



ENPA mini-statement on the Sector Inquiry New Media (3G)
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ENPA – the European Newspaper Publishers' Association - appreciates the opportunity to comment on this sector inquiry which has interesting implications for all providers of content in relation to sporting events.

ENPA is a non-profit organisation currently representing some 3,200 daily, weekly and Sunday titles from 22 European countries. More than 91 million copies are sold each day and read by over 240 million people.

ENPA is pleased to see that the Commission is taking action in the mobile and new media sector to ensure that the development of these sectors is not hampered in the EEA. ENPA supports action to curb anti-competitive behaviour of certain incumbent players in neighbouring national markets in the area of sports' rights. As a result of analysing the Issues Paper on this investigation, ENPA points out that the issue of anti-competitive behaviour of certain broadcasters and rightsholders in sporting and other major events usually subject to exclusive rights in fact not only affects new media and 3G but also the press publishing sector and particularly the online arm of this sector. Newspaper publishers also have mobile phone news services which have been affected in some instances which makes this sector inquiry very interesting for us.

ENPA believes that certain uncompetitive actions from rightsholders and broadcasters, often where exclusive rights have been acquired, have prevented the effective development of the publishing sector and in addition such actions have had severe consequences for the freedom of the press. These actions are very similar to those experienced by 3G operators, regarding restrictions on coverage in particular. ENPA believes that, just as the inquiry concluded for 3G mobile and TV, there is no direct substitution between newspaper sports' services and TV sports' services and therefore the accreditation of newspapers to access only has a very limited effect on the value of TV rights. Newspaper publishers can therefore sympathise the results of the present inquiry and therefore with the 3G sector where they state that substantial restrictions on coverage do not seem to be proportionate.

Although publishers were not consulted in the context of this consultation, which of course we understand has been confined to 3G and new media, ENPA can provide further evidence of our concerns on restrictions on provision of sports' and major event content, which are relevant to this debate.

ENDS

ENPA, Brussels, 25 May 2005
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