



Strasbourg, 28 September 2007

MC-S-MD(2007)007

[PDF](#)

**GROUP OF SPECIALISTS ON MEDIA DIVERSITY
(MC-S-MD)**

**6th meeting
10 and 11 September 2007
Palais de l'Europe, Strasbourg
Room 14**

REPORT

Item 1 of the agenda:**Opening of the meeting and adoption of the agenda**

1. Ms Zrinjka PERUŠKO (Croatia), Chair of the MC-S-MD, opened the meeting and welcomed participants. The agenda was adopted as it stood. The list of participants is set out in Appendix I. The agenda, as adopted, is set out in Appendix II, where the working documents are also listed.

Item 4 of the agenda:**Methodology for the monitoring of media concentration**

2. The Secretariat presented the compilation of responses to the questionnaire on the monitoring of media concentration, pluralism and diversity (cf document MC-S-MD(2007)005). It was pointed out that the aim of the questionnaire had been to provide information on the methodology adopted by various member states for monitoring concentration and its possible impact on media diversity; in accordance with its terms of reference, the group should analyse the possibility of drawing up a proposal on the matter.

3. Several of the 19 replies to the questionnaire had been received very late by the Secretariat, which had prevented the ad hoc working group on the matter (Croatia, Switzerland and Russia) from preparing a draft report on schedule. It was therefore agreed that the ad hoc working group would prepare the draft report for the next meeting of the MC-S-MD in March 2008.

4. In this connection, the European Commission representative said that his organisation had launched a project on media pluralism and a study on the matter would be prepared for the end of 2008. On the basis of a certain number of indicators, the study would give a clearer picture of the various methods used by member states to protect media pluralism and assess the threats to it.

Exchange of views with Quint Kik and Edmund Lauf, representatives of the Dutch regulatory authority for the media sector (Commissariaat voor de Media)

5. The MC-S-MD held an exchange of views with Quint Kik and Edmund Lauf, representatives of the Dutch regulatory authority for the media sector (Commissariaat voor de Media). The two guests presented a project which the authority had been conducting for six years in terms of monitoring media market concentration and content diversity in the Netherlands. The members' reactions showed that the information provided was most useful to the group, especially in view of its terms of reference, which involved considering the impact of concentration on media pluralism and content diversity.

6. In the ensuing discussions, the group covered a whole range of points, such as: legal restrictions concerning concentration and their relevance in the internet era; the growth of the internet and the examination of the media market and content diversity; the monopoly in search engines and the risk for diversity; self-regulation by the media and proper training of media professionals on matters related to diversity; the national monitoring methods and the international flow of information; definition of media/content diversity and the criteria/indicators for measuring it.

7. Several participants agreed that the more concentration there was the less diversity there was, but that no evidence has been found so far on a possible direct correlation between

concentration and diversity. If there was a high level of concentration, that could have an impact on diversity, with a tendency towards a reduction in the latter.

8. The two guests from the Netherlands said that they would like to extend their project to other countries. An initial meeting with representatives of the regulatory authorities in Germany, Norway and Poland would be held in the Netherlands in mid-October. The Chair of the MC-S-MD said she would be interested in taking part. The European Commission representative said that his organisation would also be interested in taking part, especially in view of its project concerning media diversity in Europe.

9. The Chair also proposed that a meeting be held at the beginning of 2008 with the regulatory authority in the Netherlands with a view to preparing a draft report proposing a monitoring methodology based on the experience in that country. In her view, it was necessary to encourage member states' regulatory authorities and also interested universities to conduct similar analyses at least for a year. The European Commission's project on the subject should also be borne in mind here.

10. The European Commission representative said that his organisation's approach was broader than that in the Netherlands. He proposed that the consultant appointed by the Commission take part in the MC-S-MD's next meeting to describe some aspects of his research.

11. One expert believed that the group should prepare a draft standard-setting document encouraging member states to monitor media diversity. Another expert disagreed, pointing out that the group had already prepared a standard-setting instrument on the matter, namely Recommendation (2007) 2 on media pluralism and diversity of media content and what mattered now was promoting its implementation.

12. The Chair pointed out that the work programme provided for the group to draw up by the end of 2008 a draft proposal on methodology for monitoring media concentration. The ad hoc working group would prepare a preliminary draft document which would then be expanded upon in the MC-S-MD. The document would have to propose methods for improving monitoring, modelled on various positive experiences such as those in the Netherlands, Germany and Norway.

13. The Chair proposed that a consultant be appointed to compile information from various sources to serve as a basis for the final document. The group agreed. Subject to the availability of resources for recruiting the consultant, the work would, if possible, have to be done in time for the MC-S-MD's next meeting in March 2008.

14. In this connection, the representative of Online/More Colour in the Media (OLMCM) said that his organisation had a relatively extensive stock of information in the area, which it would be willing to make available to the expert.

Item 5 of the agenda:

Implementation of Recommendation R (2003) 9 on measures to promote the democratic and social contribution of digital broadcasting

15. The group held an exchange of views on the responses to the additional questionnaire on the implementation of Recommendation R (2003) 9. One expert said that the replies

received to date were inadequate as a basis for a compendium of good practices: for that purpose, more replies would be needed. Moreover, the input of a consultant could be useful for preparing the compendium.

16. She also believed that it would be useful to prepare a report on the subject. She was willing to draw up a draft report. The EBU representative was also willing to take part.

17. The MC-S-MD agreed that this ad hoc working group (Austria and the EBU) would prepare a draft report for the next meeting. For its part, the Secretariat would send reminders to the professional bodies which had not replied to the questionnaire.

Item 6 of the agenda:

Examination of the role of the media in promoting social cohesion and the integration of different communities

(a) The role that can be played by local, community and minority media

Exchange of views with Peter Lewis, consultant invited by the Council of Europe to prepare a report on the matter

18. The group held an exchange of views with Peter Lewis, consultant invited by the Council of Europe to prepare a report on the role of local and minority media in promoting social cohesion.

19. Discussion ensued on the role of local, community and minority media in promoting social cohesion. One expert pointed out that “third-sector media” were usually regarded as “ethnic minority media”. Yet the latter were sometimes capable of exacerbating isolationism and ghetto mentalities or promoting traditions that were not acceptable to the majority of society (for instance, female circumcision or polygamy) and therefore did not contribute either to the integration of the relevant minorities or to social cohesion in general.

20. The European Commission representative wondered whether local media broadcast in minority languages really could help integrate minorities. In his view, the problem mainly concerned non-native minorities which were not familiar with the language or culture of the host country. The group should perhaps consider what types of programmes were capable of promoting social cohesion.

21. He also said that a clear distinction needed to be made between ethnic minority media and other minority media. The European Commission had adopted a policy to support linguistic minorities; at the same time, it had not for the time being noted any ability of community media to promote social cohesion. Integrating minorities was part of the tasks that tended instead to be assigned to the mainstream media.

22. The UNESCO representative emphasised that community media should not be cut off from the rest of society. Member states should be urged to allocate licences in a balanced manner. In this connection, the OLMCM representative said that community media were now expanding beyond traditional broadcasting and using the internet, new media, narrowcasting and streaming, etc., and therefore no longer really needed licences.

23. One expert raised the possibility of professional co-operation between mainstream media and community media, which could be very useful for promoting a spirit of tolerance, diversity and pluralism. In her view, it was necessary to support all media (community, ethnic, minority, etc.) capable of promoting social cohesion.

24. The consultant took note of all the suggestions and comments made during the discussion. In particular, he would examine the relationship between minority media and mainstream media and would put forward possible practical measures for supporting “third-sector media”.

(b) The ways in which the public, in all its diversity, can be involved in consultative programming structures

25. MC-S-MD members took note of the replies to the questionnaire on the subject from the European Broadcasting Union (EBU) and the European Newspaper Publishers' Association (ENPA). The information gathered by the EBU supplemented the fundamental study on “Broadcasting and citizens” conducted by the European Association for Viewers' Interests (EAVI).

26. The ENPA representative said that her organisation had consulted its members to gather data and that the replies had shown that there were no standards in this area, as media players were independent.

27. The Chair said that the work programme provided for the group to prepare a draft document on ways of involving the public in consultative programming structures. In her view, the group should continue to gather the necessary data on the subject. The OLMCM representatives said that it was important not to forget viewers when gathering information: it would be interesting to receive contributions from NGOs (viewers' associations) which could influence broadcasters' policy.

28. The Swiss delegate, the UNESCO representative and the OLMCM representative volunteered to set up an ad hoc working group to prepare a draft document on the matter for the next meeting of the MC-S-MD.

(c) The importance of independent productions for media pluralism and social cohesion

29. The Romanian delegation presented a preliminary draft report on the importance of independent productions for media pluralism and social cohesion. The group welcomed the document and discussed the matter.

30. In general terms, the Chair said that the issue of independent productions had been linked to that of social cohesion in a relatively artificial manner: it really should be linked to the issue of diversity. In substantive terms, the group agreed that the report should be expanded upon. In particular, it was suggested that the question of financial support should be looked into in greater depth. The European Commission representative proposed that the report present various models of promoting independent productions.

31. With regard to the possibility of preparing a standard-setting document on the subject, several experts agreed that it did not really lend itself to a possible recommendation, given the sensitive issues touched upon.

32. The EBU representative welcomed the initiative to strengthen the role of independent production to support media pluralism and cultural diversity. However, in view of different market structures and economic conditions, he warned against any harmonized European definition of independent production. More specifically, he saw no reason to address in this context the ownership of secondary rights by independent producers. At any rate, the impact on media pluralism and cultural diversity of any intervention by public authorities in the contractual negotiations between broadcasters and producers would need to be assessed carefully on a country-by-country basis.

33. He believed that there was a significant risk that any mandatory retention of secondary rights by producers would lead to a reduction in investment by broadcasters in new independent productions and would favour major independent producers and those specializing in internationally exploitable formats or, in other words, would lead to more concentration and less diversity. It should also be kept in mind that with the development of new technology and new platforms, the secondary rights of today are likely to become the essential rights of tomorrow.

34. In conclusion, the group asked the Romanian delegation to continue its work on the report and prepare a revised version taking account of members' comments and suggestions for the MC-S-MD's next meeting in March 2008.

Items 2 and 3 of the agenda:

Decisions of the CDMC and other information of interest to the work of the MC-S-MD

35. The experts were informed about a new initiative proposed by the coordinator of the MC-S-IC, MC-S-MD and MC-S-PSM groups. The idea, supported by the CDMC, is to identify synergies and complementarities in the work of the three groups in an area tentatively named "Living together". This would include matters such as the role of media in promoting social cohesion, understanding, tolerance, dialogue and democratic participation. For this purpose, the Secretariat is looking at the possibility for organising a meeting of the chairs of the above three groups, the respective contact persons in the CDMC Bureau and outside experts. The objective of the meeting would be to explore the possibility for preparing a booklet on "Living together" compiling and explaining Council of Europe standards in this area, including the texts to be prepared by the groups in 2008. The experts supported the idea and the Chairperson agreed in principle to take part in the meeting.

Item 8 of the agenda:

Other business

36. None.

Item 9 of the agenda:

Dates of next meeting

37. The next meeting of the MC-S-MD would take place in Strasbourg on 13 and 14 March 2008.

Appendix I

List of participants

I. MEMBER STATES/ETATS MEMBRES

Austria/Autriche

Ms Waltraud BAUER, Federal Chancellery/Legal Service, Department of Media Affairs and Information Society, Ballhausplatz 2, 1014 WIEN

Belgium/Belgique

<Apologised/Excusé>

Mme Muriel COLOT, Attachée, Service général de l'audiovisuel et des multimédias, Communauté française, 44, boulevard Léopold II, 1080 BRUXELLES

Bulgaria/Bulgarie

Mme Nina VENOVA, Bulgarian News Agency, Rédacteur LIK, Tzarigradsko Chaussée bld. 49, 1040 SOFIA

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Croatia/Croatie

Ms Zrinjka PERUŠKO, Associate Professor, Department of Journalism, Faculty of Political Science, Lepusiceva 6, 10 000 ZAGREB

France

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Greece/Grèce

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Latvia/Lettonie

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Lithuania/Lituanie

Ms Audrone NUGARAITE, Associate Professor, Institute of Journalism, Vilnius University, P.O. Box 1820, VILNIUS

Norway/Norvège

<Apologised/Excusé>

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Poland/Pologne

Mr Pawel STEPKA, Senior Inspector, National Broadcasting Council, 9, Skwer Wyszynskiego, 01015 WARSAW

Portugal

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Romania/Roumanie

Mme Elly-Ana TARNACOP-MOGA, Conseillère pour les affaires européennes, Ministère de la Culture et des Cultes, 30, boulevard Kiseleff, sector 1, BUCAREST

Russian Federation/Fédération de Russie

Mrs Elena VARTANOVA, Deputy Dean For Research, Professor, Faculty Of Journalism, Moscow State University, Moskhovaya, 125009 MOSCOW

Slovak Republic/République slovaque

M. Igor CHOVAN, Head of licencing Department, Council for broadcasting and retransmission, Kolarska 6, 81000 Bratislava, Slovak Republic

Spain/Espagne

Ms Concepción SOTO CALVO, Adviser of Audiovisual Services, Ministry of Industry, Tourism and Commerce, Secretaría de Estado de Telecomunicaciones y para la Sociedad de la Información, Subdirección General de Medios Audiovisuales, Capitan Haya, 41, 28071 Madrid

Switzerland/Suisse

M. Jacques FAVRE, Chargé de cours à l'Université de Fribourg, Route des Jurats, 1337 VALLORBE

“The former Yugoslav Republic of Macedonia”/ « L'ex-République yougoslave de Macédoine »

Mr Janko NIKOLOVSKI, President of the Commission, Commission for protecting the right on free access to information of public character, Bul. Goce Delcev BB, 14th floor, SKOPJE

Turkey/Turquie

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Ms Ozlem Pinar KURBAN, Monitoring Department, Radio and Television Supreme Council, Bilkent Plaza B-2 Blok, 06530 Bilkent, ANKARA

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<Apologised/Excusé>

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I. OTHER PARTICIPANTS/AUTRES PARTICIPANTS**Parliamentary Assembly of the Council of Europe/Assemblée Parlementaire du Conseil de l'Europe****Congress of Local and Regional Authorities of the Council of Europe/Congrès des Pouvoirs Locaux et Régionaux du Conseil de l'Europe**

<Apologised/Excusé>

Mr Dario GHISLETTA, Congrès des Pouvoirs Locaux et Régionaux du Conseil de l'Europe, membre de la délégation suisse

European Audiovisual Observatory/Observatoire européen de l'Audiovisuel**European Commission/Commission européenne**

Mr Pierre-Yves ANDRAU, Policy and legal officer - Member of the Media Task Force, DG Information Society Media, European Commission, BRUSSELS

II. OSERVERS WITH THE COUNCIL OF EUROPE/OBSERVATEURS AUPRES DU CONSEIL DE L'EUROPE**Canada**

<Apologised/Excusé>

Mme Andrée N. LACASSE, Conseillère en politiques, Relation internationale & rayonnement, Patrimoine canadien

Holy See/Saint-Siège

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III. OSERVERS WITH THE MC-S-MD/OBSERVATEURS AU SEIN DU MC-S-MD**UNESCO**

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**Organisation for Security and Co-operation in Europe (OSCE)/
Organisation pour la Sécurité et la Coopération en Europe (OSCE)**

<Apologised/Excusé>

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European Broadcasting Union/Union Européenne de Radio-Télévision

M. Michael WAGNER, Directeur adjoint, Département des Affaires juridiques, Union Européenne de Radio-Télévision, 17 Ancienne Route, CH-1218 GRAND-SACONNEX GE

Association of Commercial Television in Europe/Association des Télévisions commerciales européennes

<Apologised/Excusé>

Ms Monika MAGYAR, Legal Advisor, Association of Commercial Television in Europe, 9-13 Rue Joseph II, 1000 BRUXELLES

European Federation of Journalists/Fédération européenne des Journalistes

<Apologised/Excusé>

M. Philippe LERUTH, Vice-président FEJ, Résidence Palace, Rue de la loi 155, 1040 Bruxelles

European Newspaper Publishers' Association/Association européenne des Editeurs de Journaux

Ms Hannah McCAUSLAND, European Affairs Advisor, European Newspaper Publishers' Association, Rue des Pierres 29, bte 8, 1000 BRUSSELS

Foundation 'Online/More Colour in the Media

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European Internet Services Providers Association (EuroISPA)

<Apologised/Excusé>

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IV. INVITED

Metropolitan University of London

Mr Peter Maynard LEWIS, Senior Lecturer in Community Media, Department of Applied Social Sciences, Metropolitan University of London, Council of Europe Consultant

The Netherlands Media Authority/Commissariaat voor de Media

Mr Quint KIK, representative of the Dutch regulatory authority for the Media sector, Commissariaat voor de Media, Hoge Naarderweg 78, P.O.Box 1426, NL-1200 BK Hilversum, The Netherlands

Mr Edmund LAUF, representative of the Dutch regulatory authority for the Media sector, Commissariaat voor de Media, Hoge Naarderweg 78, P.O.Box 1426, NL-1200 BK Hilversum, The Netherlands

V. SECRETARIAT

Mr Ivan NIKOLTCHEV, Administrator, Media Division, Directorate General of Human Rights/Administrateur, Division Médias, Direction Générale des Droits de l'Homme

Mr Eugen CIBOTARU, Administrator, Media Division, Directorate General of Human Rights/Administrateur, Division Médias, Direction Générale des Droits de l'Homme

Mrs Victoria LEE, Assistant, Media Division, Directorate General of Human Right/Assistante, Division Médias, Direction Générale des Droits de l'Homme

Appendix II

Agenda

1. Opening of the meeting and adoption of the agenda
2. Decisions of the Steering Committee on the Media and New Communication Services (CDMC) of interest to the work of the MC-S-MD
3. Other information of interest to the work of the MC-S-MD
4. Methodology for the monitoring of media concentration – *elaboration of a proposal on the methodology for the monitoring of media concentration*

- Exchange of views with Quint Kik and Edmund Lauf, representatives of the Dutch regulatory authority for the media sector (Commissariaat voor de Media)

Documents:

- Compilation of responses to the questionnaire on methodology for the monitoring of media concentration, pluralism and diversity (MC-S-MD(2007)005)
 - Summary of responses to the questionnaire on methodology for the monitoring of media concentration, pluralism and diversity (MC-S-MD(2007)Misc1)
 - Kyiv Action Plan
 - Terms of reference of the MC-S-MD
 - Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
 - Report of the 5th meeting of the CDMC (CDMC(2007)009)
5. Implementation of Recommendation R (2003) 9 on measures to promote the democratic and social contribution of digital broadcasting – *compilation of a compendium of good practices in member states in this field*

Documents:

- Compilation of responses to the additional questionnaire addressed to selected member states on the implementation of Recommendation R (2003) 9 (MC-S-MD(2007)004)
- Kyiv Action Plan
- Terms of reference of the MC-S-MD
- Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
- Report of the 5th meeting of the CDMC (CDMC(2007)009)
- Additional replies to the questionnaire on the implementation by member States of Recommendation (2003) 9 (MC-S-MD(2007)001)
- Examination of the replies to the questionnaire on the implementation by member States of Recommendation (2003) 9 (MC-S-MD(2006)005rev)

6. Examination of the role of the media in promoting social cohesion and the integration of different communities:

(a) the role that can be played by community, local, minority and social media – *elaboration of a draft document or standard-setting instrument on possible measures which could be taken in support of these types of media*

- Exchange of views with Peter Lewis, consultant invited by the Council of Europe to prepare a report on the matter

Documents:

- Outline for a report by Peter Lewis
- Kyiv Action Plan
- Terms of reference of the MC-S-MD
- Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
- Report of the 5th meeting of the CDMC (CDMC(2007)009)

(b) the ways in which the public, in all its diversity, can be involved in consultative programming structures – *preparation of a document or standard-setting instrument on the matter*

Documents:

- Compilation of responses to the questionnaire on the ways in which the public in all its diversity can be involved in consultative programming structures (MC-S-MD (2007) 006)
- “Broadcasting and citizens” - research by European Association for Viewers Interests (EAVI) (<http://www.eavi.org/reports.htm>)
- Kyiv Action Plan
- Terms of reference of the MC-S-MD
- Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
- Report of the 5th meeting of the CDMC (CDMC(2007)009)

(c) the importance of independent productions for media pluralism and social cohesion – *preparation of a report or a standard-setting instrument on possible support measures for independent productions*

Documents:

- Draft report prepared by the Romanian delegation, in co-operation with the Belgian delegation
- Terms of reference of the MC-S-MD
- Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
- Report of the 5th meeting of the CDMC (CDMC(2007)009)

7. MC-S-MD work in 2008 – fulfilling the tasks under the terms of reference of the group of specialists

Documents:

- Work plan for 2007-2008 (MC-S-MD(2007)003)
- Terms of reference of the MC-S-MD

- Report of the 5th meeting of the MC-S-MD (MC-S-MD(2007)002)
- Report of the 5th meeting of the CDMC (CDMC(2007)009)

8. Other business

9. Dates of the next meeting

The next meeting of the MC-S-MD is planned to take place in Strasbourg in March or April 2008. The precise dates will be specified at a later stage.