



Autorité
luxembourgeoise
indépendante de
l'audiovisuel



Annual Report 2021

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01

Conceptualising the role of the regulator

Foreword by
the President

Conceptualising the role of the regulator



Foreword by the President

As the years go by, the Authority's annual report increases in volume. This quantitative development is the logical consequence, first of all, of the accumulation of a certain experience and a certain know-how. But it is also obviously the result of the continuous increase of the administrative staff in charge of following, on a daily basis, the national, European and international business of the media sector in the very broad sense.

It will never be stressed enough that the media regulation and organisation activity can no longer cover only classic TV and radio channels, or even cinematographic representations, but that it must include all content distributions that developed over time, starting with video-on-demand, through video-sharing platforms up to social networks, with all the variants these concepts can include.

The substance of the regulatory and organisational activity also changes over time. Gone are the days when the issue who had the right to distribute content was the main focus, and the monitoring of

such content was largely aimed at protecting minors and counting the time of commercial communications. The prohibition of discrimination and incitement to hatred as well as the respect required by human dignity completed the panoply, as has the fight against misinformation and, in a more specific area, aspects related to political discourse (political polls, election campaigns, presence of parties and political trends).

The importance of the task thus described in very broad lines is reflected in our 2021 annual report by the many files that the Authority had to process. The scale of the task further shows that the regulator's activity can no longer be limited to or focus on sanctioning one-time violations of one-time rules. The fear of dissuasive sanctions must certainly continue to persuade providers to follow the rules, but the regulator's approach must be constructive and comprehensive, both with regard to service providers and service users and with regard to public authorities.

With regard to providers, it is a matter of listening to them, understanding the economic, social but also sometimes political environment in which they operate and actively discussing their projects and concerns with them. The Authority is working on adopting this approach by leaving its door wide open.

With regard to users, it is a matter of providing them with the tools to understand the world of media and its various sectors. Since this year 2021 the Authority not only has the legal foundation but also a set of human resources to contribute usefully and effectively to a media literacy approach for all sectors of population, where it is necessary to distinguish between young and less young, between different levels of education and between the many linguistic and cultural communities living in Luxembourg. Our primary objective is to federate the numerous initiatives that already exist in this area and to give media literacy the consideration and importance that it and our society need.



In addition to these two market-oriented directions, the Authority also intends to provide conceptual work at the level of public regulation. Even if the Authority has no autonomous regulatory power, it

will nevertheless continue with its in-depth field experience to advise public bodies on the way to improving legislation governing the media sector. Opinions adopted in 2021 are in line with our approach

in 2020, and the future will be no different.

Thierry Hoscheit, President



The regulator's activity can no longer be limited to or focus on sanctioning one-time violations of one-time rules [...] but the regulator's approach must be constructive and comprehensive.





02



Meeting the demands of an ever-changing sector



A word from
the director

Meeting the demands of an ever-changing sector



A word from the director

Although one may admit and regret that the *Autorité luxembourgeoise indépendante de l'audiovisuel* (Luxembourg Independent Authority for Audiovisual Media) remained for (too) long hardly or little known by the general public and industry players, both in its functioning and in its scope of action in the regulation of audiovisual media services, the reality is different today.

Now in its 8th year of operation and activity, the Authority certainly enjoys the attention of both politicians and audiovisual service providers, yet from time to time, it struggles to be heard and rightfully appreciated for its actions or missions.

The commitment to new missions, in particular the promotion of coordination efforts in the field of media literacy in Luxembourg where the Authority strives to consolidate its action field as other European regulators and the monitoring of media election campaigns, or the reinforcement of its active pres-

ence in European forums, certainly enabled the Authority to make progress in the deployment of its strategic plan for its second five-year term and, in the process, to increase its notoriety and visibility both in Luxembourg and at the European level.

ALIA's stated objective remains to complete and finalise its transition from a growing establishment to a recognized authority within two years leading to its 10th anniversary in 2024. The Authority is perfectly capable of reaching its final cruising level within the next two years, provided that it will be granted the necessary means and resources.

A milestone reached in 2021

In the 2021 financial year, the Authority's scope of action has considerably expanded, which is why, in the first half of the year, the Authority reviewed and adapted its operating mode and its organisation chart and invested in a large-

scale recruitment programme. This is a significant step which, thanks to a close-knit, qualified and deeply motivated team, will enable it to carry out its tasks even better and to fulfil its obligations, both in Luxembourg and in the European institutions.

The Authority currently has a permanent staff of 11 civil servants and employees in charge of management, secretariat, human resources management, financial management, maintenance of technical infrastructure and resources, general legal support, investigation secretariat, monitoring of ADM services (approaching 400, a figure that has doubled in less than 2 years), coordination of media literacy activities, preparation and implementation of media election campaign monitoring, management of free radio platforms for political parties, communication and management of European issues with a very active participation in the ERGA (European Regulators Group for Audiovisual Media Services) and EPRA (European



The Authority is perfectly capable of reaching its final cruising level within the next two years, provided that it will be granted the necessary means and resources.



platform of regulatory authorities) working groups. The Authority's active participation in both European organisations is not only justified, it is also necessary for the purposes of both.

While ERGA, created by a 2014 European Commission decision, brings together the audiovisual regulatory authorities of the European Union Member States with the aim of providing coordinated and operational input to the European Commission in the evolution of the audiovisual legal framework in the digital age, EPRA, created in 1995, encourages a more informal, frank and open exchange on issues related to the application of audiovisual regulation between representatives and observers from 47 participating European countries and organisations.

With a very active presence and participation both in the above-mentioned European forums and in international bodies such as REFRAM, PEGI, ICC, etc., the Authority meets the expectations of the audiovisual sector and the international community and contributes to the reputation and credibility of Luxembourg as a country of choice for media industries.

Persistent gap between missions and available resources

Even though the Authority's interventions currently go well beyond the mere monitoring or surveillance of the many suppliers established in Luxembourg, or of their audiovisual content, neither its financial means, nor certainly its human resources, are adequate to the tasks entrusted to it.

A strong, open and welcoming media market requires a strong, involved regulator, recognised and appreciated for its approach and knowledge of the challenges and opportunities of the sector. An Authority that has the means to assume a role of support for the players in this constantly evolving sector and that has the means to be actively involved in the European forums of ERGA and EPRA and to consult with regulators from countries outside the EU on a continuous basis.

However, to operate as a key player in the regulation of the audiovisual media, the Authority should be able to rely on the powers and prerogatives necessary to establish itself on a permanent basis, which it claims and puts forward year after year, and to be allocated the necessary resources.

Providing ALIA with the necessary resources to become a key player in the audiovisual sector over the next two years.

The Authority's overall operating budget is currently based on a global grant which it manages with due care and which must be sufficient to serve its missions and its administrative and financial operations.

Firstly, these resources do not allow ALIA to operate at its desired or required cruising speed. They will not be sufficient for monitoring media election campaigns, they will make it difficult to coordinate initiatives in the field of media literacy, and they will make it impossible for Luxembourg to be more actively involved in European and international forums.

Secondly, a lack or inadequacy of financial and human resources will make it difficult to tackle the major issues of the digital challenge, in particular the regulation of online platforms, research, training and advice in the media sector. The Authority must be able to extend its scope of action to social networks to deal with hate speech, fake news, etc. The resources available to the Authority must therefore be adapted. The use of artificial intelli-



gence is one way of achieving this, but the Authority must be given the financial resources to invest in this field.

Given that the physical infrastructure already exists, the additional resources needed to ensure its scope of action independently and under the best conditions are therefore essentially human.

The Authority considers it necessary to strengthen its involvement at the European level, it must be able to further develop its actions in favour of the coordination of media literacy, just as it needs to support its general services.

To finalise its construction phase by its 10th anniversary and to adapt its working methodology to the missions and obligations of the major digital challenges, the Authority believes that it is essential to adapt its managerial framework within the administration and to have a permanent team of some 20 employees equipped with the technical means of the digital era.

Even though the Authority is preparing to negotiate a significant increase in its budget in order to finalise the strategic plan for its second five-year term and thus complete its construction phase, the Authority does not deny the

importance of its current budget, but points out that it is not sufficient to develop its current missions beyond basic intervention, nor to extend its scope of action to include the challenges of the digital era, nor to make use of, or take advantage of, artificial intelligence in its methods.

In the end, the credibility of the Authority and the country's place in the European media industry are at stake.

Paul H. Lorenz, Director



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03

Video-sharing platforms and protection of minors

A new
challenge
for national
regulators

Video-sharing platforms and protection of minors

A new challenge for national regulators

The technological developments that have shaped the audiovisual media sector in recent decades and the appearance of video-sharing platforms (VSP) required an update of the legal framework to protect minors from harmful content distributed on online platforms.

Including VSPs in the scope of the amended "Audiovisual Media Services" (SMA) directive is the logical consequence of these developments, thus creating the legal basis for Member States and their respective national regulatory authorities to implement appropriate structures to effectively protect

minors against harmful content available on platforms such as YouTube, Vimeo or Dailymotion.

The law of 26 February 2021 amending the amended law of 27 July 1991 on electronic media transposed into Luxembourg law the rules relating to VSPs provided for in Directive 2018/1808. ALIA has since been responsible for ensuring that VSPs established in Luxembourg comply with their new legal obligations. Based on the principle of co-regulation, platforms are among others obliged to ensure that minors are protected against the distribution of harmful

content by implementing appropriate procedural and technical measures.

In order to protect minors from content that may impair their physical, mental or moral development, VSP providers may, for example, 1°define and operate age verification systems, 2°provide parental control systems under the control of end users or 3°define and operate transparent, easy-to-use and effective procedures to process and solve user complaints submitted to the VSP provider.



1

Define and operate age verification systems;



2

Provide parental control systems under the control of end users;



3

Define and operate transparent, easy-to-use and effective procedures to process and solve user complaints submitted to the VSP provider.



Once national regulators have identified VSP providers within their competence, they must assess the appropriateness of the technical and procedural measures implemented by these VSP providers to protect children from harmful content. To this end, regulators must introduce effective control mechanisms holding providers accountable if they don't comply with their obligations.

Regulation of VSPs requires regulators to re-evaluate their structure as well as their practical approaches for the protection of minors. Traditionally, ALIA's role was limited to examining *ex post* if an already broadcast programme or a programme available on audiovisual media on demand (VOD) services violated or is violating the rules on the protection of minors. However, in this new environment, regulators must cooperate with VSPs to assess *ex ante* the measures the latter should put in place. Therefore, regulators have a much more proactive role in preventing minors from accessing harmful content, rather than limiting their action to penalising the service provider once the harm is done. These new tasks and new approach significantly change the daily work of regulators, not least because they need to explore new

practical means to fulfil their missions. Not only will they have to acquire specific technical knowledge and expertise, but most regulators will probably also need to increase their human resources to cope with additional workload.

To be able to assess the appropriateness of measures taken by VSP providers, regulators need to have an overview of these measures and their results, which requires regular reporting by VSP providers. These reports should, among other things, include quantitative and qualitative data on the platform audience, on moderation-related issues that were reported to the VSP's administration or on frequent problems and complaints from users.

Nevertheless, even in a scenario where VSPs under the jurisdiction of an EU Member State voluntarily cooperate with regulators and implement rules and mechanisms to offer maximum protection of children from harmful content, the automated technologies and human moderators that VSPs are able to deploy to counter such content can never be accurate to the point where VSP providers can guarantee that there is no harmful content online.



Regulation of VSPs requires regulators to re-evaluate their structure as well as their practical approaches for the protection of minors.



In addition, since the *ex-ante* filtering mechanisms, allowing to remove or disable potentially harmful content without any human intervention, are prohibited, human resources remain a factor limiting the speed with which such decisions can be made. This inevitably leads to more or less shorter periods during which harmful content remains accessible before a final assessment by specialised staff and the removal of such content.

For these reasons ALIA firmly believes that to effectively carry out its new tasks with regard to VSPs, it is necessary to look beyond a

purely regulatory approach. As a result, ALIA encourages media literacy and the empowerment of platform users to enable them to self-protect against harmful content. In fact, since even the best age verification mechanisms are easily bypassed, voluntarily or not, e.g., if children use their parents' devices and accounts, gaps will remain in the regulation of this fast-paced industry. This is another reason why an improved level of media literacy is needed to fill the gaps left by regulation and its implementation and why, ideally, regulation and media literacy complement each other.

Since August 2021 ALIA acts to strengthen the coordination efforts in the field of media literacy in Luxembourg, being in the best position to develop the best possible symbiosis between regulation and media literacy. Living up to this role in a rapidly developing field will undoubtedly be a difficult task for ALIA, requiring a lot of dedication, energy and resources, but it is crucial for effectively protecting minors from harmful content in the digital age.



[...] an improved level of media literacy is needed to fill the gaps left by regulation and its implementation [...]





04

Media literacy

Media literacy

When regulatory authorities intervene, they usually do so *a posteriori*, in order to punish possible breaches of legal provisions. The fact that this approach is no longer based on the realities of an ever-changing and increasingly digitised sector, its many actors and its ever faster means of dissemination, does not remain without consequences for regulatory work, requiring a rebalancing of its means, its scope of control and a gradual transition from punitive actions to preventive actions. In order to strengthen this aspect of their mandate, regulators are trying, through media literacy, to strengthen awareness, accountability, but also the ability of citizens to use media and explore their useful potentials. In the 21st century, a self-sufficient and safe use of media is no longer considered

an asset but has emerged as a key competence to exercise one's rights and duties as a citizen and guarantee one's social and economic participation in a digitised society.

A recent European Commission consultation revealed that the regulatory authorities of the 27 EU Member States play an active role in the field of media literacy, whether or not they have a formal legal mandate in this area. Luxembourg legislation, through the provisions of article 35 of the amended law of 27 July 1991 on electronic media, assigns ALIA the mission "*to encourage the development of media literacy for citizens of all ages in all sectors of society*"¹. While the law does not explicitly specify how and to what extent the Authority should contribute to the promo-

tion of media literacy, it nevertheless implies that the impact of the measures taken should benefit the entire population. The inclusion requirement that arises from the law refers to both demographic (age, gender, etc.) and socio-economic factors (level of education, income, etc.), but must also consider the needs of people with disabilities. In addition, ALIA is committed to a dynamic interpretation of the concept of "media literacy" and for this relies on the definition formulated in the Directive on audiovisual media services², namely a set of knowledge and skills that are constantly evolving within the framework of societal and technological conditions and that should be acquired in the context of "life-long-learning".



Regulators are trying, through media literacy, to strengthen awareness, accountability, but also the ability of citizens to use media and explore their useful potentials



¹ <https://legilux.public.lu/eli/etat/leg/tc/2001/08/01/n1/jo>

² <https://eur-lex.europa.eu/legal-content/FR/TXT/PDF/?uri=CELEX:32018L1808&from=EN>



In general, regulatory authorities can contribute to the promotion of media literacy in different ways: by developing and implementing a media literacy policy, coordinating (through a network or work groups), providing research or funds for research projects, financing media literacy projects and activities, providing financial resources to other organisations or institutions for the implementation of projects, carrying out projects in partnership with third parties, as well as their own projects, developing information materials and organising trainings. The level of involvement of an authority depends on several factors, including its official mandate, its staff, its internal skills and its financial resources.

ALIA, like its forerunner, the *Conseil national des programmes* (National Programme Council) at the time, was always aware of the importance of media literacy as an integral part of its regulatory mission, but the modest number of its staff only allowed occasional interventions in this field at national and European level. It was only in 2021 that the Authority obtained

the creation of a position in this field, allowing it to have a coordinator for initiatives at national level and permanent representation in the various bodies, work groups and expert groups at EU level. At EU level ALIA is now represented in the following work groups dedicated to media literacy:

- ▶ Media Literacy Expert Group (MLEG)
- ▶ Action Group on Media Literacy (AG3)
- ▶ EPRA MIL Taskforce (EMIL)
- ▶ Pan European Game Information (PEGI)

In view of ALIA's reporting obligations to the European Commission, as a national regulatory authority and ERGA member, on measures, projects and initiatives in its country in the field of media literacy, ALIA chose to encourage enhanced coordination in the field and to set up a network that ideally will bring together all actors directly or indirectly involved in media literacy for young and old in a rap-

idly changing digital environment.

This coordination approach is all the more relevant in the Luxembourg context, with a diversified offer in this area, implemented by competent actors in various fields of media literacy, while the sector lacks visibility and networking. This is due to different reasons:

- ▶ many actors don't have an official or direct mandate in the field, but intervene indirectly;
- ▶ the initiatives they implement are not always identified by the general public as related to media literacy and therefore are potentially less used;
- ▶ there is no central point of contact gathering resources on the subject and making them accessible to the general public or to a specific target audience (children and adolescents, parents, teachers and educators, the elderly, public authorities or administrations, media professionals, interested persons, etc.).



The general term "media literacy", of which there are many different interpretations but no single definition, covers various fields of action relating to disinformation, hate speech, prevention of radicalisation, civic education, protection of minors, commercial communication, online safety, data protection, image education, digital inclusion and others, which are carried out by different actors from the public and private sectors, formal and informal education, but also cultural institutions, civil society organisations, non-profit associations, information centres, the press, media companies, etc.

The coordinator, who joined ALIA in summer 2021, has since taking office contacted a number of actors to assess the actual needs during informal discussions. This approach helped to determine how ALIA could get involved in the sector with the limited means at its disposal, but for the benefit of actors who are already active in this field.

Although all actors stated that they welcomed some past initiatives promoting exchange and networking, they believe that these efforts lack the necessary continuity. This is mainly due to the fact that actors

don't always have, in addition to their own missions, the time and human resources necessary to initiate and maintain regular exchange or consultation processes with other actors outside their own field of activity and main subjects.

Another observation that emerged from the exchanges was the existence of a certain reluctance, both between public and private sector actors, to share information among themselves on their initiatives and projects. The first for administrative reasons, because they belong to different ministries and fear overlapping responsibilities, the second because they compete for the same target audience, funding opportunities and visibility of their initiatives.

In this context, ALIA, as an independent authority, in a first step, intends to approach this coordination on a purely administrative level, by identifying all actors directly and indirectly involved in the field of media literacy and by developing a map of their missions, their specific fields of action and their cooperation partners. The inventory and update of what already exists in the field would present several advantages, including



There is no central point of contact gathering resources on the subject and making them accessible to the general public or to a specific target audience.



- ▶ identification of all actors in the field, highlighting possible thematic overlaps that could be used as a basis for cooperation;
 - ▶ to dialogue with the ministries in charge, at the crossroads of which are organisations, institutions and public initiatives in the field of media literacy, in order to promote the flow of information between public actors, to explore possible forms of cooperation and to clarify the modalities by serving as a relay for the different actors, thus ideally facilitating interministerial, intersectoral and transversal cooperation in the field;
 - ▶ increase of the visibility of actors, highlighting their expertise and experience, which could, if necessary, serve as a reference point for other actors as well as the general public in the context of issues of common interest;
 - ▶ identification of actors who could contribute to the dissemination of this information as multipliers (for example, information points for young people, etc.);
 - ▶ inventory of existing initiatives and projects to avoid duplication, to explore new approaches, but also to guide future strategic reflections.
- ALIA, for its part, aims to gradually facilitate this process by:
- ▶ carrying out research work, gathering relevant information, approaching actors and developing a first draft of this mapping;
 - ▶ providing an information platform on the subject of media literacy in Luxembourg available on its new website, gathering relevant information on all actors in the field, their missions and initiatives;
 - ▶ ensuring the creation of a single point of contact to respond to requests and channel them to the expertise of competent partners;
 - ▶ providing a meeting place for actors to discuss and exchange on challenges, good practices and other relevant topics;
 - ▶ ensuring the maintenance of the network through strategic coordination and direction, as well as administrative and office support;
 - ▶ initiating projects and initiatives in cooperation with other actors (in particular on topics that fall within the competence of ALIA, namely the protection of young people or commercial communication).



To provide a coordinated national response to the challenges of media literacy and make progress in this area in collaboration with all partners, ALIA considers it essential, during an interview with the competent ministers, to raise awareness about the need to exchange information between the various ministries and actors within their competence. The Authority is convinced that a centralised approach in the field of media literacy will allow to launch a process of rationalisation leading to optimised use of available human and financial resources and will thus be beneficial to all parties involved. In addition, this should send a strong signal to the actors, eventually helping to reduce existing reluctance to use available material and expertise to promote joint progress in the field. The coordination approach is based on the principle of reciprocity - relaying this message to the outside world will be an additional step in ALIA's public relations work it intends to develop in the future.

Meetings

"Media & Me - Backstage bei Medienberufen" 21 September 2021

ALIA, which had so far only provided financial support to the cross-border media project "*Media & Me – Backstage bei Medienberufen*", was able to get involved as an active partner of the initiative during its fifth edition, launched by the "*Landesmedienanstalt Saarland*" and implemented by the association *MedienNetzwerk SaarLorLux*. The Authority provided, alongside other Luxembourg partners such as the *Luxemburger Wort*, *Radio 100,7*, *Radio ARA/Graffiti* and *RTL Luxembourg*, an introduction to the different media professions that a group of 15 young people from the Greater Region were able to discover in the module "*Le paysage médiatique au Luxembourg et en Rhénanie-Palatinat - deux pays, de nombreuses langues*" (The media landscape in Luxembourg and

Rhineland-Palatinate - two countries, many languages). In a workshop, these young people learned about ALIA's area of competence and, based on case studies, could familiarise themselves with the complaint procedures in the field of the protection of minors or advertising guidelines.

Action Group on Media Literacy 5 October 2021

At the meeting of the action group, progress made on the report *Recommendations for key principles, best practices and a Media Literacy Toolbox for Video-sharing Platforms*³ was presented and discussed with group members. Direct feedback from members allowed editors to identify existing ambiguities, clarify outstanding issues, make numerous additions and clarifications, consider various additional proposals and refine the report published at the end of December 2021.



[...] a centralised approach in the field of media literacy will allow to launch a process of rationalisation leading to optimised use of available human and financial resources [...]



³ <https://erga-online.eu/wp-content/uploads/2021/12/ERGA-AG3-2021-Report-on-Media-Literacy.pdf>



4th EPRA Media and Information Literacy Taskforce (EMIL) meeting 15 October 2021

In October 2021 ALIA joined the EMIL work group of EPRA. During a brief presentation, ALIA was able to illustrate its approach to national coordination and the first levers it intends to act on to increase the visibility of the various actors in Luxembourg as well as to strengthen the exchange between them. ALIA is one of the 36 current members of the work group, which includes representatives of national regulatory authorities in EU and non-EU countries, media organisations and key players from various networks and associations active in the field of media literacy.

5th EMIL meeting 15 December 2021

The fifth meeting of the EMIL work group focussed, among other things, on the progress of the ERGA report on media literacy, the presentation of the new approach of the UK regulatory authority "Ofcom" to the promotion of online media literacy, published on 6 December 2021, the minutes of the second meeting of the EMIL work

group on the promotion of online media literacy, the "*Commission's Expert Group on Tackling disinformation and Promoting Digital Literacy Through Education and Training*", as well as the next organisational and content steps of the EMIL work group.

Conferences and seminars

Workshop at the "Landesmedienanstalt NRW": "Zielgruppengerechte Medienkompetenz" 7 October 2021

In October 2021 the "Landesmedienanstalt NRW" organised, under the slogan "*Protéger la liberté - garantir le droit ensemble*" (*Protecting freedom - guaranteeing the right together*), a workshop day focussing on various topics at the heart of regulatory work. One of the workshops dealt with the issue of how to address specific groups in a more targeted way, precisely those who cannot be reached through conventional institutional or media communication. The approach adopted by the German regulator is to target a specific audience considering its socio-economic context. Based

on the principle that this allows to make forecasts about media consumption habits and about the choice of communication channels of the target audience, the consulting platform "ZEBRA", developed by the authority in 2021, wants to give all citizens the opportunity to ask specific questions about media through different channels and receive an individual response within 24 hours.

EDMO Workshop "United against disinformation: EDMO's work on media literacy" 28 October 2021

As part of the "Semaine mondiale des médias et de la littératie de l'information" (World media and information literacy week) the European Digital Media Observatory (EDMO) presented the efforts of its national and regional poles to promote media literacy. Founded as a multidisciplinary network of fact-checkers, media professionals, scientists and media literacy specialists, EDMO set up, with the launch of its locally oriented national poles in October 2021, a pan-European network to improve detection of fake news, coordinate their processing more effectively,



strengthen cooperation with the industry and promote media literacy. The wide variety of projects implemented locally in each of the 8 poles, as well as lessons learned from best practices, are integrated into the common repository of the "EDMO Central", providing centralised technological infrastructure and coordinating strategic orientation.

Following the confirmation in July 2021 of the media company RTL as the Luxembourg partner of the European Digital Media Observatory for Belgium and Luxembourg (EDMO BELUX), ALIA organised a meeting with the partners responsible for EDMO BELUX, during which the Flemish knowledge centre for media and information education "IMEC" and "Mediawijs", as responsible for the activity "*Media literacy activities at community level*", presented their ideas for the development and implementation of media literacy activities in Luxembourg and in the French-speaking community of Belgium.

EPRA Workshop with Vienna University: "Evidence based regulation - Youth engagement in the digital environment"
24 November 2021

The workshop highlighted the risks and opportunities of the digital environment for young people. Based on three presentations by researchers from the University of Vienna, the event addressed the role of social media in political engagement of young people. The impact of the use of social media on the well-being of young people and the harmful effects of social media and smartphones on children and young people were discussed, as well as the conclusions that can be drawn for regulation. The workshop highlighted the importance of a science-based regulatory approach that EPRA wishes to promote in its work programme for 2022 through interdisciplinary collaboration with scientists, experts and professionals to respond to the changing challenges of an evolving digital environment.

Symposium organised by "respect.lu": "Du Négatif au Positif – Recruiting for Democracy" (From the Negative to the Positive - Recruiting for Democracy)
29 November 2021

The two-day symposium, organised on 29 and 30 November 2021 by the centre against radicalisation "respect.lu", focussed on the prevention of radicalisation and the fight against discrimination. Workshop 2 on "the role of (social) media" addressed the following issues: why do people become vulnerable to radicalisation tendencies, how do social media promote them, and how can these processes be interrupted or even reversed? The discussion focused on how to approach people in the position of perpetrator or victim and on strategies to protect against hate speech. The subject of the evening lecture by Simone RAFAEL, editor-in-chief of "Bell-tower.News" was the work of the Foundation "Amadeu Antonio" and its key projects.





05

The opportunity of editorial choices

Review of
monitoring
and regulation
of electronic
media services

The opportunity of editorial choices

Review of monitoring and regulation of electronic media services

The *Autorité luxembourgeoise indépendante de l'audiovisuel* (Luxembourg Independent Authority for Audiovisual Media - ALIA) is in charge of monitoring the application of regulatory and legislative texts, both national and European, by audiovisual media service providers (SMA) insofar as the content of their programmes is concerned.

The Authority is the supervisory body of programmes and thus handles complaints from listeners and spectators, complaint files submitted by foreign authorities relating to services under its supervision or deals with various issues such as the protection of minors, human dignity, commercial communications or political opinion polls. It always intervenes a posteriori in the field of monitoring and its task in this field includes both linear services (conventional television), non-linear services (video-on-demand - VOD), national, regional and local radios as well as cinema.

As SMA regulator ALIA also renders decisions and advisory opinions on any related topics or bills of law. The Authority provides opinions, in particular, on applications for the granting and renewal of a concession, for the license of an audiovisual service, or even on any request for amending specifications.

Programme monitoring

In 2021 the Authority issued 20 decisions as part of its programme monitoring mission. To optimise the processing, some files were joined to be dealt with in a single decision.

Protection of minors

The issue of protection of minors remains a major concern of the Authority. Thus, in 2021, the Authority received several complaints following the broadcast of programme elements deemed inappropriate for young audiences, in particular because of their misclassification in the different age categories.

Content classification in the different age categories by providers

In a decision against four television services, namely *Film+*, *RTL II*, *RTL+* and *Cool TV*, the Authority ruled on the age classification of a series of 24 programme elements broadcast by these channels between July 2019 and March 2021. The Hungarian regulator NMHH transmitted the 24 complaint files to the Authority alleging that the programme elements in question were broadcast with inappropriate labels and that they therefore

violated the applicable Hungarian rules on the protection of minors.

As part of the investigation led by the director, the opinion of the Consultative Assembly of the Authority was sought. The latter, in the same vein as the director, ruled that there was a violation of rules for the classification and the protection of minors. After analysing the 24 files, the Board of Directors of the Authority (hereinafter "the Board") adopted the conclusions of the investigation and thus retained a systemic error in the provider's classification system, resulting in a fine of 5,000,- Euro for the provider CLT-Ufa S.A. *Hungarian Broadcasting Division* (Decision n°22/2021).

In another complaint forwarded by the Hungarian regulator, the Authority had to rule in relation to the movie *Operation Hunter Killer*, broadcast on the television service *Film+* on 14 January 2021 in the early evening. Said programme, which displayed the age category "III" (not recommended for children under 12) of the protection of minors' system in force in Hungary and applicable in this case, included, according to the Hungarian regulator, passages that did not meet the requirements of said category and should therefore have been classified in the



upper age category, namely category "IV" (not recommended for children under 16).

According to the plaintiff, these sequences included violent scenes that "*may cause frustration and high anxiety in subjects of the age group to be protected*".

After viewing the disputed scenes, the Board held that the edited version as broadcast by the channel Film+ did not contain scenes of brutality that could adversely affect the physical, mental or moral development of minors aged 12 or older within the meaning of the law applicable to said service. The Board therefore decided to dismiss this claim as inadmissible, in particular for obvious lack of grounds (Decision n°19/2021).

The Board also decided to dismiss the complaint of the Hungarian regulator related to the movie *The Island* broadcast on *Film+* (Decision n°34/2021). According to the Board, the scenes criticised by the Hungarian regulator are not characterised by excessive or par-

ticularly pronounced violence and brutality. In addition, the Board notes that the written description of the Hungarian regulator gives an impression of gravity not conveyed by the images. It therefore concludes that "*the movie exudes a general climate characteristic of science fiction movies, but which, viewed from this angle, cannot be a generator of anxiety or destabilising tension for young viewers referred to in Category III of the Hungarian law*".

In a case concerning not a complaint for excessive violence but inappropriate images and words (nudity and sex, alcohol, foul language), the Hungarian regulator considered that the programme *BeleValóVilág powered by Big Brother* should have been classified in a higher age group category, namely category "V" (not recommended for children under 18) instead of category "IV" (not recommended for children under 16). It more specifically related to the broadcast of different episodes of the show *BeleValóVilág powered by Big Brother* aired on RTL

II. While the Board had already received several complaints related to this service in the past, some of which resulted in disciplinary sanctions⁴, it held in this case that the disputed sequences did not contain elements that could adversely affect the physical, mental or moral development of minors under the age of 16 within the meaning of the Hungarian system of classification and protection of minors and, therefore, closed the case.

In two files relating to the television service *Skylink 7* (in the Czech version), a service under a Luxembourg concession granted to S.à r.l. Canal+ Luxembourg, the Authority had to decide once again on the rules on age classification, this time in relation to complaints transmitted by the Czech regulator RRTV. It should also be mentioned that the Authority authorised the application of the Czech system for the protection of minors to this service. Indeed, the amended Grand Ducal Regulation of 8 January 2015 on the protection of minors specifies that providers may apply the rules for the protection

⁴ In 2019 ALIA already decided a fine of 10.000,- Euro against the provider CLT-Ufa S.A. Hungarian Broadcasting Division as a result of an age category misclassification of an episode of the same show *BeleValóVilág powered by Big Brother*. To date, this is the highest financial penalty imposed by the Authority (Decision n°4/2019). In 2020 the Board issued a reprimand against the same service (Decision n°18/2020). Amended Grand Ducal Regulation of 8 January 2015 on the protection of minors in audiovisual media services.



of minors of a foreign country if the content of the programme is primarily intended for the public of that country⁵.

Both complaints related to movies containing scenes of physical and psychological violence that led the Board to ask the director to carry out an investigation. The analysis of the files regarding the two programme elements indicated that they should have been classified in a higher age category, due to a great deal of gratuitous violence, extreme brutality and scenes of sexual violence, or even behaviours the imitation of which by young people could have harmful repercussions on their development. The Board there-

fore considered that they would have required the use of the "-16" label. The provider, on the other hand, informed the Authority that the classification of programmes was made by an external provider based on the recommendation of the programme producer. For its part, the Board reminded the provider that this explanation did not discharge the provider of its final responsibility as the editorial manager of programmes issued under the license it was granted. In its decisions n°27/2021 and n°28/2021 the Board sentenced the provider Canal+ Luxembourg S.à r.l. to two fines, each of 2.500,- Euro.

The Authority was also seized of a complaint relating to short

films broadcast on *.dok den op-pene Kanal*. According to the plaintiff, the short films contained pornographic and violent scenes while no signage was displayed. In its decision, the Board first of all held that *"the content of the various offending programme elements is clearly characterised by extreme cruelty of the images: they are full of pornographic elements and even extreme violence, including sequences of rape, sexual harassment, suicide attempts and drug use"* and that the seven short films therefore fall under the age category "V" (not recommended for children under 18). Since no encryption, as provided for by the Luxembourg legal framework for programmes falling under cate-



[...] the amended Grand Ducal Regulation of 8 January 2015 on the protection of minors specifies that providers may apply the rules for the protection of minors of a foreign country if the content of the programme is primarily intended for the public of that country.



⁵ Amended Grand Ducal Regulation of 8 January 2015 on the protection of minors in audiovisual media services.



gory "V", was put in place for the broadcasting of short films, and while considering the admission of its wrongs by the provider, the absence of any previous cases of the provider as well as the time the offending episodes were broadcast and the financial resources of the service provider, the Board decided to impose a fine of 500,- Euro against the provider (Decision n°29/2021).

Acting on its own initiative, the Board also requested the director to investigate the application of the rules on the protection of minors, and more specifically on the classification of programme elements in the different age categories, on the *.dok den oppene Kanal* service. In the course of this investigation, the director noted that the short films broadcast on *.dok den*

oppene Kanal on 10 and 20 May 2020 had no label at all, while they should have been classified in the age category "IV" (not recommended for children under 16) and the age category "III" (not recommended for children under 12) respectively and therefore display the appropriate label. The Board agreed with the Director's opinion and decided to impose a financial sanction of 300,- Euro against the provider (Decision n°30/2021).

Classification of movies in cinemas

The Authority also monitors the classification (and its mandatory publication) of movies released in cinemas. While operators first act as self-regulator by classifying movies according to the various age categories, ALIA intervenes

ad hoc to check compliance and mandatory publication of the classification. By a reasoned decision, ALIA may reclassify a movie into a higher category.

In its mission to monitor the classification of movies shown in cinemas in Luxembourg, the Authority ruled on a complaint with regard to the movie *Paw Patrol*. According to the plaintiff, the movie was classified in the wrong age category. To provide a *prima facie* assessment, the Board analysed the international classifications of this movie and it appeared that *Paw Patrol* was classified "children admitted" by all recognised international classification organisations. The Board agreed with this assessment by declaring the complaint clearly unfounded and inadmissible (Decision n°26/2021).



ALIA intervenes *ad hoc* to check compliance and mandatory publication of the classification. By a reasoned decision, ALIA may reclassify a movie into a higher category.



Human dignity and incitement to hatred

Freedom of expression in humorous formats

Prohibition of incitement to hatred and respect for human dignity are fundamental principles providers must pay great attention to. These principles are among the few exceptions to that of freedom of expression and the mission of the Authority is thus to find the right balance.

A complaint file, transmitted by the Serbian regulator, stated that the service *Nova S*, a Serbian television channel, under a license granted by Luxembourg government and therefore falling within the competence of Luxembourg, broadcast the programme *Mental Service*, in which the dignity of several high-ranking Serbian politicians was allegedly repeatedly violated. Also, according to the Serbian regulator, disparaging remarks in connection with the physical appearance of these public persons as well as sexist insults were repeatedly uttered. Comments about the belonging to a certain political current of the protagonists would have encouraged, in a blatant way, discrimination

against these people and would also represent a speech inciting to hatred.

The Board in a first step requested a translation of the extract in its entirety by a sworn translator-interpreter. The subsequent analysis revealed discrepancies between the translation requested by the Authority and the file transmitted by the regulator. Indeed, the transcript of the programme provided by the Serbian regulator only partially contained the sequences that the Serbian regulator nevertheless described in its own analysis as containing discriminatory or hateful remarks. Subsequently, it turned out that, at no time, the programme contained remarks to which the qualifiers "discriminatory" or "inciting hatred" would apply.

The Board affirms in this decision that its task is not to judge the appropriateness of the editorial choices made by the provider or the journalistic or humorous quality of the programmes, but that its task is limited to imposing a sanction against the media provider if, at the end of the adversarial procedure, it is found that the content of "*the service has clearly, severely and seriously violated the provisions applicable to it*".

Although this case was closed by the Board, the decision is an important development in the Board's decision making, in that it establishes the requirement of necessary criteria to sanction humorous formats. The Board thus clarifies the limits of freedom of expression (Decision n°15/2021).

Commercial communications

Regularity of sponsorship operations between public and private institutions

The Authority ruled in 2021 on a case relating to the legality of sponsorship between *radio 100,7* ("Établissement de radiodiffusion socioculturelle") and the English-language magazine *Delano* owned by a private, commercial-oriented press body. Following a parliamentary question about a weekly programme of the magazine *Delano* aired on *radio 100,7*, the Board decided to act on its own initiative.

Within the frame of the investigation, the provider explained that the intention is to promote a new programme to target an English-speaking expat public. The two partners would have mutually committed to cross media ad-



vertising. Similarly, the provider claimed that editorial independence, as provided for by the specifications of *radio 100,7*, was still assured and that the programme in question, *The Jim Kent Show*, was at all times under the responsibility of the head of programme as well as the director of *radio 100,7*.

The Board, in its decision, initially concluded that the broadcasting of sponsored events is indeed authorised by the provider's specifications and that the provider is therefore in principle authorised to use sponsorship. The Board also found that there were no elements resulting from the investigation or the provider's explanations leading to the conclusion that there was a financial contribution from the counterparty to the provider. The case was closed (Decision n°9/2021).

Subliminal commercial communications and self-promotion

In a case against the service *RTL 7* of S.A. CLT-Ufa, the Authority was seized of a complaint regarding a self-promoting commercial communication in the format *Big Brother* aired in July 2020 on this Dutch channel. According to the

plaintiff, an additional subliminally visible commercial communication was included in this self-promotion message.

The amended law on electronic media provides for a ban on subliminal techniques⁶. This is a method where one or more images are displayed between the frames of a video sequence, but in such a way that the viewer does not consciously perceive them. While the potential effects of this advertising technique were never proven, it is prohibited in most Western countries and in particular by European law.

After analysing and viewing the file, the Board adopted the conclusions of the investigation ruling that "the self-promotion sequence broadcast on *RTL 7* for the programme "*Big Brother*" does not, at any time perceptibly, show, even in slow-motion viewing mode, the brand logo *Vodafone*" as claimed by the plaintiff. The Board thus decided to dismiss this case (Decision n°11/2021).

The Authority also had to rule on a complaint regarding the programme *Big Brother* broadcast on *RTL 5*. According to the plaintiff, the programme contained, on sev-

eral occasions, clandestine advertisements for the activity of one of the participants of the programme. Indeed, said participant would wear a sweater displaying his artist name "*Matt Ardeo*" almost every day. After analysing the file, the Board first of all held that the provider showed certain negligence and therefore urged the latter "to closer monitor the airtime conditions for participants of formats such as the one under review". However, since "in the particular circumstances of the present case, a clear advertising intention of the provider cannot be inferred from the mere repeated appearance of the disputed wording or from other applicable criteria", the Board concluded that "the service has not manifestly, severely and seriously violated the provisions applicable to it" and therefore decided to close the case (Decision n°32/2021).

A persistent legal vacuum in terms of rules on commercial communications broadcast by national radio services

Following a complaint regarding the content of a report broadcast on the channel *RTL Radio Lëtzebuerg*, the Authority was led to analyse whether the report contained

⁶ Amended Law of 27 July 1991, article 27bis (1) (b): "[Commercial communications] do not use subliminal techniques".



a clandestine advertisement of the Luxembourg airline *Luxair*. According to the plaintiff, the fact that the CEO of this company reassured customers by saying that the company was not abandoning its customers would have no place in a news format and would thus constitute clandestine advertising.

The Authority, having declared itself competent to rule on the complaint, proceeded with an analysis of the legal framework for commercial communications applicable to radio services. Indeed, the scope of the Luxembourg regulatory framework in this area exclusively related to "audiovisual media services", excluding radio services.

The Board took this opportunity to recall the conclusions of its opinions n°10/2019 of 16 September 2019 and n°80/2020 of 23 November 2020 on each occasion about amendments to be made to the amended Grand Ducal Regulation of 5 April 2001⁷.

Based on the observation that a legal framework for commercial communications applicable to na-

tional radio services is still lacking, the complaint was declared inadmissible and the Board closed the case. (Decision n°14/2021).

Legal framework on the organisation of formal conditions of commercial communications

Regulated services also have to comply with certain formal conditions on the duration of advertising blocks, the insertion of teleshopping elements and the separation of commercial content from the editorial content of the programme.

In a complaint transmitted by the Slovenian regulator AKOS, the Board took a decision on two joint files regarding the services *Sport Club 1 and Sport Club 2*, both in the Slovenian version. According to the plaintiff, both services violated the time limit rules governing commercial communications.

According to the Grand Ducal Regulation laying down the rules applicable to commercial communications⁸, "the proportion of TV advertising spots and teleshop-

ping spots in the period between 6am and 6pm does not exceed 20% of this period. The proportion of TV advertising spots and teleshopping spots in the period from 6pm to midnight does not exceed 20% of this period". The investigation, however, by checking the lists transmitted by the provider, showed that this legal limit was not exceeded.

Another of the plaintiff's grievances related to commercial communications from different commercial companies on split-screen, broadcast during programme elements on both channels. The investigation referred here to decision n° 1/2018 of the ALIA Board of Directors, during which the Board deemed that the implementation of the split-screen technique does not "[infringe] as such the integrity of the programmes, but that the infringement may result from the action that is concretely hidden from the view of the viewer" and that "it is only if said action is of particular interest given the editorial content broadcast that this may lead to a violation of the integrity of the programme".

⁷ Grand Ducal Regulation of 5 April 2001 laying down the rules applicable to the content of European works and works by independent producers of television programmes deemed to fall within the competence of Luxembourg in accordance with the European directive *Télévision sans frontières* (Television without borders).

⁸ Amended Grand Ducal Regulation of 5 April 2001 laying down the rules applicable to commercial communications in audiovisual media services.



The investigation found an impact on the programme's integrity within the meaning of the above-mentioned decision. The provider subsequently argued that the display of the *replay* screen was only partially hidden so that the football match could be followed by viewers continuously in the live broadcast. The investigation did not adopt this argument and held that there was indeed a violation of the programme's integrity and that the aforementioned regulations were, therefore, not complied with.

Regarding the content of said teleshopping spots, the investigation analysed the conformity of the advertising messages referring, orally as well as on screen, to the complementary treatment and prevention properties of dietary supplements against diseases such as Parkinson's or diabetes. The director concluded that dietary supplements are not considered medicinal products and therefore don't require market authorisation. He therefore considered that the legal provisions relating to advertising messages for medicinal products were not violated in this case.

With regard to teleshopping, the Grand Ducal Regulation laying down the rules applicable to commercial communications provides that "*teleshopping spots must (...) have a minimum uninterrupted duration of fifteen minutes*". In

this case, a teleshopping spot of 14 minutes and 5 seconds was included in the service's programme schedule *Sports Club 2*. The director therefore proposed to issue a reprimand against the provider.

The Board of Directors adopted the conclusion of the investigation on these two points and therefore decided to issue a reprimand against the provider who violated "*clearly, severely and seriously the provisions governing the duration of teleshopping spots*" (Decision n°20/2021).

Other topics

The obligation of the provider to respect pluralism in media during the election campaign

The provider RTL Belux S.A. & cie s.e.c.s. had communicated to the Authority, for information, a complaint file, previously processed by the *Conseil supérieur de l'audiovisuel belge* (hereinafter "CSA"). The CSA opened this file because of a possible breach of the Règlement Élections du CSA (Elections Regulations) for service providers regarding the communication to the regulator of the electoral device developed by the provider. The ALIA Board of Directors subsequently decided to proceed on its own initiative to decide on two issues related to election coverage in the media.

This was more precisely the election period preceding a triple election in Belgium (European, federal and regional) on 26 May 2019. According to the CSA, the two channels *RTL News and RTL TV* allegedly failed both to cover the campaign of a political party called "Collectif citoyen", and to inform the CSA, under the obligation of communicating to the regulator, of the electoral device developed by the provider RTL Belux S.A. & cie s.e.c.s.

The target of this initiative was the service RTL TV, a service covered by a concession granted by the Luxembourg government and therefore falling within the competence of Luxembourg. In his investigation report, the director first recalled the existence of the *Protocole de coopération en matière de services de médias audiovisuels* (Cooperation Protocol on audiovisual media services), signed on 4 June 2009 between the Government of the French Community of Belgium and the Government of the Grand Duchy of Luxembourg. This protocol provides for the application of Belgian regulations relating to television programmes in electoral matters. In his conclusions, at the end of the investigation procedure, the director summarises "*that indeed no minute of airtime was granted to the political party "Collectif citoyen" during the period from*



22 April to 24 May 2019". The director proposed to close the file without further actions "by strongly encouraging the provider to ensure greater visibility of emerging political groups in future elections". In its final position statement, the provider agreed with the director's conclusions stating that it wants to scrupulously ensure compliance with the "Règlement Élections" (Elections Regulations) in the context of dealing with current events during election periods.

The Board nevertheless decided, with regard to the airtime presence of parties covered by the Elections Regulations, that the provider did not comply with the provisions of said Regulations and, with regard to the transmission of the electoral device to the regulator, that the provider had failed to transmit the document to the Authority in due time and had only done so following the Authority's express request. The Board therefore decided to issue a reprimand against S.A. RTL Belux & cie s.e.c.s. (Decision n°8/2021).

Non-compliance with the rules on the transmission of Luxembourg services by satellite

A special case was opened against the service *Libido*, owned by Groupe 555 S.à r.l. and under concession granted by the Luxem-

bourg government. According to the aforementioned amended law on electronic media, "Luxembourg services may not be transmitted without first obtaining a concession from the Government, on a proposal of the Minister responsible for media and after consulting ALIA".

The director's research in this file revealed that the concession for the service *Libido*, which expired on 31 December 2019, was not renewed. However, the provider continued to transmit the programme after that date, therefore without valid concession. As a result, the Board decided to issue a fine against the provider for the amount of EUR 25,000.-. The Board noted that the provider had not taken the necessary steps to renew the concession, nor did it submit a valid reason justifying this inaction, and that the provider collected revenues from broadcasting the programme without paying the monitoring fee.

An application for the renewal of the concession by Group 555 (which must be subject of an opinion of the Authority) was submitted to the Service des médias, de la connectivité et de la politique numérique (Media, Connectivity and Digital Policy Department - SMC) in February 2020; however, it lacked the required supporting documents and was not com-

pleted subsequently (Decision n°18/2021).

This decision marks ALIA's firm commitment to ensure consistent application of the provisions of the Media Law so that all media service providers are subject to the same obligations. As a result of this decision, ALIA systematically approached all organisations that appeared to broadcast a media service without having completed the required steps and lacking the necessary authorisations.

Rights and duties of journalists and freedom of expression of the press in relation to court decisions

In connection with a report entitled "*En indesche Kach zu Lëtzebuerg: Versklaavt a verurteelt!*", the plaintiff, in this case the Groupement des Magistrats Luxembourgeois (Grouping of Luxembourg Magistrates - hereinafter "GML") brought various grievances before the Autorité luxembourgeoise indépendante de l'audiovisuel. The report in question related to a case brought before Luxembourg courts on facts relating to human trafficking and rape of minors.

The report was broadcast by the service *RTL Télé Lëtzebuerg*. According to the plaintiff, remarks made in the report would have "stigmatised the judicial institution



as a whole and could be interpreted as questioning the honour and probity as well as the professional behaviour not only of the judges of the Court of Appeal [of Luxembourg] who had to rule on said case, but also of the entire magistrature".

The director of ALIA, in his investigation, initially notified the provider that his analysis was limited to a possible non-compliance with the texts governing the concession granted to CLT-Ufa including, in particular, specific specifications applicable to the service *RTL Télé Lëtzebuerg* (hereinafter the "specifications"), the Charter of RTL journalists in Luxembourg and the general commitments of CLT-Ufa relating to Luxembourg public television and radio services, as well as the rules provided for by the amended law of 8 June 2004 on freedom of expression in media.

According to the director, the content of the report, the choice of information put forward and the approach from which the journalist had chosen to analyse the facts, would be part of the providers' editorial choices without demonstrating any bias or lack of objectivity of the latter. He also referred to a 2019 Board decision, according to which *"the Authority's (...) mission is not to judge the appropriateness of the editorial choices made by the provider"*. On this point, the

Board noted, in its decision, at the outset the prominent role played by the press in a democratic society by recalling legislative texts relating to the freedom of the press, namely the Luxembourg Constitution or the Charter of Fundamental Rights of the European Union in its article 11.

Another of the plaintiff's grievances related to a possible violation of the authority of Justice or its independence. According to the investigation, the viewing of the report in its entirety would rather show the willingness of the provider to draw the attention of viewers to the issue of human trafficking and the exploitation of immigrant workers, without the intention to raise doubts about the court case in question. In addition, it would be difficult to imagine that these criticisms would be of sufficiently serious type to undermine the jurisdiction and magistrates in question, let alone the image of justice as such and its independence.

According to the Board, judiciary power should be in a position to be respected by any accused person and in public opinion⁹. Thus, courts should be protected more particularly against *"destructive attacks that are unfounded"*. On the other hand, the law, and more precisely article 10 of the European Convention on Human Rights, left little room for restrictions on free-

dom of expression in both areas of political discourse and issues of general interest.

The Board, in a large part of its argument and decision, agreed with the director's conclusions by deciding that the content of the programme did not violate freedom of expression, the judicial authority as a whole or the honour and probity of the judges in question.

Finally, the analysis of all grievances brought to the attention of the Board in this file led it to close the case without further action and not to impose any sanctions against the provider (Decision n° 25/2021).

Racist prejudice against an ethnic community

The Authority received four complaints relating to the broadcast of a news report on *RTL Télé Lëtzebuerg* on 15 November 2021. According to the plaintiffs, the report on the topic of the safety in the Gare district of Luxembourg City allegedly conveyed racist prejudices against an ethnic community.

Moreover, one of the plaintiffs described the programme element as "tendentious", since its author only partially developed a subject that would be far more complex. Regarding the claim of disseminating discriminatory remarks during an interview with a resident of the

⁹ See, for example, *Kudeshkina V. Russia*, 26 February 2009, application No. 29492/05 § 86.



Gare district, the Board held that the latter "provides (...) a description of the current state as it appears to this resident in the streets of this District without targeting a specific community as a whole. Moreover, the words conveyed by the interviewed resident do not contain expressions, which could be qualified as "discriminatory" or "inciting to hatred". As for the alleged breach of the obligations of impartiality and objectivity in the exercise of journalistic freedom, the Board noted that "if, in general, a journalist must give the public accurate, relatively complete and objective information and must act with the utmost circumspection, both in the search for information and in their dissemination¹⁰, media must be allowed [...] especially in the context of a news report and given the rather strict time frame in which it is broadcast, to cover only a partial aspect dictated by the situation". According to the Board "said report cannot in any way be qualified as a contribution aimed at dealing with the different facets of the subject of the postponed meeting, which viewers were also able to easily understand, unlike in a case of an investigative report, the purpose of which requires greater rigor in collecting different potential points of view on a specific subject".

Consequently, the Board, while considering the relevant case law of the European Court of Human Rights on the matter, held on this point that there was no "clear, severe and serious violation" of the obligations of impartiality and objectivity incumbent on the provider in the exercise of freedom of expression and therefore decided to close the cases. (Decision n°35/2021).

Regulatory missions

Decisions

On the application of foreign rules on systems for the protection of minors

In 2021 the Authority issued 10 favourable regulatory decisions following applications submitted by various providers under its supervision. Most of these decisions related to requests to apply a foreign system for the protection of minors. Indeed, the amended Grand Ducal Regulation of 8 January 2015 on the protection of minors specifies that providers may apply the rules for the protection of minors of a foreign country if the content of the programme is primarily intended for the public of that country¹¹.

The Authority issued favourable decisions following requests from providers to apply a foreign classification system (Decisions n°2/2021, n°3/2021, n°4/2021, n°5/2021, n°6/2021 and n°12/2021). In these cases, providers asked to use the Irish system for the protection of minors applicable as of the time the United Kingdom left the European Union. It should be noted that, since April 2021, agreements to change the system for the protection of minors are notified to providers by post and not in form of a decision. The Authority therefore also, by letter, granted the requests to apply the Irish system for the protection of minors submitted by MG Global Entertainment (Europe) Ltd and Sky UK Ltd as well as the request of S.à r.l. Canal+ Luxembourg for the use of the Czech system for the protection of minors.

On the modification of specifications

The a.s.b.l. (non-profit organisation) Country Radio Gilsdorf requested to change frequency on the grounds that the old frequency would not allow satisfactory coverage.

¹⁰ See in this context: Court of Appeal of Luxembourg, 15 July 2020.

¹¹ Amended Grand Ducal Regulation of 8 January 2015 on the protection of minors in audiovisual media services.



Since this change is expressly provided for by the amended Law on electronic media¹², and this without the need for a new call for tender, the Board granted the request of the local provider (Decision n° 13/2021).

S.à r.l. Luxradio submitted an application to the Authority following a change in the composition of its operating and management bodies. Specifications of the service *Eldorado*, granted to *Luxradio S.à r.l.*, provide for the obligation to obtain the "prior and express consent of [l'Autorité luxembourgeoise indépendante de l'audiovisuel]" for any changes to the specifications. The Authority granted this request (Decision n°17/2021).

The provider *Alter Echos S.à r.l.* informed the Authority of a change of address of its registered office. Such a change is also considered as amendment of specification for which providers must obtain the approval of the Authority. The Board granted the request by attaching an addendum to the provider's specifications (Decision n°24/2021).

Finally, the Authority granted the request submitted by the *Société*

européenne de communication social s.à r.l. for the change of its registered office as well as the renewal of the mandates of the members of its Management Board (Decision n°31/2021).

Advisory opinions

In 2021 the Authority issued 14 opinions on various subjects. In general, it must express its opinion on applications, renewals or withdrawals of permits and concessions for licensed audiovisual media services and high-power transmitter radio services (national coverage radios). In addition, the Authority may give its opinion on any other issue related to the regulation of audiovisual media services should it deem necessary. It should be noted that ALIA's opinions are only of advisory type.

On applications for concessions or permits of Luxembourg audiovisual services

ALIA issued 9 favourable opinions following applications for concessions or permits. With regard to an opinion relating to an application by *Network4 Media Group s.à r.l.* to obtain two additional conces-

sions for the Luxembourg satellite television service *Story4*, the Authority made the reservation to wait for the adaptation of the management model of this service (the need for editorial decision-making in Luxembourg), as it had already expressed in its opinion n° 5 of 20 April 2020, before giving its approval.

As regards the audiovisual media services broadcast by municipalities, the Authority issued a favourable opinion on granting concessions for Luxembourg cable television services *Pétange TV Info*, *Miersch TV*, *Esch TV and TV Info Diddeleng* (Opinions n°10/2021, n°11/2021, n°12/2021 and n°13/2021).

On the draft amendment to the amended Grand Ducal Regulation of 5 April 2001 on the rules for the promotion of European works

SMA providers are in principle obliged to include at least 30% of European works in their catalogues and to valorise these works. In the draft Grand Ducal Regulation, the Government proposed to exempt from this obligation:

¹² Amended Law of 27 July 1991 on electronic media, article 16 (8).



- ▶ audiovisual media service providers with low turnover or low audience,
- ▶ cases where it is impossible to comply with this obligation or unjustified due to the nature or topic of the audiovisual media services.

The Authority opposed the proposed text, arguing that the text would "lack precision to be applicable and [that it] did not meet the requirements arising from the principle of legal security and those arising from the principle of legality of sanctions provided for in particular in article 14 of the Constitution". The criteria proposed by the text lacked precision, in particular to "delineate [the criteria] of providers who are and are not subject to the promotion obligations". The Authority also reiterates its suggestion to receive, pursuant to article 108bis of the Constitution, regulatory power in its field of specialty to which this opinion belonged (Opinion n°4/2021). Notwithstanding the reservations expressed by the Authority in its opinion, the text was adopted by Grand Ducal Regulation of 15 July

2021, specifying however that the criteria of "low turnover" and "low audience" must be assessed in accordance with the Commission guidelines on European works.

On the bill of law establishing the public institution "média de service public 100,7" and amending the amended law of 27 July 1991 on electronic media

While reiterating the elements already developed in its opinion n° 2 of 10 February 2020 on the different mandates of the bodies of the public institution, the Board stressed, in its opinion n° 1 of 22 March 2021, the importance of identifying, through the future law, the values of a public service media universally recognised: "In an area affecting media freedom and freedom of expression, the production of quality programmes and the dissemination of correct information, it is essential to set the rules for the attention of all parties involved".

As it appears from said opinion, a clear and precise delimitation of the final objectives of the pro-

gramme and the missions of the various actors is essential to ensure efficient functioning and the full achievement of the objectives. Thus, any decision, whether of general or particular type, must be arranged, explained and justified in view of the "social" purpose of the public institution.

According to the Authority, it is essential not only that the organisation and governance of the public institution are clearly established through an exhaustive description of the role and responsibility of the editor-in-chief as well as that of the programme coordinator, but also that its purpose is identified in the future law in a clear and precise definition of the editorial line.

Finally, the Authority further stressed that the "editorial status", also insofar as it must organise the daily interaction between managing director, editor-in-chief and head of programme, should be specified in the law, or possibly in a delegated regulatory document to be drawn up in compliance with the philosophy of the role, values and mission of a public service media" (Opinion n° 1).



On the deployment of DAB+ in Luxembourg

In an opinion requested by the Minister of Communications and Media, ALIA had to advise on the deployment of DAB + in Luxembourg and more precisely on balancing the different characteristics of established and new radios within DAB + multiplexes as well as on the method of financing this new offer.

The Authority initially drew attention to the fact that it would be necessary to avoid a repetition of the current FM situation, characterised by "a real patchwork (*Flickentepich*), unable to satisfy listeners". As for the financial investment required by the Government, which according to a study of the BCE (Broadcasting Centre Europe) amounts to 400,000 Euro, the Authority believes that DAB + infrastructure should imperatively lead to maximum exploitation by FM radios currently under Luxembourg licence. Once the choice to partic-

ipate or not in the deployment of the new technology is made, the market should be expanded "to new entrants in such a way that a maximum of listeners in the reception area have access to quality offers as diverse as possible, also from abroad, and therefore complementary to the programmes offered by existing radios on FM".

As a regulator of the audiovisual sector with a status of autonomy and independence, ALIA should at least be associated or otherwise ensure the decision-making process for the allocation of the available spectrum. The Authority thus expressed an opinion on certain legal aspects relating to the deployment of this new technology. According to the current state of the law, local or network broadcast radios must have a permission granted by ALIA. To broadcast an identical programme by both transmission channels, these radios would also need to have a second permit granted by the Government. According to the Authority,

the authorisation to broadcast on DAB + must be strictly technical, it must refer, as far as the content to be broadcast is concerned, to existing concessions, authorisations, licenses and specifications. The complexity of legal order leads the Authority to reiterate in this context once again its concern to combine the powers to regulate access to the audiovisual media market in the hands of a single independent authority (Opinion n°7/2021).

On a bill of law on foreign direct investment

The Authority expressed its opinion on a bill of law on the introduction of a national filtering mechanism for foreign direct investments that may affect security or public order. The bill of law aims at transposing into national law a European regulation, which aims at implementing a notification system for foreign direct investments likely to harm security or public order¹⁵.



It would be necessary to avoid a repetition of the current FM situation, characterised by "a real patchwork (*Flickentepich*), unable to satisfy listeners".



¹⁵ Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investment in the Union.



After analysing the text of the law, ALIA deems that the *Service des médias, de la connectivité et de la politique numérique* (Department of Media, Connectivity and Digital Policy - SMC) would be the body involved in the event of a procedure against a media service under Luxembourg law. However, the Authority, as the regulatory body overseeing the application of regulatory texts on audiovisual media services licensed in Luxembourg, has good knowledge of the market situation and important contacts with its regulatory counterparts, in particular through the ERGA and EPRA networks. The Authority is therefore questioning the opportunities to institutionalise its participation in the consultation process, either through direct involvement or through advisory competence to the Minister in charge of media (Opinion n°9/2021).

On the bill of law amending the amended electoral law of 18 February 2003 and the amended law on electronic media of 27 July 1991

The draft amendments are aimed at creating a legal basis for assigning two new missions to ALIA, namely:

- ▶ The organisation of media election campaigns broadcast through the media entrusted with a public service mission in the context of legislative, municipal and European elections.
- ▶ The organisation of public information programs "free forums" reserved to political parties and candidate groups, broadcast by media with a public service mission outside of election campaigns.

In its opinion n°14 of 13 December 2021 the Authority welcomed the Government's initiative to create a legal framework for these missions, the second of which it carried out since recently. After analysing the draft amendments, ALIA deems that the text in its current version does not guarantee a balanced presence in the media of the various political parties and candidates running for elections and does not provide the Authority with the instruments and resources necessary for the proper performance of the envisaged missions.



[...] the text in its current version does not guarantee a balanced presence in the media of the various political parties and candidates running for elections [...]



In concrete terms, the Authority invited the legislative bodies to complete the text by adding, in particular, provisions to:

- ▶ extend the scope of supervision to all media outlets that offer television and radio programmes aimed at the resident public, as opposed to limited supervision to media outlets with a public service mission;
- ▶ extend the scope of supervision to the entire programme of audiovisual or sound media service providers, in contrast to supervision limited to mandatory programme elements that these providers are required to broadcast;
- ▶ specify the official duration of the election period during which the obligations apply;
- ▶ provide the independent audiovisual regulator with the competence to independently define specific rules on the organisation and scope of this supervision;
- ▶ provide ALIA with the budgetary and personal resources necessary for the proper performance of the envisaged missions.

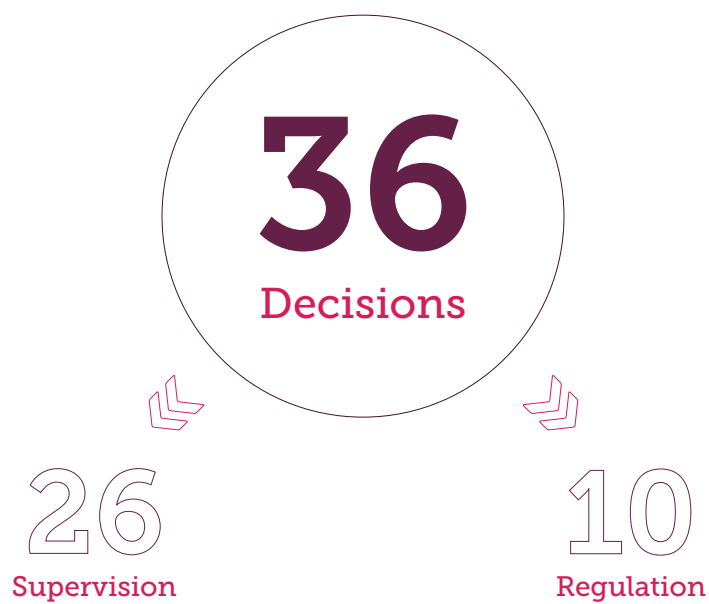


All opinions and decisions rendered by ALIA are available on the website

www.alia.lu

Statistics

Decisions



Details of decisions

	Issued as a result of one or more complaints	Issued upon initiative of the Authority	Issued in response to a request	Issued upon informal appeal
Supervision	22	4	/	2
Regulation	/	/	10	/



Advisory opinions



Details of complaints

Complaint topics	Complaints received in 2021	Complaints processed in 2021	Decisions based on complaints postponed to 2021
Protection of minors	9	37	4
Incitement to hatred	1	1	/
Human dignity	8	8	/
Commercial communications	2	6	3
Other	9	10	1

Note by the Authority: The difference between the complaints processed and the complaints received is explained by the fact that most of the cases handled by ALIA in 2021 related to complaints received in 2020 or in previous years. It should be noted that a single decision can cover several complaints. It should also be noted that a single complaint can concern several topics.



Sanctions imposed in 2021



In the context of its advisory opinion n° 81/2020 on the bill of law n° 7651 amending the amended law of 27 July 1991 on electronic media, the Board of Directors deemed that it was useful to revise the article on the range of disciplinary sanctions to be pronounced by the Authority so as to include in the law the possibility to acknowledge a violation of the law without imposing a sanction. In practice, acknowledging a violation was already applied by the Authority (see Decision n° 11/2017) but the Administrative court ruled that this way of proceeding was outside the provisions of the law, which obliges the Authority either to impose a sanction, even though it does not seem appropriate, or to refrain from finding a violation of a rule, which is not appropriate for a regulator¹⁵.

Consultative Assembly

When investigating a complaint or upon own initiative regarding the protection of minors as well as incitement to hatred based on race, sex, opinion, religion or nationality, the Consultative Assembly must be consulted both for radio and

television services and for cinematographic works. By decision of the Authority's Board of Directors, the Consultative Assembly may also be consulted in the context of its other functions.

In the year 2021 the Consultative Assembly had 8 plenary meetings discussing 9 opinions in the field of protection of minors and incitement to violence or hatred based on race, sex, opinion, religion or nationality.

¹⁴ Amended Law of 27 July 1991 on electronic media, article 16 (8).

¹⁵ Judgment of the Administrative court of 31 January 2020, 4th chamber, n°40827 of the court files.





06

European affairs and international relations

European affairs and international relations

The Authority is a member of several European and international regulatory cooperation bodies, including the following:



ERGA
European
Regulators Group
for Audiovisual
Media Services



EPRA
European
Platform of
Regulatory
Authorities



REFRAM
Réseau
francophone des
régulateurs de
médias



PEGI
Pan
European
Game
Information

The Authority also attends the Contact Committee for the Directive "Audiovisual Media Services" (SMA), which is chaired by the European Commission, and participates in the sessions of the International Classifiers Conference (ICC).

In 2021 the Authority strengthened its European and international pillars by recruiting new staff responsible for regulatory affairs and media literacy. The Authority

consequently increased its level of participation in European regulatory bodies, in particular in the group of European regulators of audiovisual media services (ERGA) and

in the European Platform of Regulatory bodies (EPRA), but it also deepened its involvement in the international field of media literacy.



The Authority consequently increased its level of participation in European regulatory bodies.



Group of European regulators for audiovisual media services (ERGA)

Main activities

Within ERGA the Authority participated in the meetings of the various work groups, which were held throughout 2021 exclusively by videoconference due to the COVID-19 pandemic. Work groups consisted of three sub-groups and three action groups, which continued the work initiated during the year 2020. As a regular member, the Authority closely followed the work of the various groups throughout 17 work meetings and two plenary meetings, participated in two seminars and one public event and assisted in the preparation of reports and other joint publications of ERGA.

The first sub-group dealt with the consistent implementation and application of the new regulatory framework created by Directive (EU) 2018/1808 amending Directive 2010/13/EU, the so-called "Audiovisual Media Services" (ADM) directive. It focused on the three complementary aspects that are implementing new obligations applying to audiovisual media services (SMA) and video-sharing platforms (VSP), improving the regulatory framework for SMA through

regulatory practice and reflecting on the role and skills of regulators in an ever-changing digital world. To ensure pragmatic coverage of these aspects, the sub-group relied both on the exchange of good practices on the implementation of national measures and on the exchange of technical expertise on the interpretation of certain provisions of the new SMA Directive.

The work of the first sub-group mainly resulted in a set of six reports: a global report, guidance and recommendations on the implementation of article 28 *bis* on the provisions applicable to video-sharing platform services, a report on article 7(1) on the new accessibility rules, a report on the transposition and implementation of article 13(1) on the promotion of European works on video-on-demand platforms, analysis and recommendations regarding the regulation of vloggers and an overview of good practices on articles 7bis on the appropriate visibility of audiovisual media services of general interest and 7ter on appropriate and proportionate measures to protect the integrity of audiovisual media services of the new SMA Directive.

The second sub-group focused on the evolution of the European regulatory framework for media.

During the first semester the main subject was the development of proposals to strengthen the *Digital Services Act* (DSA) in the area of online content regulation, while the second half of the year brought greater attention to issues dealing with appropriate structures for regulatory supervision in a rapidly digitalising world. The sub-group thus contributed to the development of the declaration on the proposals of the European Commission for the *Digital Services Act* and the *Digital Markets Act* and proposals to strengthen the Digital Services Act (DSA) on the regulation of online content from ERGA.

The third sub-group focused on one of the major information challenges of our democratic systems at the moment, i.e., disinformation. In particular, the sub-group contributed to a presentation by ERGA on the new Code of Practice on disinformation, which aims to strengthen self-regulation of online platforms as well as consolidate the monitoring systems of the actions of said platforms. It also contributed to the development of a set of ten recommendations to strengthen the Code of Practice and the publishing of a report on ERGA's disinformation monitoring related more specifically to the COVID-19 pandemic.



With regard to the action groups, the first dealt with the implementation of the ERGA Memorandum of Understanding adopted on 3 December 2020. The group contributed to strengthen the cooperation between European regulators collaborating within ERGA and designed operational practices allowing its members to promote the spirit of unit. The group released a report on key experiences of the first year of the operationalisation of the protocol as well as the template of the standardised form, which allows initiating a formal cooperation procedure in a comprehensive manner. It should be noted that the Authority intends to further intensify its presence within the group and successfully applied to take the role of editor during the 2022 financial year. It will thus contribute to the implementation of enhanced cooperation within the European Union.

The second action group continued ERGA's efforts in assessing the economic effects of the COVID-19 crisis. The group focused on the changes generated by the health crisis at European and national levels trying to put into context their possible negative effects on the diversity and pluralism of media, plurality of opinions and freedom of expression. It published a detailed report on the results of the

survey, which served as a factual basis for its observations and the development of recommendations.

In 2021, for the first time, ERGA created an action group on media literacy. The aim of this third action group, which the Authority joined in summer 2021, is to help video-sharing platforms implement the provisions of the Directive on audiovisual media services requiring them to provide *"effective measures and tools to promote media literacy and make users aware of these measures and tools"* as well as to support Member States in their actions to promote media literacy and their reports on these actions.

The milestones for the creation of this action group were set by the "Plan d'action sur les médias européens dans la décennie numérique" (Action plan on European media in the digital decade) published in December 2020 encouraging the design of a toolkit to ensure the practical application of the new commitments of video-sharing platforms in media literacy, as well as the development of consistent reporting guidelines allowing Member States to systematically report to the Commission on their initiatives according to standardised criteria.

Key events

On 1st June 2021 the Authority, represented by its president, Thierry Hoscheit, participated in the 15th ERGA plenary meeting. The virtual meeting allowed representatives of national regulatory authorities an in-depth exchange on the European Commission's legislative proposal on digital services (*Digital Services Act* (DSA) and the action plan for European democracy. The meeting thus made it possible to clarify ERGA's position on the Digital Services Act, to underline the importance of finding an adequate governance structure and to highlight the need for improved data availability for in-depth research on misinformation on social networks.

On 22 September 2021 the Authority participated in a seminar organised by the sub-group dealing with the consistent implementation and application of the new legislative framework of the SMA Directive. The virtual seminar allowed representatives of the academic, industrial and content provider worlds to exchange on their divergent views on the appropriate visibility of audiovisual media services of general interest, the improvement of the accessibility of services provided by media service providers to people with



disabilities and especially on the new fundamental issues related to video-sharing platforms following the implementation of article 28bis of the new SMA Directive.

On 8 October 2021 the Authority participated in a seminar organised by the sub-group dealing with the monitoring of disinformation related to the COVID-19 pandemic. The virtual seminar provided an opportunity for representatives of civil society, academia and content providers to exchange views on the new Code of Practice on disinformation. Although there was a concordance of views on the importance of combating the proliferation of disinformation, the discussion showed that participants are still considering the implementation of a heterogeneous set of specific measures.

On 15 November 2021 the Authority participated in a public event as part of the publication of ERGA recommendations to strengthen the Code of Practice on disinformation. The virtual event brought together high-level representatives of the European Commission, researchers and representatives of major online platforms. Exchange-

es showed the joint interest of the actors to counter disinformation while highlighting the leading role of public and academic authorities to guide these efforts.

On 2 December 2021 the Authority, represented by its president, Thierry Hoscheit, participated in the 16th ERGA plenary meeting. In addition to an exchange with the European Commissioner for the Internal Market, Thierry Breton, the meeting allowed representatives of the various authorities to discuss different topics of internal and European current affairs. Discussions focused on the excellence of cross-border cooperation within ERGA, the implementation of the SMA Directive, the challenges of audiovisual media regulation in a world still undergoing digitalisation as well as on several proposals for European legislation, such as legislation on digital services (DSA), the future of the audiovisual sector in the digital economy, the implementation of the *European Media Freedom Act* and the regulation on political advertising, which is part of the action plan for European democracy.

European platform of regulatory authorities (EPRA)

Main activities

In 2021 the work of EPRA, which brings together 55 audiovisual regulatory bodies from 47 countries, dealt with three complementary subjects. During the first semester, the thematic focus was on the virulent phenomenon of hate speech, which is a global legal and regulatory topic. During the second half of the year, the regulation of online platforms, which will eventually require the implementation of increased cooperation between regulators from adjacent sectors, dominated EPRA's work. The third subject, which led to the creation of a new EPRA round table, focused on the operationalisation of digital tools and artificial intelligence tools to ensure future-oriented monitoring and address emerging challenges by developing scalable solutions.

In addition to its regular participation in meetings and work events organised by EPRA, the Authority joined the new round table at its inaugural session *AI & regulators*



("artificial intelligence and regulators"), allowing in-depth exchange on the various experiences and initiatives in the field of automated digital tools between regulators in the audiovisual sector. While there was a concordance of views that new technologies should make it possible to increase the efficiency of the work of national regulatory authorities, the level of practical experience remains limited, so that exchanges within the group should help accelerate the acquisition of increased expertise. Another observation was the significant need for financial resources to enable regulators to acquire the technical and personal means to ensure adequate involvement in this new field of action.

The Authority also joined the work group on media and information literacy (*EPRA Media and Information Literacy Taskforce, EMIL*), aiming at promoting the creation of European media and information literacy (MIL) networks, to support them in the exchange of good practices with a wider circle of actors and to serve as a point of contact to exchange on topics related to MIL in a broader sense.

Key events

The Authority participated virtually in the 54th EPRA session in autumn 2021. On 14 October the first

plenary event Life of EPRA and its network provided an update on current events in various international institutions, including the *Bureau pour la liberté des médias de l'Organisation pour la sécurité et la coopération en Europe* (Office for Media Freedom of the Organisation for Security and Co-operation in Europe - OSCE), the European Commission, the Council of Europe and the European Audiovisual Observatory. In addition, the meeting provided an opportunity to exchange views on various issues, including the regulation of online video-sharing platforms, intersectoral cooperation and some of EPRA's flagship projects (see above).

The second meeting, *Cross-sectoral cooperation between regulators*, focussed on intersectoral regulatory cooperation and made it possible to carry out a more detailed analysis of the opportunities and challenges that intersectoral cooperation presents for the various adjacent regulators potentially involved in the regulation of online platforms and services.

On 21 October the special closing session *NRAs and VSP regulation ("national regulatory authorities and the regulation of video-sharing platforms")* allowed an in-depth discussion on some important aspects of the regulation of online

video-sharing platforms, the monitoring of which should be performed in an increasingly systematic way. Academic speakers and representatives of the Observatory took the opportunity to share their analyses of the issues arising from the dissemination of commercial communications on these platforms, different governance models and codes of conduct, and the current state of the transposition of the new SMA Directive and other related national legislative acts.

Pan European Game Information (PEGI)

Since 2014 ALIA is a member of the PEGI Council and participates in the annual meeting which took place in Paris this year in the premises of the *Conseil Supérieur de l'audiovisuel* (CSA). The meeting of the PEGI Council on 9 November 2021 allowed representatives of European member countries to exchange views on the developments and progress of their national legislation on the regulation of video games. The meeting included presentations and scientific discussions bringing into focus phenomena that go beyond PEGI's main concern, namely a uniform and mandatory age classification of video games throughout the EU for the protection of minors. PEGI's holistic approach reveals its efforts



to further involve the industry in the regulatory process, for example by developing responsible games, providing parental control tools, and developing additional recommendations and guidance.

Other major international events

On 9 July 2021 the Authority participated in the conference *Working together: Why does it matter?* organised jointly by the *Independent Regulators Group (IRG)* and *EPRA*. The conference brought together representatives of regulators from the telecommunications and audiovisual sectors, who discussed the potential for structured cooperation between regu-

lators from these adjacent sectors. Based on the observation that a more regular interaction between *IRG* and *EPRA* networks would better meet the challenge of digitalisation, views concurred on the facts that digital is not a separate sector, that it is imperative to establish an institutional framework adapted to the challenges and that it is important to also consider the perspective of users.

On 9 November 2021 the Authority participated in the public conference *Safeguarding Freedom - Balancing Rights* organised by *Die Medienanstalten*, the German Federal Media Authority, in cooperation with the North Rhine-Westphalia Media Authority and with the support of the representation

of the State of North Rhine-Westphalia to the European Union. The event, which was partially held in person, brought together high-level representatives from the academic and regulatory worlds and the European Commission. Speakers analysed the dangers emanating from disinformation, detailed some measures to combat information manipulation and stressed the need and opportunities presented by media and information education. The session ended with a comprehensive overview of the situation and a discussion on potential ways to deal with these complex problems.



[...] digital is not a separate sector [...] it is important to also consider the perspective of users.



The page features several decorative geometric shapes in a light purple color. At the top, there are two vertical rounded rectangles, a triangle pointing right, and a rounded rectangle tilted at an angle. In the middle right, there is a large triangle pointing right. At the bottom, there is a square and a circle.

07

Financial resources

Financial resources

The Authority receives an annual endowment from the state budget. ALIA also collects an annual fee from the audiovisual media services under its supervision.

The Authority must keep accounts in accordance with the principles applicable in commercial matters and is subject to the supervision of both a company auditor, appointed by its Board of Directors and approved by the Government Council, and the Court of Auditors.

The balance sheet and profit and loss account of the Authority for the year 2021 as audited by the auditor and submitted for approval of the Government Council at its meeting of 22 April 2022 are as follows:

Balance sheet (financial year from 01/01/2021 to 31/12/2021)

Assets	
A. Subscribed capital not paid up	0,00
B. Capital costs	0,00
C. Fixed assets	590 640,57
I. Intangible assets	0
II. Property, plant and equipment	590 640,57
1. Technical installations and machinery	413 920,09
2. Other installations, tools and furniture	176 720,48
D. Current assets	716 029,15
II. Debt	17 992,00
1. Receivables from sales and services	17 992,00
4. Other receivables	0
IV. Assets in banks, CCP, in cash	698 037,15
E. Accrual accounts	100 647,34
TOTAL ASSETS	1 407 317,06



Liabilities

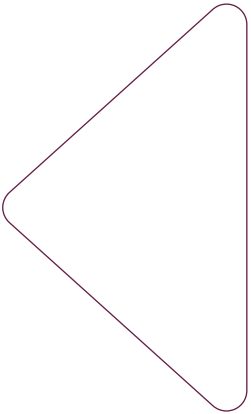
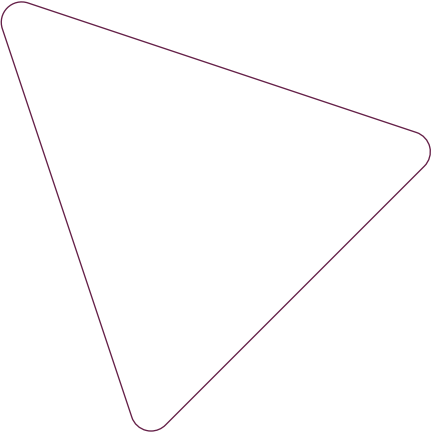
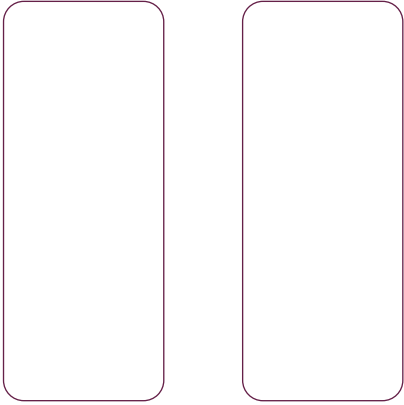
A. Own capital	1 405 245,65
V. Deferred results	1 008 231,35
VI. Result for the year	397 014,30
B. Subordinated debt	0,00
C. Provisions	4 212,00
3. Other provisions	4 212,00
D. Non-subordinated debt	- 2 140,59
1. Debts on purchases and services	- 17 929,14
2. Tax debts and social security debts	15 413,61
a) Tax liabilities	3 767,39
b) Social security liabilities	11 646,22
3. Other liabilities	374,94
E. Accrual accounts	0,00
TOTAL LIABILITIES	1 407 317,06



Profit and loss account (financial year from 01/01/2021 to 31/12/2021)

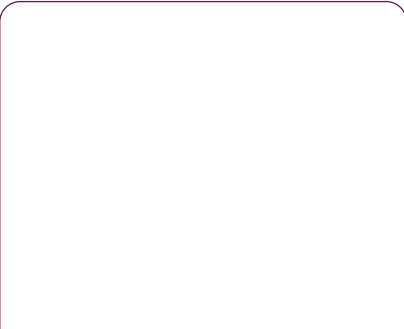
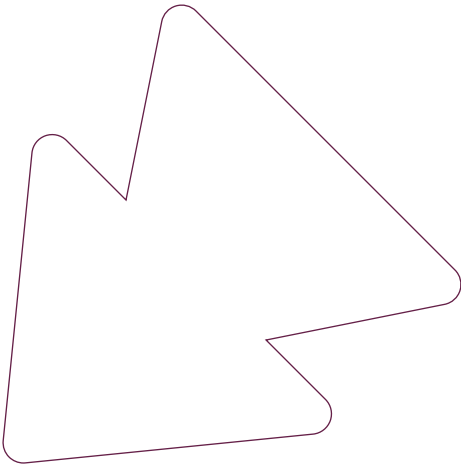
A. Expenses	
3. Other external expenses	652.023,82
4. Staff costs	883.395,65
a) Salaries and wages	839.768,58
b) Social security contributions covering wages and salaries	43.627,07
5. Value corrections	145.121,08
a) on establishment costs and tangible and intangible fixed assets	145.121,08
6. Other operating expenses	122.461,25
8. Interests and other financial expenses	1.228,47
11. Other taxes not included under the above items	0,00
12. Profit for the year	397.014,30
TOTAL EXPENSES	2.201.244,57
B. Revenues	
1. Net turnover	801.207,89
5. Other operating income	1.400.036,68
12. Loss of the financial year	0,00
TOTAL REVENUES	2.201.244,57





08

Appendix



Appendix

Annex 1 - Compositions of ALIA bodies

Composition of the Board of Directors on 31 December 2021

Thierry **HOSCHEIT**, President
Valérie **DUPONG**, Marc **GLESENER**, Luc **WEITZEL**, Claude **WOLF**, members
Carole **KICKERT**, secretary

Composition of the administrative team on 31 December 2021

Paul H. **LORENZ**, Director
Samra **CINDRAK**, Sandy **FOURNELLE**, Tun **HIRT**, Georges **JACOBY**, Carole **KICKERT**, Arlen **LOPES NEVES**,
Saskia **MANN**, Diane **PRÜM**, Loredana **RINALDIS**, Jill **ROLLINGER** and Emmanuelle **WENER**.

Composition of the Consultative Assembly for the year 2021

The Consultative Assembly of ALIA has 24 members, delegated for a period of five years by the most representative national organisations of social and cultural life.

Organisation	Representative
CSV parliamentary group	Diane ADEHM
LSAP parliamentary group	Nicolas ANEN
DP parliamentary group	Christian LAMESCH
Dei Gréng parliamentary group	Abbes JACOBY
ADR political grouping	Michel LEMAIRE
Déi Lénk political grouping	Maurice MAGAR
Piraten political grouping	Stéphanie SCHINTGEN
Chamber of Commerce	Patrick ERNZER
Chamber of Agriculture	Léon WIETOR
Chamber of Trades and Crafts	Alain SCHREURS
Chamber of Employees	Stéphanie OLINGER
Chamber of civil servants and public employees	Max LEMMER
Syvicol	Laurent GRAAFF
Advisory Commission on Human Rights	Max MOUSEL
Ombuds-Comité fir d'Rechter vum Kand	Fernand SCHINTGEN



Organisation	Representative
National Council of Women of Luxembourg	Laury MOLLING-BISENIUS
National Council for foreigners	Hendrika MARIA GOSLINGS-KANTERS
Luxembourg consumers' union	Luc MULLER
Medico-social league	Jean RODESCH
University of Luxembourg	Mark COLE
Union Grand-Duc Adolphe	Gilbert GIRSCH
Press council	Fernand WEIDES
Security made in Lëtzebuerg	Jeff KAUFMANN
ICTLuxembourg	Nico BINSFELD

Annex 2 - New legislation

Two new laws concerning ALIA's field of activity entered into force in 2021:

The law of 26 February 2021 amending the amended law of 27 July 1991 on media transposes Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain laws, regulations and administrative provisions of the Member States relating to the provision of audiovisual media services ("Audiovisual Media Services" directive), given changing market realities.

New aspects introduced by the law:

- ▶ The scope of the SMA Directive is extended to video-sharing platforms (VSP);

- ▶ ALIA is assigned the mission "to encourage the development of media literacy for citizens of all ages in all sectors of society";
- ▶ In addition, ALIA is appointed as competent authority "to encourage audiovisual media service providers to continuously and progressively make the services they provide more accessible to people with disabilities";
- ▶ Finally, the law encourages the use of co-regulation and the promotion of self-regulation through codes of conduct drafted in the areas falling within its scope.

- ▶ **Law of 19 November 2021 amending Book 3 of the Consumer Code** to implement Regulation (EU) 2017/2394 of the European Parliament and of the Council of 12 December 2017 on cooperation between national authorities responsible for ensuring the application of consumer protection legislation and repealing Regulation (EC) n° 2006/2004.

This law designates ALIA as the competent authority to ensure compliance with laws protecting the interests of consumers in all matters relating to the provision of audiovisual media services referred to in point 17 of the Annex to Regulation 2017/2394.



Annexes 3 to 13 - Services subject to the supervision of ALIA Status as of 31/12/2021

Annex 3 - Broadcast radio services with international reach

Name of the service	Service provider	System for the protection of minors
RTL TVi		
Club RTL	RTL Belux s.a. & cie s.e.c.s. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Plug RTL		
RTL 4		
Teleshop 4		
RTL 5		
Teleshop 5		
RTL 7		
Teleshop 7	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Dutch
RTL 8		
Teleshop 8		
RTL Telekids		
RTL Lounge		
RTL Crime		
RTL Z		
Film+		
RTL II		
RTL+		
RTL Gold	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Hungarian
Sorozat		
Muzsika TV		
Cool		

Annex 4 - Broadcasting services aimed at the resident public

Name of the service	Service provider	System for the protection of minors
RTL Télé Lëtzebuerg	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
2ten RTL Télé Lëtzebuerg		



Annex 5 - Luxembourg satellite services

Name of the service	Service provider	System for the protection of minors
Nordlicht	Nordlicht a.s.b.l. 22, route de Diekirch L-9381 Moestroff	Luxembourgish
Uelzechtkanal	Uelzechtkanal a.s.b.l. c/o Lycée de garçons Esch 71, rue du Fossé L-4123 Esch/Alzette	Luxembourgish
.dok den oppene kanal	DOK s.a. 5, rue des jardins L-7325 Heisdorf	Luxembourgish
Kanal 3	Luxembourg Movie Production a.s.b.l. 5, rue des Jardins L-7325 Heisdorf	Luxembourgish
Euro D	Osmose Media s.a. 177, rue de Luxembourg L-8077 Bertrange	Luxembourgish
Luxe.TV (HD) (English version)		
Luxe.TV (HD) (French version)		
Luxe.TV Luxembourg (4K UHD) (English version)	Opuntia s.a. 31, rue N.S. Pierret L-2335 Luxembourg	Luxembourgish
Luxe TV Luxembourg (4K HD) (French version)		
Goto Luxe.TV (SD) (English version)		
N 1 (Croatian version)		
N 1 (Bosnian version)		
N 1 (Macedonian version)	Adria News s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
N 1 (Montenegrin version)		
N 1 (Serbian version)		
N 1 (Slovenian version)		



Name of the service	Service provider	System for the protection of minors
SportKlub 1 (Croatian version)		
SportKlub 1 (Serbian version)		
SportKlub 1 (Slovenian version)		
SportKlub 2 (Croatian version)		
SportKlub 2 (Serbian version)		
SportKlub 2 (Slovenian version)		
SportKlub 3 (Croatian version)		
SportKlub 3 (Serbian version)		
SportKlub 3 (Slovenian version)		
SportKlub 4 (Croatian version)		
SportKlub 4 (Serbian version)		
SportKlub 4 (Slovenian version)	United Media s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
SportKlub 5 (Croatian version)		
SportKlub 5 (Serbian version)		
SportKlub 5 (Slovenian version)		
SportKlub 6 (Croatian version)		
SportKlub 6 (Serbian version)		
SportKlub 6 (Slovenian version)		
SportKlub Golf (Croatian version)		
SportKlub Golf (Serbian version)		
SportKlub Golf (Slovenian version)		
SportKlub HD (Croatian version)		
SportKlub HD (Serbian version)		



Name of the service	Service provider	System for the protection of minors
SportKlub HD (Slovenian version)		
LiR (Croatian version)		
LiR (Serbian version)		
LiR (Slovenian version)		
Cinermania (Serbian version)		
SportKlub 7 (Croatian version)		
SportKlub 7 (Serbian version)		
SportKlub 7 (Slovenian version)		
SportKlub 8 (Croatian version)		
SportKlub 8 (Serbian version)		
SportKlub 8 (Slovenian version)		
SportKlub 9 (Croatian version)	United Media s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
SportKlub 9 (Serbian version)		
SportKlub 9 (Slovenian version)		
SportKlub 10 (Croatian version)		
SportKlub 10 (Serbian version)		
SportKlub 10 (Slovenian version)		
Pikaboo (Albanian version)		
Pikaboo (Bosnian version)		
Pikaboo (Croatian version)		
Pikaboo (Macedonian version)		
Pikaboo (Montenegrin version)		



Name of the service	Service provider	System for the protection of minors
Pikaboo (Serbian version)	⋮	
Pikaboo (Slovenian version)		
Vavoom (Albanian version)		
Vavoom (Bosnian version)		
Vavoom (Croatian version)		
Vavoom (Macedonian version)		
Vavoom (Montenegrin version)		
Vavoom (Serbian version)		
Vavoom (Slovenian version)		
Nova S (anc. TOP) (Croatian version)		
Nova S (anc. TOP) (Macedonian version)	United Media s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Nova S (anc. TOP) (Serbian version)		
SportKlub Esports (Bosnian version)		
SportKlub Esports (Croatian version)		
SportKlub Esports (Macedonian version)		
SportKlub Esports (Montenegrin version)		
SportKlub Esports (Serbian version)		
SportKlub Esports (Slovenian version)		
Nova Sport (Croatian version)		
Nova Sport (Serbian version)		
SK Fight (Croatian version)		



Name of the service	Service provider	System for the protection of minors
Altice Studio	Altice Entertainment News & Sport s.a. 5, rue Eugène Ruppert L-2453 Luxembourg	Luxembourgish
Skylink 7 (English version)		
Skylink 7 (Slovak version)	Canal+ Luxembourg s.à r.l. 2, rue Albert Borschette L-1246 Luxembourg	Luxembourgish
Direct One		
Focus Sat TV		
Skylink 7 (Czech version)	Canal+ Luxembourg s.à r.l. 2, rue Albert Borschette L-1246 Luxembourg	Czech
Lucky Jack		
Golf Channel	Mediawan Lux s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Ulysse		
Arena4		
Film4		
Galaxy4		
Story4 (Hungarian version, targeting Hungary)		
Story4 (Hungarian version, targeting the Czech Republic and Slovakia)	Network4 Media Group s.à r.l. 16a, avenue de la Liberté L-1930 Luxembourg	Luxembourgish
Story4 (Czech version, targeting the Czech Republic and Slovakia)		
TV4		
Newsmax Adria (Bosnian version)		
Newsmax Adria (Croatian version)		
Newsmax Adria (Serbian version)	Newsmax Adria s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Newsmax Adria (Slovenian version)		
LordTV	Luxorr a.s.b.l. 7, rue Alcide de Gasperi L-1615 Luxembourg	Luxembourgish
RTL 9	RTL 9 s.a. & cie s.e.c.s. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
RTL Shopping	RTL Shopping s.a. & cie s.e.c.s. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish



Annex 6 - Services falling within the competence of Luxembourg by using a Luxembourg uplink or a Luxembourg satellite

Name of the service	Service provider	System for the protection of minors
NHK World – Japan (HD)	NHK (Japan Broadcasting Corporation) NHK Broadcasting Center Jinnan, 2-2-1, Shibuya-ku Tokyo 150-8001 Japan	Luxembourgish
m:SAT tv	Telekom Srbija Tabovska 2 11000 Beograd Republic of Serbia	Luxembourgish
Sky Showcase (SD, HD, +1)	Sky UK Ltd Grant Way GB- Isleworth / Middlesex TW7 5QD UK	Irish
Sky Witness (SD, HD, +1)		
Sky Atlantic (SD, HD, +1)		
Sky Sports Mix (SD, HD)		
Sky Arts (SD, HD)		
Sky Replay (SD)		
Challenge (SD)		
Pick (SD, +1)		
Sky Crime (SD, HD, +1)		
Sky Cinema Premiere (SD, HD, +1)		
Sky Cinema Hits (HD)		
Sky Cinema Greats (SD, HD)		
Sky Cinema Family (SD, HD)		
Sky Cinema Action (SD, HD)		
Sky Cinema Comedy (SD, HD)		
Sky Cinema Crime & Thriller (SD, HD)		
Sky Cinema Drama (SD, HD)		
Sky Cinema Sci Fi & Horror (HD)		
Sky Cinema Select (HD)		
Sky Cinema Animation (HD)		
Sky Sports Main Event (SD, HD)		
Sky Sports Main Event Pub (HD)		
Sky Sports Premier League (SD, HD)		



Name of the service	Service provider	System for the protection of minors
Sky Sports Floating Pub (HD)		
Sky Sports Football (SD, HD)		
Sky Sports Cricket (SD, HD)		
Sky Sports Golf (SD, HD)		
Sky Sports F1 (SD, HD)		
Sky Sports Action (SD, HD)		
Sky Sports Arena (SD, HD)		
Sky Sports News (SD, HD)		
Sky Sports Box Office (SD, HD)		
Sky Nature (SD, HD)	Sky UK Ltd Grant Way GB- Isleworth / Middlesex TW7 5QD UK	Irish
Sky News (SD, HD)		
Sky Barker Service (SD, HD)		
Sky Active		
Sky Comedy (SD, HD)		
Syfy (SD, HD, +1)		
E ! (SD, HD)		
Movies 24		
Movies 24+		
Sky Documentaries (SD, HD)		
Sky Max (HD)		
Sky News International (SD)	Sky UK Ltd Grant Way GB- Isleworth / Middlesex TW7 5QD UK	Luxembourgish
Studio 66 3	965 TV Ltd 201 Haverstock Hill GB-London NW3 4QG UK	Luxembourgish
Blaze		
Crime+ Investigation (SD, HD)	A+E Networks EMEA (AETN UK) 1 Queen Charlotte Street Hammersmith GB-London W6 9YN UK	Luxembourgish
Sky History (SD, HD)		
Sky History 2 (SD, HD)		
Akaal TV	Akaal Channel Ltd 68-82 Soho Hill Hockley GB-Birmingham B19 IAA UK	Luxembourgish



Name of the service	Service provider	System for the protection of minors
Zee Cinema	ASIA TV Ltd 3rd Floor 14-15 Carlisle Street GB-London W1D 3BS UK	Luxembourgish
ATN Bangla	ATN Bangla UK Ltd 3/5 Hillstone Court Empson Street GB-London E3 3LT UK	Luxembourgish
SKY Sports Racing (HD)	Attheraces Ltd 14th Floor Millbank Tower 21-24 Millbank GB-London SW1P 4QP UK	Luxembourgish
B4U Movies B4U Music	B4U Network (Europe) Ltd Transputec House 19 Heather Park Drive GB-Wembley HA0 1SS UK	Luxembourgish
Brit Asia TV	Brit Asia TV 158 Broad Street GB-Birmingham B15 1DT UK	Luxembourgish
BBC One (SD & HD) BBC Two (SD & HD) BBC Four (SD & HD) BBC News (SD) CBBC (SD & HD) Cbeebies (SD & HD)	British Broadcasting Corporation - BBC Broadcasting House Portland Place GB-London W1A 1AA UK	Irish
BBC World News	British Broadcasting Corporation - BBC Broadcasting House Portland Place GB-London W1A 1AA UK	Luxembourgish
Best Direct	Best Direct (International) Ltd Suites 17 & 18, Riverside House Lower Southend Road GB-Wickford, Essex SS1 8BB UK	Luxembourgish
Bloomberg European English (SD) Bloomberg Television (HD)	Bloomberg L.P. 3, Queen Victoria Street GB-London EC4N 8BH UK	Luxembourgish
CNN International	Cable News Network Inc. One CNN Center Atlanta Georgia 30303 USA	Luxembourgish
Iqra TV / Iqra Urdu	Channel I UK Ltd 109-119 Cherry Orchard Road GB-Croydon, Surrey CR0 6BE UK	Luxembourgish
Channel 4 (+1) E4 (+1) Film4 More 4	Channel Four Television Corp. 124-126 Horseferry Road Westminster GB-London SW1P 2TX UK	Luxembourgish



Name of the service	Service provider	System for the protection of minors
CHS TV	CHS TV Ltd Prestige House 36 Clifford Road GB-London E17 4JE UK	Luxembourgish
Channel 44	City News Network (SMC) Pvt Ltd London Office 23 Oliver Business Park Oliver Road GB-London NW10 7JB UK	Luxembourgish
CNBC (SD, HD)	CNBC UK Ltd 10 Fleet Place GB-London EC4M 7QS UK	Luxembourgish
Madani Channel	Dawat-e-islami UK Maudsley Street GB-Bradford BD3 9LE UK	Luxembourgish
Deen TV	Deen TV Ltd 534 Barking Road Plaistow GB-London E13 8QE UK	Luxembourgish
Dunya TV	Dunya News Ltd Justin Plaza 2 341 London Road GB-Mitcham, Surrey CR4 4BE UK	Luxembourgish
Eman Channel	Eman Channel Ltd Unit 8 Murihead Quay Barking GB-Birmingham IG11 7BG UK	Luxembourgish
A1 TV	Future Media Network Ltd 76 High Road GB-Ilford, Essex IG1 1DL UK	Luxembourgish
PTC Punjabi	G Next Media UK Ltd 3.05 1, King Street GB-London EC2V 8AU UK	Luxembourgish
Gems TV	Gemporia Ltd Eagle Road Studios Unit 2D, Eagle Road GB-Redditch, Worcestershire B98 9HF UK	Luxembourgish
Geo TV Geo News	Geo TV Ltd 1 Sun Street GB-London EC2A 2EP UK	Luxembourgish
Ginx eSports TV	GINX TV Ltd Unit 8 Acorn Production Centre 105 Blundell Street GB-London N7 9BN UK	Luxembourgish
92 News	Galaxy Broadcasting Network Ltd First Central 200 6th Floor 2 Lakeside Drive Park Royal GB-London NW10 7FQ UK	Luxembourgish



Name of the service	Service provider	System for the protection of minors
Get Lucky	Grandiose Ltd 184 The Terrace The Dell GB-Southampton SO15 2BU UK	Luxembourgish
SportyStuff (HD)	Greyhound TV Ltd 5 Fleet Street GB-London EC4M 7RD UK	Luxembourgish
The Craft Store	Hochanda Global Ltd Nene House Nene Valley Business Park GB-Oundle, Peterborough PE8 4HN UK	Luxembourgish
Hidayat TV	Hidayat Welfare Society Ltd 9 Birch Street GB-Manchester M12 5NT UK	Luxembourgish
High Street TV 1 / High Street TV 2 / High Street TV 3 / High Street TV 4 / High Street TV 5	HSTV Media Ltd Central House, Beckwith Knowle Otley Road, Harrogate GB-North Yorkshire HG3 1UF UK	Luxembourgish
HUM Europe HUM Masala	HUM Network UK Ltd 38-P Alum Rock Road GB-Birmingham B8 1JA UK	Luxembourgish
Craft Extra Create and Craft Ideal Extra Ideal World	Ideal Shopping Direct Ltd Ideal House, Newark Road Peterborough GB-Cambridgeshire PE15WG UK	Luxembourgish
Ayozat TV	Information TV Ltd 64 Newman Street GB-London W1T 3EF UK	Luxembourgish
NTV	International Television Channel Europe Ltd Unit 17-18 4 Raven Road GB-London E18 1HB UK	Luxembourgish
ION TV	ION TV Ltd The Granary, 2nd Floor, South Suite 80 Abbey Road GB-Barking IG11 7BT UK	Luxembourgish
Islam Channel Islam Channel Urdu	Islam Channel (Urdu) Ltd 428 – 432 Ley Street GB-Ilford, Essex IG2 7BS UK	Luxembourgish
ITV 3 ITV 4	ITV Broadcasting Ltd 2 Waterhouse Square, Holborn GB-London EC1N 2AE UK	Luxembourgish
Jewellery Maker	Jewellery Maker Ltd Eagle Road Studios Unit 2D, Eagle Road GB-Redditch, Worcestershire B98 9HF UK	Luxembourgish



Name of the service	Service provider	System for the protection of minors
Spotlight TV	Keep It Country TV Ltd 2a Ardleigh Green Road GB-Hornchurch, Essex RM1 12LN UK	Luxembourgish
Kanshi TV	Kanshi TV Ltd 29 Waterloo Road GB-Wolverhampton WV1 4DJ UK	Luxembourgish
Khalsa TV (KTV)	Khalsa Television Ltd Khalsa House, Westfield Works, Unit 3 202 Spon Lane GB-West Bromwich B70 6AR UK	Luxembourgish
TV One	Light Upon Light Media Ltd 208-212 Romford Road GB-London E7 9HY UK	Luxembourgish
Live 360	Vision247 Ltd Chiswick Park 2nd Floor, Building 10 566 Chiswick High Road GB-London W4 5XS UK	Luxembourgish
LFCTV (HD)	Liverpool Football Club TV 20 Chapel Street GB-Liverpool L3 9AG UK	Luxembourgish
Direct Store TV	Majestic TV Ltd 184 The Terrace The Dell GB-Southampton SO15 2BU UK	Luxembourgish
MATV	MATV National Unite 2 & 3, Stanley House Orchard Close, Alperton GB-Wembley HA0 4JB UK	Luxembourgish
Foodxp	Media Worldwide Ltd 2nd Floor, 2 Warner House Harrobian Business Village Bessborough Road GB-Harrow HA1 3EX UK	Luxembourgish
Adult Channel		
Babes & Brazzers		
Television X		
TVX 40+	MG Global Entertainment (Europe) Ltd The Junction, 4-10 Cowley Rd GB-Uxbridge UB8 2XW UK	Irish
XXX College		
XXX GirlGirl		
XXX Mums		
XXX Public Pickups		



Name of the service	Service provider	System for the protection of minors
Noor TV	Mohiuddin Digital Television Ltd 14 Victoria Road Aston GB-Birmingham B6 5HA UK	Luxembourgish
Sony Entertainment Television		
Sony MAX	MSM Asia Ltd 166 College Road GB-Harrow HA1 1BH UK	Luxembourgish
Sony MAX 2		
Sony SAB		
MUTV (SD, HD)	MUTV Ltd Sir Matt Busby Way Old Trafford GB-Manchester M16 0RA UK	Luxembourgish
NTD	Universal Communications Network Inc. Trading as New TANG Dynasty Television 229 West 28th Street, Suite 700 New York, NY 10001 USA	Luxembourgish
Ary World	New Vision TV Ltd AMC House 12 Cumberland Avenue GB-London NW10 7QL UK	Luxembourgish
Ary Digital		
NDTV 24x7	New Delhi Television Ltd B-50 A, 2nd Floor, Archana Complex Greater Kailash – 1 New Delhi – 110048 India	Luxembourgish
PTV Global	Pakistan Television Corporation Ltd PTV Global Constitution Avenue, F-5/1 Islamabad 44000 Pakistan	Luxembourgish
Pitaara	Paul E Commerce Pvt Ltd 2nd Floor, Warner House Harrovia Business Village Bessborough Road GB-Harrow HA1 3EX UK	Luxembourgish
Politics Punjab	Politics Punjab Broadcasting Ltd 143 Sandwell Road GB-Birmingham B21 8PD UK	Luxembourgish
Gemporia Craft	Primal Living Ltd Eagle Road Studios Unit 2, Eagle Road GB-Redditch, Worcestershire B98 9HF UK	Luxembourgish
QVC		
QVC Beauty	QVC UK Building 8, Chiswick Park 566 Chiswick High Road GB-London W4 5XU UK	Luxembourgish
QVC Extra		
QVC Style		



Name of the service	Service provider	System for the protection of minors
Racing TV	RMG Operations Ltd Third Floor Gillingham House 38 - 44 Gillingham Street GB-London SW1V 1HU UK	Luxembourgish
Iqra Bangla	Runners TV Ltd 109-119 Cherry Orchard Road GB-Croydon Surrey CR0 6BE UK	Luxembourgish
Sanskar	Sanskar Info TV Ltd 40, Lambhill Street GB-Glasgow, Scotland G41 1AU UK	Luxembourgish
TJC TJC Beauty	Shop TJC Ltd Surrey House Plane Tree Crescent GB-Feltham, Middlesex TW13 7HF UK	Luxembourgish
Hi Impact TV	Solution Media and Infotech UK Ltd Unit 3 Merchant Evergate Business Park GB-Ashford, Kent TN25 6SX UK	Luxembourgish
Babenation	Square World Communications Ltd Wessex House Station Road Westbury GB-Wiltshire BA13 3JN UK	Luxembourgish
Court TV	Scripps Media Inc. 312 Walnut Street Suite 2800 Cincinnati, Ohio, 45202 USA	Luxembourgish
Utsav Bharat (SD) Utsav Gold (SD, HD) Utsav Plus (SD, HD)	Star India Private Ltd London Office c/o STAR TV M/C 706 3 Queen Caroline Street Hammersmith GB-London W6 9PE UK	Luxembourgish
Takbeer TV	Takbeer TV Ltd 17-21 Ombersley Road Balsall Heath GB-Birmingham B12 8UT UK	Luxembourgish
Talking Pictures TV	Talking Pictures TV Ltd Highcroft Langley Road GB-Kings Langley WD4 9JP UK	Luxembourgish
Thane Direct	Thane Direct UK Thanet House 231-232 Strand GB-London WC2R 1DA UK	Luxembourgish
Together TV	Together TV – The Community Channel 24 Neal Street GB-London WC2H 9QW UK	Luxembourgish



Name of the service	Service provider	System for the protection of minors
TVC News (SD)	TVC Communications 1 Continental Way Off CMD Road Ikosi-Ketu Lagos Nigeria	Luxembourgish
TV Warehouse	TV Warehouse Ltd 6 Square Rigger Row, 1st floor GB-London SW11 3TZ UK	Luxembourgish
Xpanded TV	Visional Media Ltd 28-33 The Quadrand 135 Salusbury Road GB-London NW6 6RJ UK	Luxembourgish
Alibi (SD, HD, +1)		
Dave (SD, HD, +1)		
Drama (SD, +1)		
Eden (SD, +1)	UKTV Media Ltd 10 Hammersmith Grove GB-London W6 7AP UK	Irish
Gold (SD, HD, +1)		
W (SD, HD, +1)		
Yesterday (SD, +1)		
Neo News	Up & Coming TV Ltd Grange Interlink Summerville Road GB-Bradford B07 1PX UK	Luxembourgish
Aastha	Vedic Broadcasting Network (UK) Ltd 40 Lambhill Street GB-Glasgow, Scotland G41 1AU UK	Luxembourgish
Venus TV	Venus TV Global Ltd 46 Kenneth Crescent GB-London NW2 4PN UK	Luxembourgish
Colors (SD, HD)		
Colors Cineplex	Viacom18 Media Private Ltd London Office c/o Indiacast UK Ltd Suite 2.11 Regus Building 79, College Road	Luxembourgish
Colors Gujarati	GB-Harrow on Hill, HA1 1BD UK	
Colors Rishtey		
Vox Africa	Vox Africa Ltd Battersea Studio 80 Silverthorne Road GB-London SW8 3HE UK	Luxembourgish



Annex 7 - Luxembourg cable services

Name of the service	Service provider	System for the protection of minors
Ultra Nature Crime District	Mediawan Lux s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Apart TV	Apart TV s.à r.l. 28, rue du Kiem L-4976 Bettange	Luxembourgish
Chamber TV	Chambre des députés 19, rue du Marché-aux-Herbes L-1728 Luxembourg	Luxembourgish

Annex 8 - On-demand audiovisual media services

Name of the service	Service provider	System for the protection of minors
PostTV (VOD) Théid&co (VOD)	Post Télécom s.a. 1, rue Emile Bian L-1235 Luxembourg	Luxembourgish
Tango TV (VOD)	Proximus Luxembourg s.a. 18, rue du Puits romain Zone d'activité de Bourmicht L-8070 Bertrange	Luxembourgish
RTL.be RtIplay.be	RTL Belux s.a & cie s.e.c.s. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
RTL XL RTL nieuws Videoland	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Dutch
RTL MOST	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Hungarian
RtIplay.lu	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
SFR Play	Altice Entertainment News & Sport s.a. 5, rue Eugène Ruppert L-2453 Luxembourg	Luxembourgish
Sooner Luxembourg	UniversCiné Luxembourg s.à r.l. 238C, rue de Luxembourg L-8077 Bertrange	Luxembourgish
Arena4	Network4 Media Group s.à r.l. 16a, avenue de la Liberté L-1930 Luxembourg	Luxembourgish
Kuk.lu	KulturKanal a.s.b.l. 15a, rue de la Gare L-7535 Mersch	Luxembourgish



Name of the service	Service provider	System for the protection of minors
Explore	Mediawan Lux s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Insomnia		
Rocklab	Centre de Musiques Amplifiées 5, avenue du Rock'n'Roll L-4361 Esch-sur-Alzette	Luxembourgish
Sport Klub Croatia		
Sport Klub Serbia	United Media s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
Sport Klub Slovenia		
N1 (N1 BH)		
N1 (N1 Croatia)	Adria News s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	Luxembourgish
N1 (N1 Serbia)		
Esch.tv / esch.lu	Administration communale de la ville d'Esch-sur-Alzette Hôtel de Ville B.p. 145 L-4002 Esch-sur-Alzette	Luxembourgish
Dudelange.lu	Administration communale de la ville de Dudelange Place de l'Hôtel de ville B.p. 73 L-3401 Dudelange	Luxembourgish
Mersch.lu	Administration communale de Mersch B.p. 93 L-7501 Mersch	Luxembourgish
Petange.lu	Administration communale de Pétange B.p. 23 L-4701 Pétange	Luxembourgish

Annex 9 - Electronic Programme Guide (EPG)

Name of the service	Service provider	System for the protection of minors
Amazon – service EPG	Amazon Media EU s.à r.l. 38, avenue John F. Kennedy L-1855 Luxembourg	Luxembourgish
Sky Electronic Programme Guide	Sky UK Ltd Grant Way Isleworth GB-Middlesex TW7 5QD UK	Irish
Sky EPG Slate		



Annex 10 - Broadcast radio services with international reach

Name of the service	Service provider	Fréquences
RTL Radio (France)	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	234 kHz OL 5990 kHz OC in digital
RTL Radio Deutschlands Hit-Radio	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	93.3 FM 97.0 FM 1440 kHz OM 6095 kHz OC in digital satellite

Annex 11 - High power transmitter radio services

Name of the service	Service provider	Fréquences
RTL Radio Lëtzebuerg	CLT-Ufa s.a. 43, boulevard Pierre Frieden L-1543 Luxembourg	92,5 FM 88,9 FM
Radio 100,7	Etablissement de radiodiffusion socioculturelle, établissement public 21a, avenue John F. Kennedy L-1855 Luxembourg	100,7 FM 95,9 FM
L'Essentiel Radio	Radiolux s.a. 115a, rue Emile Mark L-4620 Differdange	107,7 FM 97,5 FM

Annex 12 - Broadcast network radio services

Name of the service	Service provider	Fréquences
Radio Latina	Société européenne de communication sociale s.à r.l. 60, rue des Bruyères L-1274 Howald	101,2 FM 103,1 FM
Radio Ara	Alter Echos s.à r.l. 136, rue Adolphe Fischer L-1521 Luxembourg	102,9 FM 105,2 FM
Eldorado	Luxradio s.à r.l. 43, boulevard Pierre Frieden L-1543 Luxembourg	95,0 FM 105,0 FM 107,2 FM
L'Essentiel Radio	Radiolux s.a. 115a, rue Emile Mark L-4620 Differdange	105,6 FM 104,2 FM 103,4 FM 95,6 FM 94,3 FM



Annex 13 - Local radio services

Name of the service	Service provider	Fréquences
Radio Lora	Association pour la création et l'exploitation d'émissions radiophoniques par antenne et par câble a.s.b.l. 32, avenue de la Gare L-9233 Diekirch	102,2 FM
Radio LNW	Coraly Wooltz a.s.b.l. c/o Lycée du Nord Wiltz 19, rue général Patton L-9551 Wiltz	102,2 FM
Radio Diddeleng	Radio locale de la Ville de Dudelange a.s.b.l. Boîte postale 179 L-3402 Dudelange	103,6 FM
LRB	Radio locale Réiserbann-Betebuerg a.s.b.l. 4, rue St-Benoît L-3391 Peppange	103,9 FM
Radio Gutt Laun	Radio Gutt Laun a.s.b.l. 10, rue du parc L-3872 Schifflange	96,6 FM
Radio Aktiv	Infofoisir a.s.b.l. Rue du Pont L-6471 Echternach	106,5 FM
Radio ROM	Radioorganisatioun Miedernach a.s.b.l. 28, rue Savelborn L-7660 Medernach	101,5 FM
Radio Belle Vallée	Association culturelle Local Radio Bieles, Suessem, Zolver, Eilereng a.s.b.l. 6, rue des Alliés L-4412 Belvaux	107,0 FM
Country Radio Gilsdorf	Country Radio Gilsdorf a.s.b.l. 29, Schëllecksgaass L-9372 Gilsdorf	103,9 FM
Péiteng on Air	Radio-Tele Gemeng Péiteng a.s.b.l. 44, rue du Moulin L-4882 Lamadelaine	102,2 FM
Rádio Positiva Luxemburgo	Centre d'accueil universel a.s.b.l. 7-9, rue Prince Henri L-9047 Ettelbruck	106,0 FM





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