



# Annual Conference on European Media Law 2021

Online, 16-18 June 2021 (mornings)



Media Law



## Keynote speaker

**Robert Spano**, President of the European Court of Human Rights, Strasbourg

## Speakers

**Kristin Benedikt**, Judge, Administrative Court, Regensburg

**Richard Burnley**, Legal and Policy Director, European Broadcasting Union (EBU), Geneva

**Maja Cappello**, Head of the Department for Legal Information, European Audiovisual Observatory, Strasbourg

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

**Thomas De Meese**, Lawyer, Crowell & Moring LLP, Brussels

**Sari Depreeuw**, Partner, Daldewolf, Brussels

**Corinna Drumm**, Managing Director of the Association of Commercial Broadcasters in Austria and Vice-President of the Association of European Radios (AER), Brussels

**Claire Fernandez**, Executive Director, EDRI, Brussels

**Thomas Höppner**, Partner, Hausfeld, Berlin; Professor of Law, Technical University Wildau

**Agapi Patsa**, Legal Counsel, EU Affairs, Google, Brussels

**Gregoire Polad**, Director General, Association of Commercial Television in Europe (ACT), Brussels

**Eleonora Rosati**, Associate Professor in Intellectual Property Law, University of Stockholm; Of Counsel, Bird & Bird, Italy

**Tobias Schmid**, Chair, The European Regulators Group for Audiovisual Media Services (ERGA), Brussels

## Key topics

- Update on the implementation of the Audiovisual Media Services Directive
- Update on the implementation of the DSM Copyright Directive
- The media sector in times of Covid-19
- Media freedom and pluralism: the action plan on European democracy
- e-Privacy, data transfers and their impact on online advertising
- Current developments with regard to the Digital Services Act and the Digital Market Act
- Latest jurisprudence of the CJEU and ECtHR relevant for the media sector

Language  
English

Event number  
221RP16e

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



With the support of the Erasmus+ programme  
of the European Union



# Annual Conference on European Media Law 2021

## Wednesday, 16 June 2021

09:15 Connecting to the videoconference platform and getting familiar with it

09:30 **Welcome and introduction**  
*Florence Hartmann-Vareilles and Mark D. Cole*

---

### I. MEDIA FREEDOM AND PLURALISM IN TIMES OF COVID 19

---

09:45 **The action plans adopted by the European Commission**

- The European Democracy Action Plan
- Ongoing EU initiatives on disinformation
- The 2020 rule of law report from the European Commission

10:15 Discussion

10:30 Break

10:45 **Update on the implementation of the DSM Copyright Directive**

- Copyright law as an instrument of media pluralism
- International developments

*Eleonora Rosati*

11:15 Discussion

11:30 Break

11:45 **Round table: How to maintain a competitive audiovisual and media market in times of Covid-19 and Brexit?**

- Current weaknesses of the media and audiovisual sectors
- Towards a green and digital transformation of the audiovisual sector
- Media pluralism and competition issues
- Impact of the EU recovery package in the media sector

*Thomas De Meese, Richard Burnley, Gregoire Polad*

Discussion

13:00 End of the first conference day

## Thursday, 17 June 2021

---

### II. THE DIGITAL SERVICES ACT AND THE DIGITAL MARKETS ACT: IMPACT ON THE MEDIA SECTOR

---

09:15 Connecting to the videoconference platform

09:30 **Overview of the Digital Services Act**  
*Sari Depreeuw*

10:00 Discussion

10:15 Break

10:30 **Round table: Impact of the Digital Services Act in the media sector**

- Liability and exemptions of online intermediary services: is a graduated approach the best option?
- Should illegal content be extended to harmful content?
- Relationship between the DSA, the AVMSD and other EU legal frameworks
- Due diligence and transparency obligations
- Very large online platforms and systemic risks
- What should be the role of implementers?

*Tobias Schmid, Agapi Patsa, Corinna Drumm, Claire Fernandez*

Discussion

## Objective

The conference aims to 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...

- What is the European Democracy Action Plan about?
- How can copyright law be used to achieve media pluralism?
- How to maintain a competitive audiovisual sector in times of Covid-19 and Brexit?
- What could be the impact of the DSA and DMA in the media sector?
- What are the main hurdles in the implementation of the AVMSD Directive?
- How should e-privacy rules be applied in the audiovisual sector?

## What participants said in 2020

"...Highly qualified speakers..."

"Up to date first-hand information from very competent sources"

"A good way to stay updated on developments within a specific area of law"

## Interactive online conference

The online conference will be hosted on ERA's own online platform. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience. As the platform is hosted on our own server, the highest security settings will be applied to ensure that you can participate safely in this high-quality online conference.

**More information on:**  
[www.era.int/?130308&en](http://www.era.int/?130308&en)

- 12:00 Break
- 12:15 **Overview and impact of the Digital Markets Act in the media sector**
- Defining gatekeepers
  - The dos and don'ts of gatekeepers
  - The role of the European Commission
  - Non-compliance and remedies
- Thomas Höppner*
- 12:45 Discussion
- 13:00 End of the second conference day

## Friday, 18 June 2021

- 09:15 Connecting to the videoconference platform

---

### III. FUNDAMENTAL RIGHTS IN THE MEDIA SECTOR

---

- 09:30 **Freedom of expression and media freedom in the light of the case law of the European Court of Human Rights**
- Robert Spano*

- 10:00 Discussion

---

### IV. AUDIOVISUAL MEDIA SERVICES IN THE DIGITAL SINGLE MARKET

---

- 10:15 **Update on the implementation of the AVMSD**
- Member States transposition
  - Guidelines on European works
  - Role and responsibilities of video-sharing platforms
  - Media literacy
- Maja Cappello*
- 10:45 Discussion
- 11:00 Break
- 11:15 **EU e-privacy rules and their impact on the online advertising sector**
- Update on the ongoing legislative trilogue for the e-Privacy Regulation
  - Industry "self-regulation"? TCF and cookies
  - Data transfers post-CJEU *Schrems II*
  - Implications of AI for the distribution of online content and advertising
- Kristin Benedikt*

- 11:45 Discussion

- 12:00 Break

- 12:15 **Recent rulings from the CJEU impacting audiovisual media services and the media**
- Audiovisual media services
  - Electronic communications
- Mark D. Cole*

- 12:45 Discussion

- 13:00 Closing remarks and end of the online conference

## Your contact persons



Florence Hartmann-Vareilles  
Head of Section  
E-Mail: [fhartmann@era.int](mailto:fhartmann@era.int)



Tatsiana Bras-Gonçalves  
Assistant  
E-Mail: [tbras@era.int](mailto:tbras@era.int)  
Tel.: +49 (0)651 9 37 37-221

## CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **8.75 CPD hours**.

## Save the date

**Summer Course on European Intellectual Property Law**  
Online, 21-25 June 2021

**Summer Course on European Information Technology Law**  
Trier, 20-24 September 2021

**Artificial Intelligence and Intellectual Property**  
Trier/Online, 7-8 October 2021

**Annual Conference on European Copyright Law 2021**  
Trier/Online, 18-19 November 2021



**Times indicated are CEST  
(Central European Summer  
Time)**

# Registration

## Annual Conference on European Media Law 2021

Online, 16-18 June 2021 / Event number: 221RP16e



### Registration

Fax: +49 (0) 651 93737-773

E-mail: [info@era.int](mailto:info@era.int)

Online registration:  
[www.era.int/?130308&en](http://www.era.int/?130308&en)



Postal address:  
ERA  
Postfach 1640  
D-54206 Trier

### Language

English

### Contact Person

Tatsiana Bras-Gonçalves  
Assistant  
E-Mail: [tbras@era.int](mailto:tbras@era.int)  
Tel.: +49 (0)651 9 37 37-221

I would like to register for the ERA online conference mentioned above.

Please update my address (see below)  My address (above) is correct  Please delete my address

**PLEASE USE BLOCK CAPITALS:**

Title  Ms  Mr Other

First Name

Surname

Organisation

Position  Tel.

Department

E-Mail

Street

Postcode/City  Country

Language: English

### Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**
Registration by 16 May 2021	€ 621.00 <input type="checkbox"/>	€ 465.75 <input type="checkbox"/>	€ 465.75 <input type="checkbox"/>
Registration after 16 May 2021	€ 690.00 <input type="checkbox"/>	€ 517.50 <input type="checkbox"/>	€ 517.50 <input type="checkbox"/>

#### \* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden), United Kingdom, the German states, Scotland and the City of Trier
- 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

- Credit card For registration with credit card payment please go to our website [www.era.int/?130308&en](http://www.era.int/?130308&en)
- Bank transfer I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:  
IBAN: DE145900 00 00 00 58501900 – BIC: MARKDEF1590

**Important! Please state your name and the event number on the bank transfer.**

Different billing address:

I confirm my registration and accept the general terms and conditions: [www.era.int/legalnotice](http://www.era.int/legalnotice)

Place, Date

Signature