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THE HAGUE – THE NETHERLANDS

## BROADCASTING IN THE EUROPEAN UNION: The Role of Public Interest in Competition Analysis

Ingrid Nitsche

Ever-deepening and widening European economic integration as well as the changing nature and role of European broadcast media have forced attention on the role and regulation of broadcasters in the European market. Tensions have arisen between the media's traditional role in preserving national culture and identity and its new role in promoting a European identity, underpinning economic integration and complementing the achievements of the free market. The increasing commercialisation of what was traditionally viewed as a public service has generated a debate on the application of competition law to European broadcasting. Content regulation and a corporatist broadcasting structure have traditionally prevailed against a more market-oriented approach. Many states thus view with suspicion the qualification of television broadcasting as a service within the meaning of the EU Treaty and the application to it of competition law and state aid rules.

*Broadcasting in the European Union: The Role of Public Interest in Competition Analysis* explores whether and to what extent EC Competition law promotes media pluralism and how broadcasting's public service and commercial interests can be reconciled in Europe, where public and economic competition have traditionally been defined as distinct concepts. It employs a multi-disciplinary approach to identify how the

term 'public interest' is used by different actors. Publicists, it is believed, compete on words, not on products or prices. Against the background of increased commercialisation, this book takes a different point of view. It identifies how EC law and the case law of the European Courts balance public interest considerations with economic competition on media markets. The work contrasts various policy options and examines issues from EC merger control to the marketing of sports rights.

Addressed to lawyers, economists and businesses dealing with EC broadcasting regulations, this book offers the first comprehensive application of competition analysis to European broadcasting and is essential reading for anyone seeking to understand the challenges facing European broadcasters as they seek to redefine their role in an open market while at the same time retaining their public interest function.

*Ingrid Nitsche is presently working as a Researcher on multimedia issues at the German Monopolies Commission in Bonn. This book is based on research conducted at the University of Vienna, with the EC Commission in Brussels and at the T.M.C. Asser Institute in The Hague.*

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## THE MIGRATION ACQUIS HANDBOOK

### The Foundation for a Common European Migration Policy

Edited by Peter J. Van Krieken

Europe has finally started to debate migration. A timely debate indeed, as many migrants have over the last 30 years entered the European Union without the cover of a proper and well-defined policy. Many arguments are being put forward in this respect: Europe faces a shortage of labour, not enough children are being born, future pension bills can not be met, globalization should result in accepting aliens, and so on. Yet, hardly any effort has been undertaken to put all such arguments into their proper context and to list what Europe and the European Union in particular have already agreed upon.

This Migration Acquis Handbook (an equivalent to the *Asylum Acquis Handbook*) fills the many gaps by providing:

- an overview of EU instruments in an accessible and transparent manner, with the necessary division as per: *entry, sojourn, integration and return*;
- due attention to EC Commissioner VITORINO's communication on migration and his call for a debate;
- the reproduction of relevant non-European international (UN) instruments;

- moreover, an overview of the context and contents of the most hotly-contested issues: *ageing and demography, globalization, illegal migration, trafficking and family reunification*.

This HANDBOOK describes and provides the foundation for a common European Migration Policy and should be considered an extremely useful tool, if not indispensable for the executive, students, policy makers, the media and all others interested in this exceedingly important topic.

Dr. PETER VAN KRIEKEN, the editor, lectures in international law and human rights at Webster University (Leiden and St. Louis) and serves as a special advisor in international affairs with the Netherlands Ministry of Justice/IND. He is in various capacities actively involved in both Eastern and Western Europe in this very field. He has also published with T.M.C. ASSER PRESS *The Asylum Acquis Handbook* and *Health, Migration and Return*.

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