



Annual Conference on European Media Law 2019

- Data and the media
- Fake news and investigative journalism
- Audiovisual media services

Brussels, 6-7 June 2019



Data Protection Law



Speakers

Stephanie Biasoli, Administrator, CULT Committee, European Parliament, Brussels

Ross Biggam, Vice-President Public Affairs, Discovery Communications, Brussels

Mark D. Cole, Professor, University of Luxembourg; Director for Academic Affairs, Institute of European Media Law (EMR), Saarbrücken

Yvan Desmedt, Partner-in-Charge, Jones Day, Amsterdam

Séverinne Dusollier, Professor, SciencesPo Law School, Paris

Roland Klages, Legal Secretary, Cabinet of First Advocate General Szpunar, Court of Justice of the European Union, Luxembourg

Luboš Kukliš, Chair of the European Regulators Group for Audiovisual Media Services (ERGA); Chief Executive of the Council for Broadcasting and Retransmission of the Slovak Republic, Bratislava (*)

Rebecca Platt, Senior Associate, CMS Cameron McKenna Nabarro Olswang LLP, London

Grégoire Polad, ICT, Director General, Association of Commercial Television in Europe, Brussels

Philippe Vlaeminck, Partner, Pharumlegal, Brussels

(*) Invited

Key topics

- Transposition of the new Audiovisual Media Services Directive in the Member States
- Results of the code of practice on disinformation
- Impact of the EU Regulation on free flow of non-personal data in the media sector and data-related initiatives
- The future of journalism in the EU: publishers' rights, freedom of the press and the proposed Whistleblowing Directive
- Ongoing competition law investigations affecting media companies
- Latest jurisprudence of the CJEU and ECtHR relevant for the media sector

Language
English

Event number
219RP09

Organisers
Florence Hartmann-Vareilles (ERA)
in cooperation with Mark D. Cole
(EMR)



With the support of the Erasmus+
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Thursday, 6 June 2019

09:00 Arrival and registration of participants

09:30 **Opening of the conference**
Florence Hartmann-Vareilles and Mark D. Cole

I. THE USE OF DATA IN THE MEDIA SECTOR

09:45 **Opening speech**
Big Data and artificial intelligence in the Digital Single Market Strategy: impact for the media

10:30 Discussion

10:45 **Recent CJEU case law on data and the media**

- De-referencing and processing of sensitive data
- Other relevant cases impacting data use in the media sector

Roland Klages

11:15 Discussion

11:30 Coffee break

II. MEDIA FREEDOM AND JOURNALISTIC WORK: THE CHANGING LEGAL LANDSCAPE IN EUROPE

12:00 **Is investigative journalism under threat?**

- Can the proposed EU Directive on whistleblowing protect media freedom?
- Impact of the Trade Secrets Directive and other legal instruments on investigative journalism
- Legal privileges of journalists and the media in Europe

12:30 Discussion

12:45 Lunch

14:00 **“Fake news” or disinformation: too much or too little regulation in the European Union?**

- The EU action plan against disinformation
- Commitments and standards by the industry

14:30 Discussion

III. MEDIA IN THE DIGITAL SINGLE MARKET

14:45 **Update on bringing the new Audiovisual Media Services Directive into practice**

- Transposition of the AVMSD by the Member States: where do we stand?
- Defining key elements of the AVMSD: the Commission guidelines under preparation
- Context of other rules concerning online platforms

Stéphanie Biasoli and Grégoire Polad

15:15 **The new role and position of AVMS Regulators and RGA**

- The AVMSD rules and practice concerning independence of regulatory authorities
- ERGA’s role under the new framework and cross-border cooperation in enforcement

Luboš Kukliš

15:45 Discussion

16:00 Coffee break

Objective

The conference will keep media law practitioners up-to-date by providing an overview of the latest policy developments, legislative initiatives and case law in this field.

Who should attend?

Lawyers in private practice specialised in media law and information technology, in-house counsel and other legal practitioners in the media sector

You will learn...

- why are big data sets and artificial intelligence relevant for the media sector?
- what are the conclusions to be drawn from recent judgements of the CJEU on data, copyright, AVMS, competition law?
- what are the EU initiatives on “fake news” and disinformation?
- how do AVM Regulators have to adapt to the requirements of the new AVMSD?
- what has happened with geoblocking since the adoption of the EU Regulation?
- what is the impact of the EU copyright reform on the media sector?
- how should the media sector prepare for Brexit?

What participants liked in 2018

“Great balance of different stakeholders’ opinions and networking”

“Focus on very recent and topical issues”

“High-quality speakers, experts in the fields”

“The topics were well chosen and super up-to-date regarding European developments”

Your contact persons



Florence Hartmann-Vareilles
Head of Section
E-Mail: fhartmann@era.int



Tatsiana Bras-Gonçalves
Assistant
E-Mail: tbras@era.int

- 16:30 **Facilitating access to online, TV and radio content abroad**
- The revision of the Satellite and Cable Directive
 - The country-of-origin principle: how will it work in practice?
 - Retransmission and direct injection
 - The Portability Regulation one year on: what has happened with geoblocking?
- Rebecca Platt*
- 17:00 Discussion
- 17:15 **Licensing practices for audiovisual media services in the EU**
- Pending and recent developments in competition cases (pay-TV investigations, online resale prices and abuse of dominance in the electronics sector)
 - EC consultation on shaping competition policy in the era of digitisation
- Yvan Desmedt*
- 17:45 Discussion
- 18:00 End of first conference day
- 18:10 Networking reception with thoughts on “Brexit – and now? A media sector perspective”

Friday, 7 June 2019

IV. MEDIA SERVICES IN THE DIGITAL SINGLE MARKET

- 09:00 **The use of media services and works: complying with (the new) EU copyright law**
- File sharing in breach of copyright
 - Recent CJEU judgments on sampling and quotations
 - Snippets, clippings, thumbnails... – do we get a new publisher’s right?
- Séverine Dusollier*
- 09:30 Discussion
- 09:45 **Impact of EU telecommunication rules on the media sector**
- The adoption of the European Electronic Communications Code
 - Improving interoperability and including OTTs
 - What is happening with e-privacy ?
- 10:15 Discussion
- 10:30 Coffee break
- 11:00 **EU legal framework for online gambling and its (potential) impact on media services**
- Recent rulings from the CJEU
 - Towards a European standard on reporting
 - Rules on blocking access in practice
- Philippe Vlaemminck*
- 11:30 Discussion
- 11:45 **Recent rulings from the CJEU and the ECtHR impacting the media sector**
- Audiovisual media services
 - Electronic communications
 - Freedom of expression and media pluralism
- Mark D. Cole*
- 12:30 Discussion
- 12:45 End of the conference

For programme updates: www.era.int

Programme may be subject to amendment.

Evening networking reception

During our reception on Thursday 6 June 2019, Ross Biggam will share his perspectives on Brexit and the (audiovisual) media industry. There will be ample time for networking too.

CPD

ERA’s programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to 10 CPD hours.

Save the date

European Sports Law: Latest Trends
Brussels, 13-14 June 2019

Summer Course on European Intellectual Property Law
Trier, 1-5 July 2019

Summer Course on European Data Protection Law
Trier, 9-13 September 2019

Artificial Intelligence in the DSM
Brussels, 17-18 October 2019

Annual Conference on European Copyright Law 2019
Trier, 21-22 November 2019

Online Hate Speech: Legal Responses
Trier, 12-13 December 2019

e-Presentations on Media Law

Overview of Recent and Pending Cases before the CJEU and ECtHR Relevant for the Media
Mark D. Cole

Competition Law and Digital Media: Online Platforms in Focus
Laurent Garzaniti

The Protection of Media Freedom at European Level
Dr Judit Bayer

www.era.int/elearning

Registration

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Brussels, 6-7 June 2019 / Event Number: 219RP09



Registration

Fax: +49 (0) 651 93737-773

E-mail: info@era.int

Online registration:
www.era.int/?128528&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location
L42 Business Centre
Rue de la Loi 42
1040 Bruxelles
Belgium

Language
English

Contact Person
Tatsiana Bras-Gonçalves
Assistant
E-Mail: tbras@era.int
+49 (0)651-93737-221

Hotel Recommendations

Martin's Brussels EU
www.martinshotels.com

Courtyard Brussels EU
www.marriott.com

Newhôtel Charlemagne
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Contact the hotel directly to make your reservation

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Evening networking reception: I shall attend the function on Thursday, 6 June 2019 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 06/05/2019	€ 711.00 <input type="checkbox"/>	€ 426.60 <input type="checkbox"/>	€ 533.25 <input type="checkbox"/>
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- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

Method of payment

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