

COMMERCIAL TELEVISION WELCOMES THE COMMUNICATION ON SHAPING EUROPE’S DIGITAL FUTURE AND CALLS ON EC TO FOCUS ON MEANINGFUL ONLINE PLATFORM RESPONSIBILITY RULES TO DELIVER A COMPETITIVE, TRUSTWORTHY AND VALUES DRIVEN ONLINE ENVIRONMENT.

BRUSSELS, 19 FEBRUARY 2020. The Association of Commercial Television in Europe (ACT) is the voice of commercial television in Brussels since 1989 defending policies that drive media pluralism, high quality content and editorial responsibility. ACT members warmly welcome today’s [Communication on Shaping Europe’s digital future](#). We support the three objectives set out and the underlying values driven approach taken by the Commission. Many of the principles set out in this Communication echo statements made by the ACT in its [Blueprint for EU media policy 2019-2024](#), and notably the need to ensure that “what is illegal offline must also be illegal online”. This is in line with the political guidelines set out by President von der Leyen for a Digital Services Act that “upgrades our liability and safety rules for digital platforms”.

This upcoming Digital Services Act must therefore uphold and strengthen the principles of European and International copyright law. Europe can already build on its strong jurisprudence in the matter by further enforcing the liability rules to which active platforms are subject. Conversely, the introduction of so-called “good Samaritan” measures replicating the United States’ Section 230 of the Communications Decency Act (CDA) would be tremendously detrimental. This would create a special regime for online which goes against the stated objective of the Communication whilst depriving Europe of the tools it needs to address the challenges stated in this communication.

ACT welcomes the ambition of the Commission to ensure that the competition framework is fit for the digital age. To this end competition rules should be adapted and potential abuses of dominant positions in online advertising and other online markets should be urgently addressed. In addition, ACT is also of the opinion that a balanced competition and a healthy, pluralistic online media ecosystem requires an ex ante market control legislative measures applied to systemic platforms.

ACT embraces a Media and Audiovisual Action Plan that builds a comprehensive strategy for Europe’s audiovisual sector. Such a plan should deliver a coherent set of policies that uphold media pluralism and with it the unique financing characteristics of the AV sector. As online viewership continues to grow, it is urgent to prevent potential abuse of dominant positions in the ad tech market. Moreover, we encourage Europe to increase its support mechanisms towards boosting the number of co-productions. Co-productions are a win-win strategy to ensure works have a broader appeal across borders whilst respecting the fundamental role of territoriality and exclusivity for AV financing.

Finally, ACT also looks forward to a strong European Democracy Action Plan. This Plan should set out meaningful measures to fight disinformation online which erodes democracy and European values. As a leading voice in this debate, the ACT recalls that the so-called Code of Practice on Disinformation has failed to deliver any measurable impact. We therefore encourage the Commission to build on the recommendations of the High Level Expert Group and enact strong data transparency obligations accompanied with sanctions to ensure Platforms stop benefiting from advertising revenue derived from disinformation. ACT will continue to engage with European policy-makers to ensure the principles set out in this digital age communication translate in consistent and impactful public policies.

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About the Association of Commercial Television in Europe (ACT)

The Association of Commercial Television in Europe represents the interests of 27 leading commercial broadcasters active in 27 Member States and beyond. The ACT member companies finance, produce, promote and distribute content and services benefiting millions of Europeans across all platforms. At ACT we believe that the healthy and sustainable commercial broadcasting sector has an important role to play in the European economy, society and culture.



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