



## Joint Declaration by the EU Audiovisual sector Social Dialogue Committee

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### *'Promoting Social Dialogue in the Audiovisual industry'*

#### *European Seminar – Tallinn, 22-23 October 2012*

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The audiovisual sector is a unique sector. It is both a practical resource and a primary source of information and entertainment across the EU. Because of this it has a special significance in the protection and promotion of fundamental freedoms and democracy across the member states of the EU. The co-existence of public and commercial organisations serves to create a diverse range of programming. It contributes to media pluralism, cultural and linguistic diversity, editorial competition (in terms of content quality and diversity) as well as freedom of expression and the public's right to information. The respect of freedom of association of employers' and workers' organisations goes along side freedom of expression and media pluralism.

The audiovisual sector provides the people of Europe with radio, television, film and online content, and the cultural and social value of this content is an important contributor to the development of European societies.

The audiovisual sector has an important role in this respect. The requirement of independence from political interference is fundamental. Public broadcasters are there to serve the public - not a particular government, political party, business or any other special interest group. The core values of public service media are universality, independence, excellence, diversity, accountability and innovation. It is essential to respect the public/private dual structure of the audiovisual European landscape and to pay attention to market and competition questions. To do their job properly, organisations within the audiovisual sector need an appropriate legal framework, adequate sustainable funding and professional governance to safeguard editorial independence.

We unequivocally support the resolution passed in the European Parliament in May 2012, which stated that "press and media freedom are hallmarks of a democratic society."<sup>1</sup>

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<sup>1</sup> "Report with recommendations to the Commission on the amendment of Regulation (EC) No 864/2007 on the law applicable to non-contractual obligations (Rome II) (2009/2170(INI))" - this report is available here:

It is vital for the democratic values held dear in the countries of the EU that the audiovisual sector, both public and commercial, remains vibrant and healthy. We believe that autonomous well functioning national and European social dialogue is important for the sustainability of the sector.

Social partners from all Member States participate in a capacity building process whilst looking at the breadth and depth of experiences through awareness of industrial relations and collective bargaining – process and agreements. In 2012, the Social Dialogue Committee implemented a capacity building project on collective bargaining with the support of the European Commission which culminated in the conference in Tallinn.

This project with focus on Czech Republic, Estonia, Latvia, Lithuania and Poland built on the success of a project aimed at the member states in central and south-east Europe which culminated in a conference in Sofia in 2010. Accordingly, this project has undertaken national roundtables before the final conference in order to exchange information and experience among national social partners on industrial relations and collective bargaining. The implementation of national round tables mobilised European social partners and led to a wide range of representation from European social partners at the conference. Further we believe such national roundtables can, in themselves, facilitate and promote European social dialogue with social partners of new Member States and the workings of the EU Audiovisual sector Social Dialogue Committee in order to encourage further involvement where there is insufficient representation.

The European social partners in the audiovisual sector are committed to ensuring the continuing good health and quality of their sector. Social partners recognise the principles, requirements and commitments set out in the “Sofia Declaration” of September 2010. In the Member States of Central and Eastern Europe, Social dialogue could take various forms reflecting their tradition and cultural background, including collective bargaining. In order to ensure further development of social dialogue in the audiovisual sector of Central and Eastern European Member States, we believe that:

- Social dialogue and collective bargaining are important factors for economically and socially sustainable growth, quality and sustainability of jobs and good working conditions. It equips social partners to adapt to change and face challenges, more particularly in time of crisis;
- Freedom of association and social dialogue need to be inclusive and cover all forms of employment;
- In accordance to the ILO Recommendation 198, collective bargaining should cover all workers, including the most vulnerable;
- All member states should recognise the necessity and benefits of employers’ associations and trade unions, and the mutual recognition between employers and workers;
- To strengthen social dialogue it is necessary to have strong employers’ associations and strong unions who are able and capable to negotiate on collective agreements;

- Social dialogue should be considered, developed and strengthened where possible in the audiovisual sector in those countries where it is absent.
- Skills development should be considered a fundamental right of workers as well as an essential tool for industry to grow and adapt to change. National and EU sector skill councils may be adequate institutions to achieve these principles.

Social partners equally believe that the EU and its member states ought to

- Provide the audiovisual sector with an environment free of political interference where they can operate with editorial independence;
- Ensure the audiovisual sector has the necessary funding and access to financing to allow the provision of a respected and valued service;
- Develop the regulatory framework which enables the sector, both public and commercial, to develop its full potential as part of the culture and creative industries and to contribute to local economic and social development and involve closely employers and trade unions.

This declaration is made at the conclusion of the AV SDC Conference held in Tallinn, Estonia on 22<sup>nd</sup> and 23<sup>rd</sup> October 2012. It will henceforth be known as the 'Tallinn Declaration' and has been endorsed by the AER, CEPI, EBU and FIAPF, for the employers and by EFJ, EURO-MEI, FIA and FIM, for the trade unions, at the plenary meeting of the AV SDC on 22 November 2012.