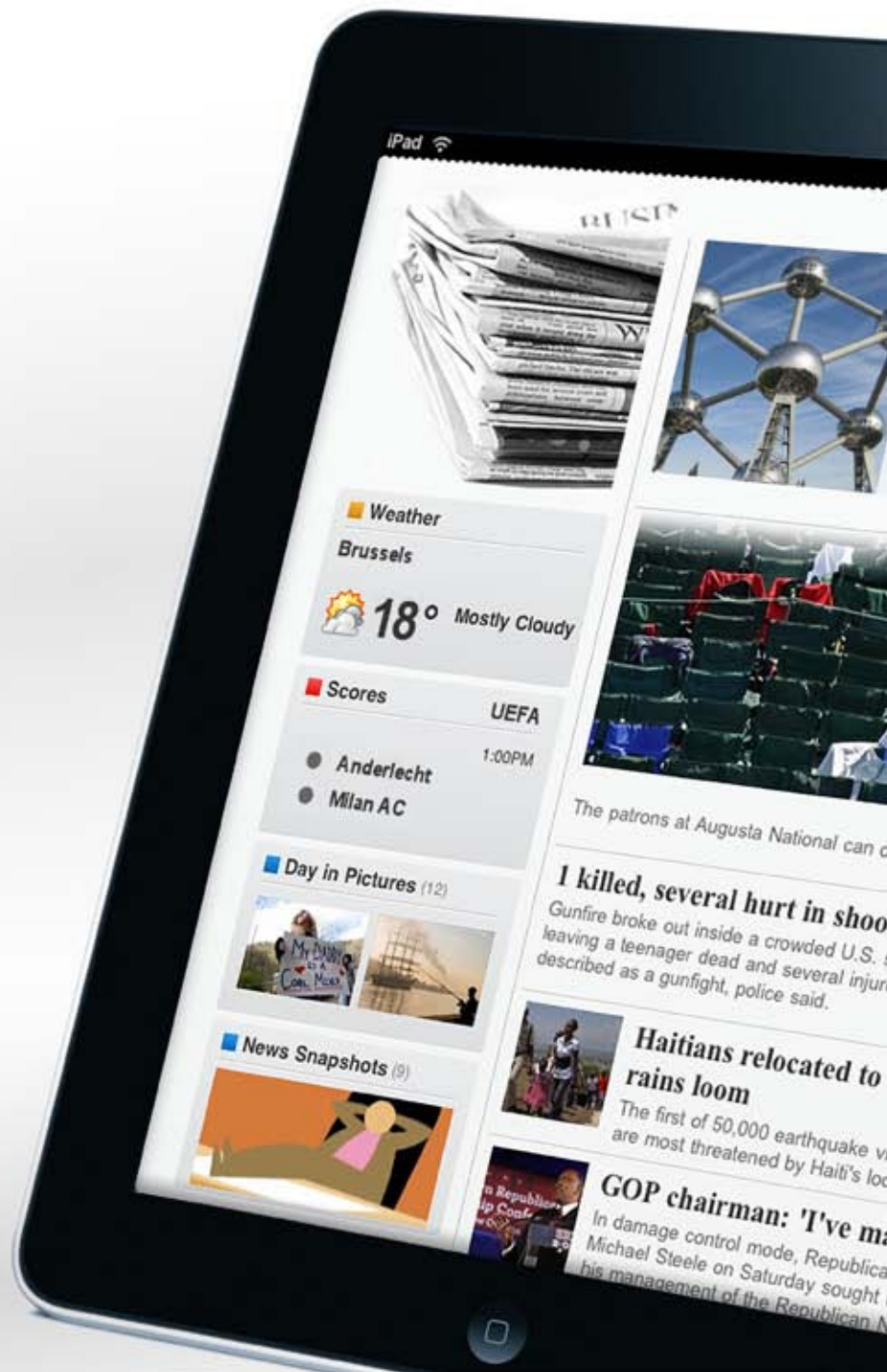


# ANNUAL REVIEW 2010



*«In making and applying EU legislation, the European Commission has always stood for freedom of the media, freedom of expression, freedom of information and in particular for freedom of the press.»*

Viviane Reding, Vice-President and European Commissioner for Justice, Fundamental Rights and Citizenship, during a meeting with ENPA and FIEG, the Italian Federation of Newspaper Publishers, on 30 June 2010.

# ENPA HIGHLIGHTS 2010

## NEWSPAPER PUBLISHERS MEET WITH PRESIDENT BARROSO MEETING KEY COMMISSIONERS

A delegation of European newspaper publishers, lead by ENPA President, Valdo Lehari jr., raised the challenges facing the industry during a meeting with the **European Commission President, José Manuel Barroso**, on 29th June 2010. Mr Lehari jr. explained that while newspaper publishers are not yet making significant revenues from digital activities, they are actively embracing new technology and developing exciting new offers for consumers on all platforms.

President Barroso said that his Commission is committed to tapping the full potential of one of his flagship projects, the EU Digital Agenda. He emphasised his personal interest in the media and his firm belief in the important role newspapers play in democratic society. President Barroso commented: «Freedom of the media is a public good».

A meeting with **Vice-President Neelie Kroes, who is in charge of the EU Digital Agenda**, provided an opportunity to stress the need for fair competition as regards the expanding online activities of public service broadcasters. Too often public services broadcasters unfairly compete directly with newspaper publishers in their local and national markets.

During a separate meeting with **Vice-President Almunia, in charge of Competition**, an ENPA delegation also raised concerns about the dominance of a handful of very powerful IT players on online advertising, which creates an imbalance in the market.

Dr. Karl Hans Arnold, Chairman of MAFRA a.s., Publisher of MF DNES and Lidove noviny; Mr. Lars Henrik Munch, CEO JP/Politiken Newspapers Ltd; Mr. Francis Morel, President of SPQN, DG Le Figaro; Mr. François le Hodey, JFB President, CEO of IPM press group; Mr. Valdo Lehari jr., ENPA President, Publisher and Editor in Chief Reutlinger General Anzeiger; European Commission President, José Manuel Barroso; Mr. Mike Newman, Group Circulation Director Associated Newspapers Limited; Mr. Carlo Perrone, President of SEP, Publisher of Il Secolo XIX; Mr. Valtteri Niiranen, outgoing ENPA Executive Director; Mr. Alvin Sold, CEO of Editpress Publisher of Tageblatt; Ms. Francine Cunningham, new ENPA Executive Director.



*“Personally I like to read newspapers as they are agenda setting. They have a role that no-one can replace and are leading intellectually.”*

José Manuel Barroso, President of European Commission, during a meeting with ENPA in Brussels on 29th June 2010.

Newspaper publishers took the opportunity of a meeting with **Internal Market and Services Commissioner, Michel Barnier**, to underline the continued importance of copyright protection to our industry. The publishers also drew the Commissioner’s attention to the role of news aggregators who benefit from using news content on their websites, but without any remuneration for those who created that content.

ENPA also went back to visit **Vice-President Viviane Reding**, who is now responsible for Justice, Fundamental Rights and Citizenship. Mrs Reding took a keen interest in the cases newspaper publishers presented to her involving challenges to freedom of the press in EU Member States, from Denmark and Italy to the Czech Republic.

#### OUTREACH TO THE EUROPEAN PARLIAMENT

In the course of 2010, ENPA participated in a public seminar in the European Parliament entitled: “A Free Press is not for Free”, organised by the Christian Democrat (EPP) group. Speakers included Commission Vice President Viviane Reding and Joseph Daul, President of the EPP Group.

The ENPA office continued to work closely with the Parliament’s Media Intergroup and provided speakers for meetings on the Digital Agenda, media pluralism and “How to respect personality rights and press freedom”.

ENPA also participated in a well-attended joint industry “Media Lounge” event in the Parliament in June, which aimed to raise the awareness of MEPs of the vital role of advertising in funding diverse and quality media content.

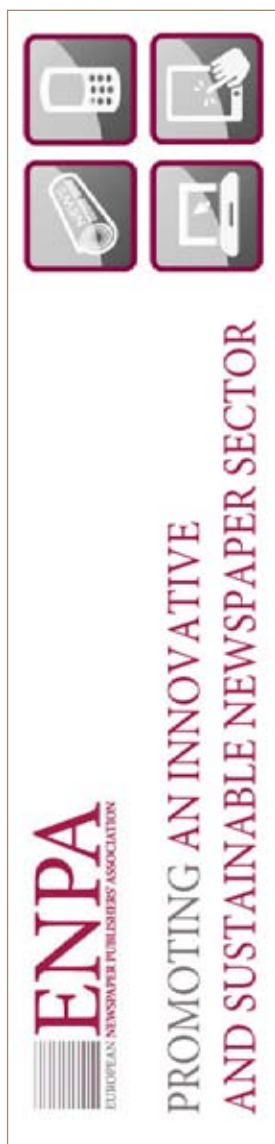


Nikos Gouraros, OPA Europe Vice President, MEP Marielle Gallo, Member of the Committee on Legal Affairs, MEP Mary Honeyball Member of the Committee on Culture and Education, Lisbeth Kirk, Editor in Chief EU Observer



Neelie Kroes, Vice-President and European Commissioner for EU Digital Agenda and ENPA President Valdo Lehari jr at the Media Lounge event held on 30 June 2010 in the European Parliament.

# INTRODUCING ENPA



## PROMOTING AN INNOVATIVE AND SUSTAINABLE NEWSPAPER SECTOR

### The European Newspaper Publishers' Association (ENPA)

is an international non-profit association, advocating the interests of the European newspaper publishing sector towards different European and international institutions. ENPA promotes the interests of newspaper publishers on all platforms, in the physical world and online.

Newspaper companies are linked to ENPA through its 25 member associations representing newspaper publishers at national level. ENPA also has several associated members, including the Online Publisher's Association which joined ENPA in 2010.

- ENPA represents over 5,200 national, regional and local newspaper titles.
- These daily, weekly and Sunday titles are published in 23 European Union Member States as well as in Norway and Switzerland.
- Every day more than 150 million national, regional and local newspapers are sold or distributed.
- Every day more than 300 million Europeans read a newspaper.
- Newspaper websites receive many millions of unique daily visits.

ENPA has its headquarters in Brussels, Belgium, where there is a team of six people, headed by Executive Director, Francine Cunningham.

The mission of ENPA is to ensure a legislative environment in which the newspaper industry can develop a successful and sustainable future,

both online and off-line. In this way, newspapers can continue to inform, educate and entertain readers, as well as promote engaged citizenship in democratic society.

ENPA provides legal, lobbying and communications support to members. The association works to ensure that the specificities of the sector are taken into account in a wide range of policies with an impact on the newspaper industry, ranging from copyright protection and the remit of public service broadcasters, to VAT rates and advertising regulations.

Over the years, ENPA has developed a reputation as a reliable source of information and expertise for EU decision makers. The ENPA team regularly contributes to European consultations and impact assessments ahead of legislative proposals.

To keep members and other stakeholders informed about the issues affecting the newspaper industry, ENPA publishes regular news updated to their members. You can access our latest press releases and find more information about our activities at our website: [www.enpa.be](http://www.enpa.be)

ON 12 NOVEMBER 2010, THE ENPA GENERAL ASSEMBLY IN BUDAPEST APPOINTED NORWEGIAN PUBLISHER, IVAR RUSDAL, AS PRESIDENT. HE REPLACED VALDO LEHARI JR WHO HAD JUST FINISHED A FOUR-YEAR TERM AS ENPA PRESIDENT, THE MAXIMUM TERM POSSIBLE UNDER THE ORGANISATION'S STATUTES. MR LEHARI JR WILL CONTINUE TO WORK CLOSELY WITH ENPA AS VICE-PRESIDENT



Ivar Rusdal, new ENPA President, co-owner and CEO of Jæren Avis AS.

ENPA tackles priority issues for the newspaper industry via specialist committees and working groups, comprising experts from our different member associations. These committees and working groups meet regularly to decide on the association's strategy on topical issues on the EU agenda. In addition to the Executive Committee of ENPA which helps to guide the overall management of the organisation, there are a number of committees that actively contribute to ENPA's advocacy work on behalf of the newspaper sector:

#### EXECUTIVE COMMITTEE

##### Ivar Rusdal

ENPA President (12 November 2010 -)

##### Valdo Lehari jr.

ENPA President (November 2006 - November 2010)

ENPA Vice President (12 November 2010 -)

##### Alvin Sold

Treasurer and Honorary President

##### Carlo Perrone

ENPA Vice-President

##### Kees Spaan

ENPA Vice-President (until november 2010)

##### Ebbe Dal

Chair of Directors Round Table

# COMMITTEES

#### Gerald Grünberger

Chair of Legal and Social Affairs Committee

#### Hans Heinrich Coninx

Chair of Markets Committee

#### Jean-Pierre Caillard

Member of the Executive Committee

#### DIRECTORS' ROUND TABLE

Comprises association directors from the EU Member States, plus Norway and Switzerland

**Chair: Ebbe Dal**, Managing Director of the Danish association Danske Dagblades Forening (DDF)

Priorities include:

- Strategic issues at national level
- Laws affecting freedom of press
- Major market developments
- Guest speakers in 2010 included: **Anthony Whelan**, Head of Cabinet for European Commission Vice-President **Neelie Kroes**; **Antti Peltomäki**, Deputy Director General, DG Information Society, European Commission

#### LEGAL AND SOCIAL AFFAIRS COMMITTEE

**Chair: Gerald Grünberger**, Director General of the Austrian association Verband Österreichischer Zeitungen (VÖZ)

Priorities include:

- Advertising
- Data Protection
- Role of public service broadcasters
- Company law
- Consumer rights
- Guest speakers in 2010 included: **Jean Bergevin**, Head of Unit for E-Commerce, DG Internal Market and Services, European Commission

#### COPYRIGHT WORKING GROUP

**Chair: Kees Spaan**, ENPA Vice-President, former President of Dutch association Vereniging De Nederlandse Dagbladers

Priorities include:

- Content online

- Copyright enforcement
- Orphan works and out-of-print works
- Collective rights management

#### DIGITAL TASK FORCE

**Chair: Kees Spaan**, ENPA Vice-President, former President of Dutch association Vereniging De Nederlandse Dagbladers

Priorities include:

- EU Digital Agenda
- Role of search engines and news aggregators
- Online advertising
- Guest speakers in 2010: **John Vassalo**, Microsoft Vice-President, European Affairs; **Chris Sherwood**, Director Public Policy, Yahoo!

#### MARKETS INFORMATION NETWORK

**COMMITTEE** (jointly with WAN-INFRA)

**Chair: Dr Hans-Heinrich Coninx**, Member of ENPA Executive Committee and Honorary President of Swiss Media

- Facts and figures on newspaper industry

#### NEWSPRINT AND ENVIRONMENT WORKING GROUP

**Chair: Rick Stunt**, Group Paper Director, Associated Newspapers Ltd., UK.

Priorities include:

- Environment responsibility strategies
- Responsible sourcing of timber products
- Inks used in printed paper products

#### MEDIA LITERACY WORKING GROUP

**Chair: Danièle Fonck**, Editor-in-chef, Tageblatt, Luxembourg

• European Recommendation on Media Literacy

- Digital Literacy as part of EU Digital Agenda
- Best Practises in the Member States

**M**Y FOURTH YEAR AS ENPA PRESIDENT WAS AGAIN A YEAR FULL OF ACTIVITIES AND APPOINTMENTS IN SUPPORT OF FREEDOM OF THE PRESS. IN VIEW OF THE CHALLENGES FACING OUR SECTOR AND LOOKING AT THE SUCCESS OF ENPA, I AM MORE CONVINCED THAN EVER OF THE IMPORTANCE OF THE ASSOCIATION'S ADVOCACY ROLE. EVERY DAY, EU INSTITUTIONS ARE MAKING DECISIONS THAT MIGHT DIRECTLY OR INDIRECTLY HAVE AN IMPACT ON THE FUTURE OF OUR UNIQUE INDUSTRY. IT IS ESSENTIAL THAT NEWSPAPER PUBLISHERS CONTRIBUTE TO THESE DISCUSSIONS, ESPECIALLY AT A TIME WHEN THE ECONOMIC CRISIS, STRUCTURAL CHANGES AND THE 'FREE FOR ALL' TENDENCY IN THE DIGITAL WORLD AFFECT NEWSPAPERS' DEVELOPMENT.

# PRESIDENT'S REVIEW



The work programme of the EU institutions began in earnest in 2010, following the much-delayed inauguration of Barroso II, the new team of European Commissioners that took up office in February. European Commission President, José Manuel Barroso, put together a college of 18 men and nine women who will lead the EU executive until 1 November 2014.

We should not, however, forget the major role the EU Member States with their governments and parliaments have in the policy making process in Brussels. So the goal of ENPA was and will always be to safeguard and strengthen freedom of the press, as a basis for a democratic Europe and for social and economic prosperity. The association will also work to delete or reduce all regulations and restrictions in favour of more oxygen for our newspaper sector and to ensure the industry's ability to have a sustainable business and develop in the digital future.

A top priority for ENPA over the last 12 months has been establishing contacts with the new key commissioners for our sector in Barroso II and their newly formed cabinets. During the summer, I led a delegation of newspaper publishers from all across Europe to a very successful meeting with President Barroso.

As someone who grew up in Portugal at a time when there was not always a free press, President Barroso was acutely aware of the vital role that newspapers play in stimulating democratic debate in our society and ensuring the citizens make informed choices about who governs them. In addition to the meeting with President Barroso we were lucky to have met, especially in June 2010 – some of them several times – the EU Commissioners Reding, Kroes, Almunia, Barnier and Oettinger.

During 2010, ENPA also continued its important work of developing contacts with the newly elected Members of the European Parliament. As a highlight to the numerous meetings with parliamentarians, I also had the pleasure to see the President of the European Parliament, Mr. Buzek.

The input and involvement of our members in all of these outreach activities has been invaluable and I would like to thank them for their support. I would also like to express my appreciation for all the work of the ENPA staff in Brussels which is now headed by new Executive Director, Francine Cunningham.

Last but not least, I would like to send thanks and best wishes to the former Executive Director, Valtteri Niiranen, who left the association in the summer to return to his native Finland, after six years working in Brussels.

In mid-November 2010, I finished my four-year term as President, the maximum term allowed by ENPA's statutes. In the last four years ENPA greatly increased its reliability, visibility, and influence among EU decision-makers including at the level of the EU Member States. We have achieved this by speeding up and professionalising our lobby work, by increasing the awareness of the EU affairs within our national organisations and strengthening our network and solidarity.

In 2011, I look forward to my new function as Vice-President, working with the new President Ivar Rusdal and especially continuing the extremely important lobbying work on behalf of the newspaper industry in the EU institutions and the Member States.

Cordially,

**Valdo Lehari jr.**

President

(November 2006 - November 2010)

**B**EHIND THE FAMOUS NEWSPAPER TITLES AND POPULAR PORTALS, THERE IS A COMPLEX AND INNOVATIVE BUSINESS, COMPETING HARD TO OFFER A HUGE VARIETY OF QUALITY CONTENT TO EUROPEAN CITIZENS. BUSINESS MODELS AND COMMERCIAL PRACTISES ARE BEING ADAPTED CONSTANTLY TO OFFER READERS EXCITING NEW NEWSPAPER EXPERIENCES, BOTH OFF-LINE AND ONLINE. WITH THE RIGHT LEGISLATIVE CONDITIONS, NEWSPAPERS AND DEMOCRATIC GOVERNMENTS CAN CONTINUE THEIR HEALTHY, IF SOMETIMES COMBATIVE, CO-EXISTENCE.

When I started my career as a trainee journalist at The Irish Times in Dublin more than twenty years ago, newspapers were on the cusp of a digital revolution. The newsroom back then was equipped with big, heavy typewriters with massive keys where reporters pounded out their stories, in an exercise that was physical as much as mental. Some of the older journalists, who had typed with two fingers at machine gun speed all their working lives, were being sent on courses to learn how to use a full computer keyboard.

The rapid digitisation of newsrooms brought great efficiencies and streamlined ways of working, for both journalists and publishers. As the digital revolution continues to inspire and challenge us, newspaper publishers are pioneering new business models and investing in services for their readers on all platforms, from smart phones to tablets and e-readers.

One of the flagship projects of Barroso II is the EU Digital Agenda, which aims to close the gap with the U.S., where the online content market is growing at a quicker pace. In the last 12 months, the European Commission began to roll out a series of legislative actions as part of its Digital Agenda.

It remains to be seen if this initiative can help to find the answer to a critical question facing not just the newspaper business, but many other creative industries: how to monetise content on the Internet.

In 2010, ENPA released a Memorandum on the EU Digital Agenda, which aims to highlight the specific needs and concerns of the newspaper sector. The creation, production and distribution of newspaper content, that

## DIRECTOR'S REVIEW

can both inform and entertain, comes at a high price. Only if newspaper publishers can compete in a legislative environment that allows us to monetise content online, can we continue to invest in the quality content of the future.

ENPA's own Digital Task Force has provided an important forum for our members to discuss and exchange ideas about many of the challenges facing our industry on-line.

The association's aim is to ensure that the specificities of the newspaper sector, as well as its vital role in democratic society, are reflected in any EU legislation affecting the future of our industry.

It is the role of ENPA to increase understanding among EU decision makers of the role of newspaper publishers as news providers on all platforms.

On behalf of ENPA, I would like to thank the outgoing President, Valdo Lehari jr., who remains a passionate champion of the newspaper industry. In his new role as Vice-President, we look forward to continuing to work with Valdo Lehari jr. on some of our most important priorities at EU level.

In 2011, the ENPA team also looks forward to working with the new President, Ivar Rusdal, whose rich experience of both the creative and business sides of the industry will be invaluable to our advocacy work.



On a personal note, I would like to thank all the members for the very warm welcome I received since joining the association. I have appreciated all of the advice, some of which I may even follow!

My heartfelt thanks also to the ENPA staff in Brussels, who managed a huge work load during the past months with a small team. The ENPA team looks forward continuing close cooperation with the members and together making progress on many of the important issues described in more detail in the following pages.

**Francine Cunningham**  
Executive Director

**I**N THE COURSE OF 2010, ENPA SUCCEEDED IN INCREASING THE VISIBILITY OF THE NEWSPAPER INDUSTRY TO EU DECISION MAKERS IN BRUSSELS. WITH THE ACTIVE ENGAGEMENT OF ITS MEMBERS, THE ASSOCIATION HAS PRESENTED THE CHALLENGES FACING NEWSPAPER PUBLISHERS ON ALL PLATFORMS IN THE CONTEXT OF THE EU DIGITAL AGENDA AND HAS MADE PROGRESS ON A NUMBER OF CENTRAL ISSUES, FROM ADVERTISING TO PRESS FREEDOM.

# PRESENTING THE PRIORIT OF THE NEWSPAPER INDU

During the last year, ENPA continued to build on its role as an important interlocutor for the EU institutions on a wide range of matters concerning the press sector. The association has acted as a source of research and expertise on the industry across Europe.

ENPA has also acted as an early warning system for any legislative proposal which could have an adverse effect on the competitiveness of the sector, or its ability to fulfil its democratic role in society. Below are just some issues that the association followed and actively contributed to in 2010.

## ADVERTISING

In 2010, several advertising legislative and policy issues were high on our list of priorities, including the following:

- Advertising on the Internet: ENPA consistently raised newspaper publishers' concerns with EU decision makers about the role of a handful of large ICT companies which are dominating the on-line advertising market. This situation has raised serious competition issues at Member State level, where a number of authorities are examining the business practises of Google, in particular, in the on-line advertising market.
- Online Behavioural Advertising (OBA): ENPA played an active role in discussions among different industry stakeholders on developing a self-regulatory framework on OBA which would provide for enhanced transparency and choice for internet users as regards the collection of data for serving more relevant ads to them, while respecting privacy and data protection laws. The association helped to demonstrate that self-regulation works without the need to introduce legislation either at EU or national level.
- Energy labelling: the European Parliament voted on several reports concerning possible mandatory information requirements on the energy performance of cars and other vehicles in advertisements. Newspaper publishers

were concerned that the proposed obligations would deter producers and retailers from advertising vehicles in the printed press. ENPA successfully conveyed the message to MEPs that a free, independent press depends heavily on advertising without restrictions and requirements.

- Patient information: the European Parliament voted on a report on patient information which included amendments that could have endangered press freedom. Certain amendments indicated that just drawing the public's attention to specific medicinal products could be considered to be prohibited advertising. ENPA raised the awareness of MEPs about the risks of these amendments for editorial reporting and they were eventually defeated.

## PUBLIC SERVICE BROADCASTING AND STATE AID

ENPA contributed to drawing the attention of policy makers to the on-going concerns of newspaper publishers as regards the on-line activities of public service broadcasters. The association conveyed the message that there should be a much clearer definition of broadcasters' remit, especially on the Internet, where services offered by publicly funded broadcasters directly compete with the services provided by newspapers.

# ISSUES AND CONCERNS STRATEGY TO POLICY MAKERS

## NEWS AGGREGATORS

ENPA continued to raise awareness among EU decision-makers about the role and business practises of news aggregators e.g. Google News. Such news aggregators use newspapers' content to add value to their services, without any remuneration for those who invest in and create that content.

## PRESS LAWS

- National laws: from the Czech Republic and Estonia to Hungary, ENPA continued to speak out on behalf of newspaper publishers whenever either the interpretation of current legislation or legislative proposals threaten to have negative repercussions for freedom of the press.
- Cross-border litigation: the association also presented the views of newspaper publishers on the impact of the Brussels I and Rome II regulations on press freedom. Both pieces of legislation determine the competent court and applicable law in cases of cross-border litigation. One of the issues at stake is "forum shopping", where publishers can face law suits brought by plaintiffs who choose to bring a newspaper to court outside the country where the publication is located.

ENPA furthermore underlined the importance of the *exequatur* procedure as an indispensable instrument to safeguard press

freedom when a judgment from another EU Member State has to be enforced in the country of the defendant (publisher). The Commission proposal on the revision of the Brussels I regulation, published end of 2010, retained the *exequatur* procedure for judgments concerning non-contractual obligations arising from violations of privacy and rights relating to personality, including defamation. With this exception, the Commission responded to ENPA's concerns that the abolition of the *exequatur* procedure in Brussels I, without a change to the Article which allows for "forum shopping", would worsen the situation for publishers and create an imbalance between privacy and press freedom.

## COPYRIGHT AND DIGITISATION

Orphan works and out of print works: ENPA monitored preparations for an EU legislative proposal on orphan works, i.e. works where the author is not known. The aim is to allow public libraries etc. to digitise such works and make them accessible to the public. This will be followed by an initiative on out-of-print works. The association remains vigilant to ensure that any solutions do not have a negative impact on the ability of newspapers to monetise their own digital archives.

## ENVIRONMENTAL ISSUES

Timber Regulation: a proposed new European regulation aimed at preventing the sale of wood or timber from trees that have been cut down illegally, was voted in the European Parliament in 2010. Working closely with other European publishers' associations, ENPA conveyed the message to parliamentarians that publishers should not be asked to carry the financial cost and administrative burden of tracing illegal timber products. In the end, MEPs voted to exempt printed publications such as books, newspapers and magazines, from the scope of the regulation.

## VAT ON NEWSPAPERS

As the European Commission issued a Green Paper and public consultation on VAT Online, ENPA stressed to policy makers the importance of maintaining zero or reduced rates of VAT on newspapers off-line, while insisting that similar zero or reduced rates should apply to the on-line versions of newspapers. Reducing VAT for newspapers on-line would greatly help newspapers to fulfil their democratic function in the digital environment.

## B RUSSELS, BELGIUM: ENPA ORGANISED ITS SPRING GENERAL ASSEMBLY TOGETHER WITH BELGIAN MEMBERS, ASSOCIATION DES JOURNAUX FRANCOPHONES BELGES (JFB) AND THE VLAAMSE DAGBLADPERS (VDP), 20-21 MAY 2010.

THE ENPA SPRING GENERAL ASSEMBLY IN BRUSSELS, BELGIUM, ADOPTED THE FOLLOWING RESOLUTION.

### Resolution on the EU Digital Agenda

ENPA invites the European Commission's services to ensure that the challenges and opportunities for the press are reflected in the different key actions foreseen in the EU Digital Agenda. Our main priorities which still need to be addressed in the scope of the European debate are the following:

- Respect for freedom of expression and freedom of the press on all platforms including digital media. Freedom of expression including freedom of the press is recognised as a fundamental right both by the Council of Europe and by the European Union. Any restrictions on the freedom of expression that may be necessary for reasons of public interest should be strictly limited by strong legal and democratic safeguards.
- Respect for copyright and remuneration of content owners. Strong copyright and database protection is a vital pre-condition for ensuring that newspaper publishers can continue to invest in content production and develop financially sustainable business models. It is essential to preserve newspapers from third parties using editorial content without prior authorisation and remuneration.



# GENERAL ASSEMBLY

- Fair competition in the advertising market. Since newspapers depend on advertising for a significant proportion of their revenues, fair rules and a level playing field are indispensable for the financial sustainability of newspapers. ENPA is especially concerned about unfair competition from online search engines.

- Freedom of commercial communication. Any bans and/or restrictions on advertising can have a serious negative impact on the financial sustainability of newspapers, as they push potential advertisers into finding alternative ways to market their products. EU decision makers must therefore prevent any advertising restrictions or bans in the interests of maintaining a free and pluralistic press.

- Balanced approach to data protection. Newspaper publishers take very seriously the need to protect data and respect the privacy of their users and customers. ENPA recommends that the EU institutions, rather than seeking to change the relevant EU legislation, should instead focus on ensuring that existing rules are respected equally by all actors. Self-regulation can also be an effective means to address users' concerns.

- Zero VAT rate for newspapers on all platforms. Ideally, newspapers should be under a zero VAT rate, whether in their printed and digital versions. Newspapers foster democratic debate, contribute to education and media literacy, as well as promoting pluralism and diversity. In order to fulfil this mission, all citizens should be able to buy newspapers at the lowest price. This is only possible if VAT rates are maintained at the lowest level, ideally zero.

- Ensure application of competition rules as regards the digital activities of public broadcasters. It is the task of the EU institutions to ensure that the revised Communication on

State Aid to Public Service Broadcasters is properly implemented and respected by public service broadcasters in all Member States. However, ENPA calls for increased awareness at EU level as the situation in certain EU countries has not changed: public service broadcasters continue to extend their activities, especially in the digital environment, to the detriment of the private media sector, including newspaper publishers. The role of public service broadcasters should be clearly defined and limited.

- Balanced approach to responsibility for user-generated content. Newspaper publishers are legally responsible for the editorial and professional content available on paper and digital versions. However, publishers also rely on the balanced approach of the E-Commerce Directive, especially when user-generated content is posted on their website. The new EU Digital Agenda should not question or increase publishers' liability for content posted by users over which they have no control.

- Promoting media literacy in the digital environment. Newspaper publishers actively contribute to young people's education through media literacy programmes and provide younger generations with a platform for public debate, both in the paper and in the digital environment. The EU 2020 strategy, which focuses particularly on education and knowledge as factors for growth, should reflect the role of newspapers in this area.

**B**UDAPEST, HUNGARY: ENPA ORGANISED TOGETHER WITH HUNGARIAN PUBLISHERS' ASSOCIATION, MAGYAR LAKIADÓK EGYESÜLETE (MLE), 11-12 NOVEMBER 2010.

# MBLIES

THE AUTUMN GENERAL ASSEMBLY IN BUDAPEST, HUNGARY, ADOPTED THE FOLLOWING RESOLUTION.

## Resolution on Freedom of the Press in Europe

Europe has a well-established position as a world leader in respect of freedom of the press and fundamental rights. Newspapers all across Europe continue to fulfil their essential democratic role of questioning and holding to account those in positions of power.

The importance of newspapers' role in contributing to democratic debate and promoting engaged citizenship will only increase in future as the industry develops news and information services across all platforms.

It is clear, however, that even within Europe, economic development and institutional reform do not inevitably coincide with increasing respect for fundamental rights. Recent new legislative proposals in several of the EU Member States, as well as the interpretation and enforcement of existing media laws, have raised serious concerns about possible encroachments on press freedom.

- Recognising European principles and commitments in the field of freedom of expression, free flow of information and freedom of the press, including Article 10 of the European Convention of Human Rights.

- Considering that there are challenges to press freedom in several Member States and the countries of Europe do not perform equally well when it comes to protecting fundamental rights.

- Considering that the 2010 World Press Freedom Index published by "Reporters without Borders" placed 13 of the EU Member States in the leading group when it comes to protecting press freedom, but placed the other 14 low in the ranking.

- Considering that newspaper publishers have to remain vigilant and quick to respond to any challenges to press freedom across Europe:

- 1) ENPA calls on policy makers to ensure that newspaper publishers have the right regulatory environment in which a free, independent and sustainable press can flourish and continue to develop new services, both offline and online.

- 2) Urges governments to consider whether any proposed initiative to further regulate the press is justified and necessary to the functioning of the media in the democratic system.

- 3) Declares that policy makers at EU and national level should avoid over-regulating or creating additional burdens on the industry, which could have repercussions on media freedom and independence, including by encouraging self-censorship.

- 4) Calls on national governments to reject or modify any legislative initiatives that threaten press freedom, restrict editorial independence or place obstacles in the way of newspapers as they investigate, gather information and report news and current affairs to their readers.

- 5) Cautions governments against implementing laws in a way that could undermine well established and cherished free speech or democratic principles in the media world.

- 6) Asks EU Member States to show leadership at a global level with regard to respect for news media and defence of media freedom.

- 7) Calls on the Hungarian Government to ensure that the current package of legislation aimed at modernising the Hungarian media law serves its proper function of enhancing Hungarian democracy.

- 8) Urges EU legislators to consider a change of the Brussels I legislation, which determines the competent court in case of cross-border litigation, to guard against "forum shopping". This practice, where publishers can be threatened by law suits in countries other than the place where their newspaper is located, might result in journalists self-censoring in order to avoid expensive litigation in a foreign country.

- 9) Declares that exequatur is an important legal instrument allowing publishers as defendants to challenge the enforcement of a judgment from another country, when it conflicts with public policy in their own country.

- 10) Urges policy makers to take into account that advertising revenues are essential to a free and independent press, so any moves to propose or extend mandatory information requirements on advertising could result in the press losing vital revenues and citizens losing quality editorial content.



# ENPA MEMBERS



Verband Österreichischer  
Zeitungen (VÖZ)  
Austria - [www.voez.at](http://www.voez.at)



Association des Journaux  
Francophones Belges (JFB)  
Belgium - [www.jfb.be](http://www.jfb.be)



Vlaamse Dagbladpers  
(VDP)  
Belgium - [www.dagbladpers.org](http://www.dagbladpers.org)



Union of Publishers in Bulgaria  
(SIB)  
Bulgaria - [www.sib.bg](http://www.sib.bg)



Cyprus Newspaper & Magazine  
Publishers Association  
Cyprus



Czech Publishers Association  
(UVDT)  
Czech Republic - [www.uvdt.cz](http://www.uvdt.cz)



Danske Dagblades Forening  
(DDF)  
Denmark - [www.pressenshus.dk](http://www.pressenshus.dk)



Eesti Ajalehete Liit  
(EALL)  
Estonia - [www.eall.ee](http://www.eall.ee)



Sanomalehtien Liitto  
Finland  
[www.sanomalehdet.fi](http://www.sanomalehdet.fi)



Syndicat de la Presse  
Quotidienne Nationale (SPQN)  
France - [www.spqn.fr](http://www.spqn.fr)



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