

Mr. President, Vice President, colleagues, ladies and gentleman, it is a great pleasure for me, as President of the Andalusian Audiovisual Council, to be able to take part in this, the thirteenth meeting of the **Mediterranean Regulatory Authorities Network (MNRA)**

Firstly, I would like to thank our hosts, the **Broadcasting Authority of Malta** for their warm welcome to this magnificent city of Valetta and for having organised this meeting, during which, we will have the opportunity to actively reflect on the common areas of interest for the Mediterranean audiovisual sector.

This is my first participation in a plenary session of the network, so I hope that my speech will serve as a form of presentation, since I was named President of the Andalusian Audiovisual Council as recently as March 2010 as part of a renewal of its membership.

I am going to talk to you about the role of the regional regulatory authorities in the Spanish audiovisual context, as well as the possible mechanisms for coordination with any future national regulatory body and I sincerely hope that any conclusions you come to following my speech could perhaps be relevant in terms of cooperation between the Mediterranean authorities present here. The General Audiovisual Communication Law, which was passed in Spain in 2010 to incorporate the provisions of the Audiovisual Communication Directive (2007/65/EC) of 2007, has contributed to clarifying a statutory framework which had hitherto been fragmented, diffused and obsolete in terms of the new technological advances in the sector. Today therefore Spain has established coherent legislation

which is essential to respond to the current audiovisual panorama, as well as the emerging technology and the new models of management.

In this sense, In this respect, I would like to point out that I was fortunate enough to be the person designated to present the bill to the Spanish Senate, which means that I am especially well aware of the impact that it is going to have on the Spanish audiovisual world.

The new law involves the creation of a State Council for Audiovisual Media (CEMA) which will be an independent authority supervising and regulating the activities of media which are owned by the State or under its supervision. The creation of a state-run council is a significant advance for Spain, especially since it is the only country in the European Union, which, excluding EU Directives, has not until now had a National Audiovisual Council, a type of organisation which has a longstanding tradition in countries such as France, Italy, Great Britain, or the United States, which certainly don't have any reputation for limiting free expression.

Not all the political parties in Spain support the setting up of these types of organisations, despite the fact that, in my opinion, they are an essential feature of any democratic society. There are many people who feel they are unnecessary and simply increase public spending. Their detractors often use the word censorship to undermine their role, thereby forgetting — either on purpose or through lack of knowledge of the matter — that an audiovisual council only intervenes when content has already been transmitted

and that furthermore, it can only do so if a transmission is deemed to be against the law.

In fact, the current reality is that the CEMA has not yet been officially established, and furthermore, it is not the only body which is under scrutiny: the regional audiovisual councils also find themselves in a delicate situation.

Of the eighteen different autonomous regions in Spain, so far, only three have made use of their constitutional powers in terms of audiovisual material to set up regulatory organisations—Catalonia in the year 2000, Navarre in 2001 and Andalusia in 2004. Other autonomous regions such as the Balearics and the Canaries are in the process of establishing their own bodies, whereas others, such as Madrid, are phasing them out.

To make matters worse, less than a month ago we learnt that the Navarre Regional Government had also taken the decision to decommission its Audiovisual Council, a move which in my opinion is a backward step in terms of the quality of democracy. As such, as I speak, the councils in Catalonia and Andalusia are the only ones that are still operating.

We find ourselves being affected by the situation, and as my Catalan colleague Ramón Font would no doubt confirm, we are continually faced with financial cuts which are imposed upon us by our respective regional governments. Obviously, with the current economic crisis, it is understandable that we have to act accordingly, but even so, it is important to be aware that this should not be used

as an excuse to dismantle independent control bodies which protect the rights of citizens in media as influential as radio or television.

Given the current situation, it is more important than ever that we develop coordination mechanisms between the regional, national and international audiovisual authorities. According to Spanish law, the CEMA should take on this role, but unfortunately, in my opinion, it lacks clarity and doesn't specify the concrete mechanisms to avoid potential clashes in areas of responsibility.

Furthermore, the CEMA would assume responsibilities which are currently not within the jurisdiction of the Andalusian regional body, principally in new areas covered by the General Law. Amongst the responsibilities which should be assumed by the Andalusian Audiovisual Council are those concerned with decisions about the expiry, renovation, authorisation and sale of licences, and the control of the registration of providers of audiovisual communication services. In terms of our role, the Council should also be given the power to establish and enforce regulations which are applicable to the providers of communication services which are under its jurisdiction. Some of these responsibilities are already being assumed by the Catalan Audiovisual Council.

As you can see from this there are considerable differences between officially recognised bodies operating in different regions of the same country although these could be solved with dialogue. For this reason the Councils of Andalusia, Catalonia and Navarre have been working together in a coordinated way since 2007, when the Spanish Platform of Audiovisual Councils (PECA) was set up with the

aim of facilitating the fluid exchange of information and experience, and establishing forms of collaboration and cooperation.

It is clear that the best way to improve coordination is through dialogue and communication, thereby taking mutual advantage of the experience and achievements of each of the authorities in their respective areas of activity, and allowing us to achieve the common aims which we share, particularly in the modern technological society in which we live. Who doesn't have a TV at home, and a computer, or a next generation telephone which is a TV and a computer with internet access all in one? Who isn't worried about what their children can gain access to? Official cooperation, be it between regional, national or international organisations, is an essential part of a society where the means of audiovisual communication are increasingly important and influential in our lives and our methods of learning, in our forms of thinking, in our values, in our socialisation, and in our understanding of culture.

Maintaining the health and quality of democracy, particularly on both sides of the Mediterranean, is something that we all need to do collectively, and above all, it is something which is imperative to safeguard future generations. Encouraging the setting up of effective means of collaboration is the best way to ensure that transparency and independence become a reality, whilst guaranteeing people's personal reputation and privacy and protecting the specific rights of the more vulnerable members of society such as children, safeguarding pluralism, protecting people against discrimination or exclusion, and a long etcetera..,

Thank you very much