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Cross-border broadcasting and Europe's linguistic heritage

EFA perspective on EU rules for cross-border online TV

There are an estimated 40 to 50 million speakers of regional and minority languages in the European Union.

Each and every one is a vital part of the diverse tapestry that makes Europe what it is today.

Yet, despite important progress over recent years in terms of rights and recognition, many challenges remain.

One particular challenge for the speakers of many of Europe's 60 or more minority languages is to be able to enjoy radio and television in their own languages.

Since the number of persons belonging to national minorities can sometimes be low, in order to establish a fully-fledged media landscape of their own, they often depend on the media of neighbouring countries with the same language.

In addition, with more and more people wanting to access broadcasting online, any geographical restrictions can be particularly problematic.

Now the European Commission proposes to overhaul the 25 year old regulatory framework governing satellite and cable broadcasts, to include online transmissions. This would mean extending the 'country of origin' principle to allow the kind of cross border online viewing that already applies to cable and satellite broadcasting.

Whilst widely welcomed by both broadcasters and campaigners for minority and regional languages, the proposal has run into problems in the European Parliament. MEPs from the legal affairs committee voted to drastically reduce the scope of the 'country of origin' principle to apply only to news and current affairs programmes, excluding important types of programmes that are 100% financed by the broadcasters themselves such as children's programmes.

The European Broadcasting Union (EBU) criticised the committee's decision, saying MEPs had *'missed the opportunity to adapt licensing rules to the digital age and to bring European content closer to consumers across the EU.'* The EBU also suggested that this could drive consumers towards more illegal online content services.

Opponents however are concerned about copyright safeguards, even though the territoriality principle of copyright and freedom of contract are maintained and sports and premium services fall out of the scope of the Commissions' proposal for a regulation.

It now falls to the full Parliament to decide whether it agrees with the legal affairs committee or not. And that vote in Strasbourg next week could well be a game changer for Europe's regional and minority languages.

(On Tuesday 12 December, the European Parliament is set vote on whether or not to accept the position adopted by the Legal Affairs Committee as the basis for negotiations with the other relevant EU institutions.)

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