

REVIEWS



THE LEGAL FRAMEWORK FOR VIDEO - SHARING PLATFORMS

BLÁZQUEZ, F. J. C., CAPPELLO, M., FONTAINE, G., RABIE, I., VALAIS, S.: *The Legal Framework for Video-sharing Platforms*. Strasbourg, France : European Audiovisual Observatory, 2018. 125 p. ISBN 978-92-871-8608-9.

We live in times when publishing and sharing videos on the Internet is very popular and easily available to individuals, as well as various companies, institutions, businesses, organisations, etc. However, not everything that appears on the Internet meets the criteria of suitability or dignity and, many times, the videos are on the verge of affronting one's dignity or violating human rights. From the point of view of media's impact on children and youth, also these groups of media recipients are endangered by the inappropriate content of videos they like to watch

and share and which might have a negative impact on their perception, behaviour and mental development. The legal aspects of video sharing platforms are the scope of a book called *The Legal Framework for Video-sharing Platforms* by Blázquez, Cappello, Fontaine, Rabie and Valais from the European Audiovisual Observatory.

The first chapter deals with the characteristics of video sharing platforms, such as Youtube, Dailymotion, Facebook Watch and others. The authors deal with the differences in estimated numbers of audiences that can be reached through video sharing. The text of the whole monography comes complete with numerous references to other sources, which enables the reader to quickly search for other relevant information and details. At the same time, on the basis of several surveys, the authors compare the time spent by the young watching videos with the time they spend watching television. The chapter also engages with the economic impact of video sharing platforms and social media when the profit arising from videos hits high figures and further growth is anticipated, considering the rising trend of video watching and sharing. These platforms, however, bring about numerous new situations and challenges, which, from the legal point of view, means that the most suitable ways of defining what applies to video sharing platforms need to be decided in the first place. This is the most important first step to enable us to clearly judge what falls within the rights and what falls within the obligations in the context of these legal subjects. Within a public discussion in September 2015, for the first time, the European committee pronounced the definition of the term „online platforms“: „an undertaking operating in two (or multi-) sided markets, which uses the Internet to enable interactions between two or more interdependent groups of users so as to generate value for at least one of the groups“ (p. 6). The chapter further deals with legal challenges and basic rights in relation to video sharing platforms.

Another chapter is devoted to international and European legal structures. It deals with basic legal regulations in the online environment and speaks also of commercial communication via these platforms. An important issue dealt with in the second chapter is the protection of minors and human dignity. This requirement has already been addressed several times in numerous regulations and recommendations issued by the European Union. Another important part of

this chapter concerns the protection of data and privacy; the text deals with current issues in the area of the protection of rights in the context of e-privacy – GDPR and the implementation of these regulations in 2018. The text describes the anchoring of GDPR in much detail.

The third chapter focuses on the development of national regulations for video sharing platforms, specifically in France, Germany, Italy and the United Kingdom. The authors used relevant data sources from other available researchers to analyse this information, however, they also used their own IRIS Merlin database, which provides access to more than 8,000 articles related to legal events in the context of video sharing platforms.

An interesting part of the book is its fourth chapter engaging in the self-regulation mechanisms of EU and pan-European initiatives. In recent years, numerous rules, European programmes and self-regulation initiatives have been implemented in order to enhance the protection of children and minors in connection with videos, as these make violent, pornographic or other unsuitable content available to the above-mentioned groups of users. The aim of the programmes and initiatives was to help the target groups acquire skills and tools leading to a safer and more responsible use of the Internet. Besides these programmes and regulations, two most popular platforms, Youtube and Dailymotion, have created their own regulations, different from the above-mentioned ones, which are specifically described in this chapter. The text of the chapter further deals with the fake news phenomenon, copyright protection and targeted advertising limits on online platforms.

The fifth chapter refers to online platforms judicature in relation to the European Court of Human Rights. It deals with the issue of self-expression in comparison with spreading hate on the Internet. It contains numerous transparent tables.

The other two chapters are devoted to the current state and different variables in the process of adjusting and creating legal anchoring within the issue of video sharing platforms. At the same time, they deal with initiatives that focus on the protection of rights or data, fighting fake news, etc. The last, seventh, chapter is dedicated to appendices – transparent and supplementary tables.

The publication provides the reader with a detailed insight into the issues and the current state of video sharing platforms in several contexts from the point of view of Europe's legislation and law, as well as through the perspective of particular chosen nations. Thus, the book enables the reader to understand the issue of rights and obligations better, not only within video sharing, but on the Internet in general. It contains a large amount of overview information, as well as sources extending the opportunity to grasp the issue.

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