



e.mag

the voice
of Europe's
periodical press

FAEP

DECEMBER.2008

FAEP NEWS

Magazines set an example in Brussels – FAEP awarded top honours

DE: Die aktive und systematische Einbindung von Verlegern in die Interessenvertretung in Brüssel und Strassburg ist ein Erfolgskonzept, das in einer Abstimmung von professionellen Lobbyisten bei der EU als besonders innovativ und erfolgreich bewertet wurde.

FR: L'approche proactive des éditeurs et des associations nationales pour représenter les intérêts de la presse périodique à Bruxelles et à Strasbourg a été reconnue par la communauté des lobbyistes professionnels à travers 2 prix reconnaissant l'excellence et l'innovation des méthodes déployées par la FAEP.

The proactive approach of publishers and national magazine associations coming to Brussels and Strasbourg to present arguments against threatening legislation in face to face meetings with Members of the European Parliament, European Commissioners and other bureaucrats has greatly benefitted the lobbying impact of the magazine sector, over the last two years.

So much so, that these publisher advocacy activities have been lauded by EU public affairs professionals as examples of lobbying excellence in Brussels. In two separate awards by respected EU-affairs publications, FAEP was awarded "European Trade Association of the Year 2008", beating other nominations from the gas, telecommunications, banking and renewable energy sectors.

Over 800 public affairs/lobbying professionals voted in the European Public Affairs

Directory / Parliament Magazine award, choosing FAEP as the winner for its "innovative lobbying and association excellence", announced at an event on 5th November.

In the second award, organized by European Agenda magazine and presented on 3rd December, 20 CEOs and Presidents of industry lobby associations chose FAEP as the best association 2008. Taking note of who 'sets the agenda', the judges assessed how nominated associations successfully promoted their cause and spread their message, both within the field, and amongst the public at large.

FAEP Chairman David Hanger commented on the prizes by saying "European magazine publishers, represented in FAEP, are thrilled to win these awards for trade association excellence. We are happy that our innovative approach to EU representation for and by our members has been recognized in this way by our peers. Our thanks to our members for their input to our Brussels work – input which has enabled us to lobby better and get more results for our constituents. The awards place FAEP and the magazine sector in good stead for the continued lobbying challenges in the new EU constellation in 2009, when new MEPs and Commissioners will take their positions in Brussels".



02 Publishers' freedom to reject ads at stake

A new anti-discrimination Directive makes it impossible for publishers to reject ads for political or religious reasons

No opt-in for cookies – success for magazine publishers

The Council took a decision in favor of magazine publishers interest

In the lobby:

Medina report / Car advertising update / Patient information postponed / Meeting with CZ Presidency

03 New regulation to foster user created content online?

The European Commission is working on a study to prepare a legislative framework.

Discussions on social marketing to reduce alcohol abuse

The alcohol industry is moving ahead with a campaign to prevent advertising bans.

MEP Dr. Jorgo Chatzimarkakis on publishers input to European legislation.

04 Magazines' carbon footprint – state of play

First concepts to calculate a magazine's carbon footprint are available in the UK.

FAEP News
FAEP Agenda

IN THE LOBBY

FAEP-ENPA cooperation on Medina report

At the beginning of November, MEP Medina Ortega presented his draft report on the 2001 copyright directive. In general publishers are happy with the wording: FAEP and ENPA successfully cooperated in asking MEPs of Legal Affairs Committee to table an amendment withdrawing a reference to publisher-journalist contract relations as it is not covered by the European Legislation.

Car advertising – next steps

While FAEP remains in close contact with the EU Commission on the expected proposal for a review of the Labelling Directive (car advertising requirements), the timing is still uncertain. Environment Commissioner Dimas indicated in a meeting in early October that he will wait with his proposal until the regulation on reducing CO2 emissions of cars has been adopted by Council and Parliament. This can be expected in early 2009.

Patient Information again postponed

After a second postponement of the pharmaceutical package by the European Commission, the new timing for the patient information Directive, as part of this package, is unclear. Insiders expect, however, that the package will be adopted by the EU Commissioners before the end of the year.

Meeting with the Czech Presidency

As the Czech Republic is taking over the EU Presidency on January 1st from France, the Czech Publishing Association and FAEP have set up meetings with representatives from the Czech government for the first week of December in Prague in order to raise awareness of the most relevant issues with current legislative initiatives at EU level.

FREEDOM OF EXPRESSION

Publishers' freedom to reject ads at stake

DE: In Zukunft kann ein Verleger möglicherweise nicht mehr eine Anzeige ablehnen, weil die Quelle (z.B. Partei, religiöse Gemeinschaft) oder der politische Inhalt ihm nicht passt. Eine entsprechende europäische Anti-Diskriminierungsrichtlinie wird derzeit diskutiert.

FR: La liberté pour les éditeurs de refuser une publicité pour divergence d'opinion philosophique, politique, etc pourrait être remise en cause par une nouvelle proposition de directive anti-discrimination actuellement en discussion au Parlement européen.

The freedom for publishers in Europe to reject an ad for reasons of disagreement with the advertisers' political position and message or a lack of sympathy with the religious background or message of the advertiser is at stake. The reason is a new anti-discrimination law currently discussed at EU level. Selling advertising space in magazines is a service the publisher offers to the public. The new legislative proposal refers to exactly these kind of services: it is the EU Council, consisting of the European Member States' governments, that is about to

adopt a Directive that prohibits discrimination on the grounds of religion or belief, disability, age or sexual orientation in relation to access to goods and services which are available to the public.

So, if you publish a left-wing magazine your readership most likely does not want to see extreme right-wing political advertising in their paper. Until now a publisher is able to reject such an ad. If the new piece of law is adopted, this might not be the case – for the reason of equal treatment. While in this case the European Parliament will only comment on this legislative proposal, the Council aims to adopt this law in summer 2009.



Commissioner Vladimir Spidla for Employment, Social Affairs & Equal Opportunities

PUBLISHING ONLINE

No opt-in for cookies – success for magazines

DE: Am 27 November hat der Rat der Europäischen Union seine Entscheidung über die Verwendung von "cookies" getroffen. Er sprach sich für einen Erhalt der „opt-out“ Funktion aus und bestätigt damit die Forderung der Verleger.

FR: Le Conseil des Ministres a adopté ce 27 novembre sa position relative à la directive sur la protection des données qui couvre notamment les cookies. Les éditeurs de magazines sont rassurés que l'option du "opt-out" a été retenue.

Following the publication of the Commission proposals on the so-called "Telecom package", an important debate on the necessity to protect users' privacy online emerged. Caught in this debate was the issue of cookies and the idea that users' privacy would be better protected by prohibiting cookies unless the prior

consent of the reader was first obtained.

After nine months of debate, the European Parliament voted its view in September, signaling the importance of cookies for the Internet economy. The compromise adopted foresaw the prohibition of cookies unless prior consent was given (opt-in), considering that the browser settings were sufficient to express the user's consent.

Under the European co-decision process, it was now the turn of the Council to take a position. The pressure to impose stricter rules has been strong, but Member States as well as the Commission understood, after intense lobbying, that imposing an opt-in for cookies would ruin the online experience. This is why on 27 November, the Council decided to come back to the Commission initial proposal: allowing the possibility to opt-out and clear information to the user.

New regulation to foster User Created Content online?

DE : Die EU möchte gesetzliche Rahmenbedingungen für Inhalte schaffen, die vom Nutzer selbst erstellt werden. Diese Überlegungen betreffen den Urheberrechtsschutz, beschreiben die Verantwortung für Inhalte und regeln den Umgang mit minderjährigen Vertragspartner. Das betrifft auch Nutzerinhalte auf Verlagswebseiten.

FR: La Commission travaille sur une étude analysant le développement des contenus créés par les utilisateurs en ligne. Ce travail pourrait conduire à de nouvelles interventions législatives dans le domaine des contrats, de la responsabilité des contenus et du droit d'auteur.

The WEB 2.0 generation is one of more interactivity, and online tools now offer opportunities for any user to create and publish his or her own content on the Internet. The exponential development of social networking sites, specific platforms dedi-

cated to music or video sharing, blogs, etc constitute new opportunities for business, but bring also a lot of challenges in terms of regulation - at least this is how the European Commission sees it.

Almost a year ago, a study was commissioned to analyse the current developments, the possible business models and the possibility to monetize this content and the legislative obstacles.

The first results of this study were presented to a large group of stakeholders on 7 November. If the Commission claims not to have any intentions for the time being, publishers have to follow closely the discussion around this issue, as ideas concerning liability for the content hosted, introducing specific rules when contracting with minors, facilitating rights clearance or introducing a specific exception allowing the reuse of content under copyright have been suggested. The study should be finalised beginning of 2009, and FAEP continues to follow the dossier closely.

ADVERTISING

Discussions on social marketing to reduce alcohol abuse

DE: Dem verantwortungslosen Alkoholkonsum in Europa soll nun mit einer Marketingkampagne begegnet werden, die die Alkoholindustrie selbst veranlasst. Damit verbindet sich die Hoffnung nach weniger Alkoholwerbeverboten oder -einschraenkungen.

FR: Le Forum européen qui a pour but de réduire les méfaits de la consommation abusive d'alcool a institué un groupe de travail sur le marketing. Si les premiers échanges se sont concentrés sur l'impact néfaste de la publicité, les effets des campagnes d'information générales sont maintenant au coeur du débat.

The EU's Alcohol Forum brings together industry and NGO stakeholders, with the long term goal to reduce alcohol-related harm in Europe. Within the Forum, a Task Force

on Marketing Communications was set up, where early discussions focused on the cumulative effect of advertising on young people's drinking habits

However, in recent discussions in the Task Force, the focus has moved away from the negative role of alcohol advertising on consumption and more towards whether public interest advertising could achieve the aim of reducing alcohol-related harm.

In this sense, the Commission has asked the parties to examine whether "social marketing" can play a role in informing citizens about the dangers of alcohol abuse. Social marketing, in this context, is seen as advertising commissioned by an independent body, but paid for by the alcohol industry, and which delivers strong messages about the harm of over-indulging in alcohol.

Discussions are ongoing and conclusions are expected in the first half of 2009.



MEP Chatzimarkakis, ALDE, Germany

Member of the European Parliament, Dr. Jorgo Chatzimarkakis (ALDE / Germany), welcomes the direct input of publishers to the European debate on media related files:

Over the last months I have attended several meetings with magazine publishers from all over Europe, set up and facilitated by FAEP. Needless to say, we do not always share the same opinion, but this direct contact with the business world gives an authentic and credible insight that helps me understand much better which challenges the publishing sector faces and how these challenges can be overcome.

In several, sometimes controversial, discussions I got the opportunity to share my views on issues such as patient information, advertising restrictions and requirements, copyright as well as press freedom. I found myself more than once in the position to defend the European Parliament's decisions but definitely not always. The ideas of some of my colleagues e.g. to impose pointless rules for car advertising seems absurd to me. It touches upon the freedom of expression which is one of the founding pillars of our open European society: not forgetting that the freedom of press is an integral part of freedom of expression. But my impression is that the exchange of views between the publishers and the European Parliament is paramount and paves the ground for good, informed debates that involve the relevant expert community.

I can clearly see that the coming months will bring some additional challenges to publishers in Europe: consumer protection and climate change are driving the European agenda in relevant areas. The advertising debate will heat up while copyright law is under scrutiny due to technological developments. Press freedom faces different initiatives that have the potential to hollow out this fundamental principle in our democracy. And overall we will need to join forces to fight the idea of a "nanny state" that increasingly finds support.

Magazines' carbon footprint - state of play

DE: Erste tragfähige Konzepte zur Berechnung einer "carbon footprint" für eine Zeitschrift kommen auf den Markt. Die Abstimmung entlang der Papierkette funktioniert gut, nur die länderübergreifende Zusammenarbeit ist ausbaufähig.

FR: La pression politique et les attentes de la société civile font progresser le débat sur l'empreinte carbonique. Des outils de calculs adaptés aux divers produits dont les magazines se développent et les discussions englobent maintenant la partie en ligne de la presse.

At CEPI's Paper Week Conference on November 26 in Brussels, a snapshot of the state of play regarding carbon footprint was given. Across Europe, market pressure, political will and civil society's expectations have pushed the carbon footprint debate forward. Firstly comprehensive calculation tools for product specific carbon footprints are about to be launched and secondly the debate has extended to the online part of magazine publishing. Pushed by the retailer market with tight deadlines, UK magazine publishers under the guidance of FAEP member PPA had to take the lead: as from January 2009 UK publishers will be able to calculate the carbon footprint of each single printed magazine in their portfolio. The web based calculation tool was developed by a consultancy in close cooperation with the Carbon Trust in the UK.

While in France, the government is designing a label for environmentally friendly products including carbon footprint, in Germany the printing industry took the initiative in order to be able to respond to stakeholders' expectations.

Referring to a Swedish study conducted by the Royal Institute of Technology (KTH) in 2007, a conference speaker confirmed that the so called "cut off criteria", e.g. keeping computer production and recycling in or out of the calculation scope, are essential for such a calculation. The study concludes that a printed magazine's carbon footprint is not higher - and under certain conditions even significantly lower - compared to the carbon footprint of an online publication. The debate at the conference showed that the carbon footprint is a life-cycle issue and therefore has to be tackled by all paper chain industries in a cross sector approach. There was a strong request for an exchange of experiences at European level.



Axel Springer AG: Sustainability Reporting

FAEP Corporate Member Axel Springer AG (Germany) is the first media enterprise in the world to publish a Sustainability Report which fulfils all of the requirements of the Global Reporting Initiative (GRI). The

report, which is qualified with the "LEVEL A +" highest seal of quality, underlines the commitment of the company in the sectors of sustainability and responsibility.

Square du Bastion 1-1A / B - 1050 Bruxelles / info@faep.org

David Mahon (EN, FR)
Executive Director

+32 2 536 06 02
david.mahon@faep.org

Max von Abendroth (D, EN, FR)
Director of Communications
and Sustainability

+32 2 536 06 04
max.abendroth@faep.org

FAEP registered at EU Commission

FAEP is now officially registered at the European Commission's register of interest representatives. This register aims to increase transparency on interest groups' financing and influence on European legislative processes.

FAEP moving into new offices

As from December 15th, the FAEP Secretariat will move offices, to share with the European Newspapers Publishers Association (ENPA). The move should bring good synergies and boost the lobbying impact of the press representations at the EU.

Personality changes

FAEP welcomes two new Board members: the new Director General from the Czech Publishers Association, Josef Sabla, and the Managing Director from the Danish Magazine Publishers Association, John Kristensen.

NEW! www.faep.org - members only

The new members only website provides continuously updated, comprehensive information on the main legislative dossiers FAEP is following and offers easy access to relevant FAEP documents.

AGENDA

4/5 DECEMBER 2008

FAEP quarterly meetings in Prague / Czech Republic

18 DECEMBER 2008

Publishers lunch with Commissioner Reding