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QUEEN ANNE'S GATE LONDON SW1H 9AT

2 December 1986

Await  
Comments from  
colleagues. S/H in one  
week  
Dear Geoffrey, CAP 2/12

As you know, the Council of Europe has arranged a Ministerial Conference on Mass Media Policy which will be taking place in Vienna on 9 and 10 December and which represents the first meeting of broadcasting Ministers in Europe to discuss specifically broadcasting topics. David Mellor will be representing the United Kingdom. I am writing to explain to you and colleagues what we see as our major objective at that meeting.

It is common ground now that one of the major benefits of the recent developments in cable and satellite technology has been the greatly increased opportunities which they offer for transmitting television programmes between countries. Both our existing broadcasters have taken advantage of these opportunities: the BBC sells its two services to cable networks in Belgium and the Netherlands, and the ITV companies will be transmitting their new Superchannel service (which will include BBC programmes) to Europe via satellite in the New Year. We were among the first countries in Europe to develop the new cable channels delivered by satellite, and the success of programme providers like Sky Channel and Music Box in building their European audiences has been an important example of British entrepreneurial initiative.

With the development of new transfrontier services, and the possibility of their greater expansion in the next few years, has come the recognition of the need to ensure that they are properly regulated. In 1984 the Council of Europe adopted two Recommendations setting sensible general standards for both television programmes and advertisements. More recently, the European Community has come forward with a draft Directive concentrating primarily on advertising. We believe that the Council of Europe is the better forum for achieving a satisfactory regulation of transfrontier broadcasting, both because of its wider geographical scope (21 countries instead of 12) but also because its more flexible approach is in tune with our own broadcasting arrangements and is not likely to penalise our programme providers by imposing the kind of unnecessary restriction which has been threatened in the EC context..

I see the Vienna Conference as an important means of reinforcing the status and increasing the momentum of Council of Europe action in this important field. In itself, it will be useful for European broadcasting Ministers to meet each other and exchange experiences on the two central themes of the Conference: programme production and transfrontier regulation. On the first them, because of the health of our production industry, we have less interest in questions of support for the audio-visual industry than some other countries. In this context, we shall therefore emphasise the benefits of voluntary co-operation within the industry itself rather than any major schemes of government support, like the idea for a European production fund which we have opposed in the past.

The Rt Hon Sir Geoffrey Howe, QC., MP.

/over.....



The second theme provides an opportunity for us to attempt to strengthen the current system of Council of Europe regulation. While I believe that the programme and advertising standards set in the existing Recommendations, on matters such as taste and decency, impartiality and the protection of children, are on the right lines, they suffer from the disadvantage that they are not legally binding instruments, but have only moral or persuasive force. One idea that is gradually gaining currency is that of a Council of Europe Convention on these matters which will provide the standard for European regulation in the future. A number of countries seem likely to support the idea, which is firmly on the Vienna agenda, and it is gaining support among both broadcasters and advertisers here. In my view, this is an important development if we are to ensure that European television services in the future are adequately controlled so that they do not threaten the regulatory standards of our domestic services. Discussion about the standards set for British broadcasting in the BBC Charter and the 1981 Broadcasting Act would become futile if increasingly British audiences received via foreign DBS programmes which were not effectively regulated at all. I would see such a Convention as covering initially three broad areas: programme standards, advertising standards and the leasing of satellite capacity, all of which are covered by the existing Recommendations. We intend to give strong support to this idea in Vienna and hope that we can come away with a general agreement that work on the preparation of such a Convention should start early in the New Year. We shall, of course, need to consider later what the scope of the regulation of programmes under such a Convention should be.

I am copying this letter to the Prime Minister, Willie Whitelaw, Nigel Lawson, Paul Channon and Richard Luce.

Yours,  
Douglas.

