ERGA report on the protection of minors in a converged environment also concluded that: "The promotion of media literacy is among its other comprehensive benefits considered to be an important complementary measure to the aforementioned tools to protect minors".

- **Spring session: Media Literacy: Mapping key initiatives & researching media use**

The session will focus on presenting the outcome of a soon-to-be published extensive mapping exercise by the European Audiovisual Observatory of non-curricular media literacy initiatives in the EU for children, parents and adults as well as insight from recent research findings into media use. Other covered topics will include issues of funding, training of professionals, the development of critical thinking and the role of intermediaries.

- **Autumn session: Media Literacy: Focus on the role of media regulators**

The session will look into the issues of standards and the variety of roles that regulators play in this field by presenting a selection of initiatives driven by regulatory authorities. Should the promotion of media literacy become a statutory duty for regulators as is currently the case for only a minority of EPRA members and, if so, what is the appropriate scope for such a role? Can regulators help to provide citizens with the ability to make responsible and informed choices? If so, how? What is the range of tools at the disposal of regulators? And have regulators a special role to play as coordinator of national/regional multi-stakeholder strategies?

3.2. WG2: Licensing & Authorisation Procedures (Biannual WG)

The second biannual working group will address an “evergreen”, a key task entrusted to media regulators: that of licensing and authorising media service providers. The topic of licensing per se has rarely been discussed at EPRA meetings with the notable exception of a plenary session in 2010 on [Regulatory & Licensing models for DTT](#). To date comparative information that documents the variety of licensing and authorisation procedures in Europe is also very scarce.

Throughout 2016, 8 EPRA member authorities have participated in the “MAVISE Taskforce” and met twice to develop a methodology to improve the data collection on licences with the aim to improve the quality and accuracy of the [MAVISE database](#) managed by the European Audiovisual Observatory. When meeting to discuss licensing matters, taskforce participants identified a range of issues of interest and came to the conclusion that a continued exchange of information and experience on licensing practices would be of great added value for regulators. The group could also constitute the right forum to address issues related to jurisdiction at the practical and technical level, in good complementarity with ERGA. In its [Report on territorial jurisdiction](#), ERGA has also indicated that “Overall, NRAs seemed supportive of the idea of exchanging best practices in relation to licensing/authorisation procedures” (Recommendation 15).

A biannual EPRA Working Group will flow naturally out of the work that was done in the framework of the MAVISE Taskforce; taskforce participants will provide editorial guidance for the work of the group which will exchange practices on an extremely practical level during the spring and the autumn sessions. Another promising synergy effect may result from a legal mapping of licensing practices that the European Audiovisual Observatory will be conducting in the course of 2017.

3.3. WG3: Ad-hoc working groups: (two groups convening just once)

The third working group will address ad-hoc themes on the occasion of the meetings in Edinburgh and Vienna.

- **The Future of Radio (Edinburgh)**

The first major digital news in 2017 was the start of the FM switchover process in January in the county of Nordland in Norway. The process will take place gradually over the course of 2017. It will be a good opportunity for EPRA members to hear about the experience of the Norwegian NMA and the challenges it has faced in the process. This will also be the perfect timing to take stock of the latest developments concerning digital radio since EPRA last discussed the subject [in Tbilisi in 2014](#) and hear about the roll-out of digital terrestrial radio in European markets and, when relevant, other digital platforms.

- **The Relationship between Citizens & Regulators (Vienna)**

According to a recently conducted Eurobarometer survey in the EU-28 ([Special Eurobarometer 452 on Media pluralism and democracy](#), November 2016) only around one in five citizens are aware of their national media regulator, and only a minority agree it is free and independent. Against this worrying backdrop, this ad-hoc group will provide a timely opportunity to reflect on the perception by the audience of regulators (and of media plurality in general), and to confront audience perception with the regulators' analysis. Potential issues covered by the group include public awareness, transparency and visibility as well as methodology aspects. The group will review the regulators' toolbox including complaints, consultations, social networks and its impact on the regulator-citizen relationship, etc.

AT A GLANCE: EPRA ANNUAL WORK PROGRAMME FOR 2017

SPRING MEETING 2017: Edinburgh, 17-19 May 2017

At the invitation of Ofcom

PLENARY SESSION I:

GENERAL THEME: News in the Digital Age

FOCUS: Consumption trends, ecosystems, business supply & demand side

PLENARY SESSION II:

GENERAL THEME: Exploring the Promises & Challenges of Digital Disruption (Part 1)

WORKING GROUP 1:

Media Literacy: Mapping major initiatives & research

WORKING GROUP 2:

Licensing & Authorisations (Part 1)

(AD HOC) WORKING GROUP 3:

The Future of Radio

AUTUMN MEETING 2017: Vienna, 11-13 October 2017

At the invitation of the KommAustria and RtR

PLENARY SESSION I:

GENERAL THEME: News in the Digital Age

FOCUS: The role of regulators: implementing impartiality, accuracy and fairness in practice

PLENARY SESSION II:

GENERAL THEME: Exploring the Promises & Challenges of Digital Disruption (Part 2)

WORKING GROUP 1:

Media Literacy – What role(s) for regulatory authorities?

WORKING GROUP 2:

Licensing & Authorisation (Part 2)

(AD HOC) WORKING GROUP 3:

The Relationship between Citizens & Regulators

***You have comments and suggestions on this work programme?
You would wish to contribute to the programme as a speaker or panelist?***

Please contact the EPRA Secretariat: machet@epra.org