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Statement of the European Regulators Group for Audiovisual Media Services (ERGA) on alarming developments for the independent and effective functioning of media regulators in Europe

The European Regulators Group for Audiovisual Media Services (ERGA) expresses its serious concerns about the situation of one of its members, the media regulator in Croatia, the Electronic Media Agency. ERGA calls upon the European Commission to ensure the independent and effective functioning of all media regulators within the European Union.

The Croatian government has proposed to the parliament that it dismisses all current members of the Council of the Electronic Media Agency (AEM), the independent media authority in Croatia, on the grounds that there were some omissions in the regulator's annual activity report for the year 2014.

The government proposal could have a chilling effect on the independent and effective functioning of the Croatian AEM. Under the threat of a future dismissal of all Council members Mirjana Rakić, vice-chair of the ERGA board, decided to resign as President and Director of the AEM.

This is not the only worrying development concerning independent media regulatory authorities in Europe. After its plenary meeting in Amsterdam at the beginning of March,¹ ERGA already highlighted the situation of the Greek regulator. In Greece, five months ago and without being replaced, all except one of the members of the Greek National Council for Radio and TV have been dismissed and at the same time the Council's competences have been partially transferred to the government.

In order to safeguard public key values regulatory authorities must be able to perform the duties assigned by the legislator effectively and independently and must have the necessary legal competences to do so.

¹ <https://ec.europa.eu/digital-single-market/en/news/5th-meeting-european-regulators-group-audiovisual-media-services-erga>

The situations in Croatia and Greece appear to be part of a trend in Europe in which some regulators for audiovisual media are struggling with circumstances that can impair their independence and effective functioning. Earlier this year, ERGA issued a statement² in which it expressed concerns about the situation in Poland, where the public media service has been affected by new laws.

ERGA calls upon the European Commission to take into account these developments when designing a revised EU-regulatory framework for audiovisual media services by including in the revised Directive minimum standards and criteria for the independence of regulatory authorities. This is addressed in the ERGA Report on the independence of National Regulatory Authorities 2016.³

² <https://ec.europa.eu/digital-single-market/news/statement-european-regulators-group-audiovisual-media-services-erga-necessity-independent-media>

³ <https://ec.europa.eu/digital-agenda/news-redirect/28179>