MSI-MED

***Committee of experts on Media Pluralism
and Transparency of Media Ownership***

COUNCIL OF EUROPE

CONSEIL DE L'EUROPE

Draft recommendation CM/Rec(2017x)xx of the Committee of Ministers to member states on media pluralism and transparency of media ownership

Fourth revised draft as of 9 October 2017

Preamble

1. Media freedom and pluralism are crucial corollaries of the right to freedom of expression, as guaranteed by Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms (ETS No. 5, hereinafter "the Convention"). They are central to the functioning of a democratic society as they help to ensure the availability and accessibility of diverse information and views, on the basis of which individuals can form and express their opinions and exchange information and ideas.

2. The media play essential roles in democratic society, by widely disseminating information, ideas, analysis and opinions; acting as public watchdogs, and providing forums for public debate. In the evolving multi-media ecosystem, these roles continue to be fulfilled by traditional media, but are also increasingly performed by other media and non-media actors, from multinational corporations to non-governmental organisations and individuals. All such actors must be accountable to the public in a manner appropriate to the roles they fulfil in relation to the free circulation of information and ideas. Effective self-regulatory systems can enhance both public accountability and trust.

3. Pluralist democratic societies are made up of a wide range of identities, ideas and interests. It is imperative that this diversity be communicated through a range of independent and autonomous channels and outlets, thus creating an informed society, contributing to mutual understanding and fostering social cohesion.

4. Different types of media, along with different genres or forms of editorial content or programming contribute to diversity of content. Although content focusing on news and current affairs is of most direct relevance for fostering an informed society, other genres are also very important. Examples include cultural and educational content and

entertainment, as well as content aimed at specific sections of society, such as local content.

5. In the present multi-media environment, online media and other internet platforms enable access to a growing range of information from diverse sources. This transformation in how media content is made available and used creates new opportunities for more and more people to interact and communicate with each other and to participate in public debate.

6. This technological, economic and social evolution also raises concerns for media pluralism. Access to various sources can be instrumental in enhancing diversity of media content and exposure to such diversity, however it does not of itself guarantee it. In this context, internet intermediaries have acquired increasing control over the flow, availability, findability and accessibility of information and other content online. This may affect the variety of media sources that individuals are exposed to and result in them selecting or being exposed to information which confirms their existing views and opinions and which is further reinforced by exchange with other like-minded individuals (phenomena sometimes referred to as "filter bubbles" and "echo chambers"). Such selective exposure and use of media content can generate fragmentation and result in a polarised society. While limited news resources and self-imposed restrictions on the choice of content are not new phenomena, the internet intermediaries' impact on the distribution process may amplify their inherent risks, which is particularly troubling if the individual users are not aware of these processes or do not understand them.

7. The activities of intermediaries differ from those of traditional media outlets in respect of the provision of news. However, the wide scope of information they distribute, their wide audience reach and their potential for highly targeted advertising have contributed to a shift of advertising and marketing revenues towards the internet. These trends challenge the traditional media business models and contribute to an increase in media consolidation and convergence. Single or a few media owners or groups acquire positions of considerable power where they can separately or jointly set the agenda of public debate and significantly influence or shape public opinion, reproducing the same content across all platforms on which they are present. These trends also lead to cost-cutting, job losses in traditional journalism and established media sectors, and the risk of financial dependencies for journalists and the media, which may ultimately cause a reduction in diversity of news and content and impoverish public debate.

8. Fresh appraisals of existing approaches to media pluralism are called for in order to address the challenges for pluralism resulting from how users, businesses and other stakeholders have adapted their behaviour to the abovementioned developments. In this connection, there is a need for more comparative data on the individuals' use of online media content in order to obtain a comprehensive picture of how internet intermediaries affect media pluralism. Furthermore, it is imperative that these changes are appropriately reflected in the media regulation in order to maintain or restore the integrity of the democratic process and to prevent bias, misinformation or suppression of information in the media content. New policy responses and strategic solutions are needed to sustain independent, quality journalism and to enhance citizens' access to diverse content across all media types and formats. The ultimate and overarching objective of state policies promoting media pluralism must be the protection and promotion of the right to freedom of expression.

9. Independent and sustainable public service and not-for-profit community media can serve as a counterbalance to increased media concentration. By virtue of their remit and organisation, public service media are particularly suited to address the informational needs and interests of all sections of society, as is true of community media in respect of their constituent users. It is of utmost importance for public service media to have within their mandates the responsibility to reflect political pluralism and foster awareness of diverse opinions, notably by providing different groups in society – including cultural, linguistic, ethnic, religious or other minorities – with an opportunity to receive and impart information, to express themselves and to exchange ideas.

10. In light of the increased range of media and content, it is very important for individuals to possess the cognitive, technical and social skills and capacities that enable them to critically analyse media content, to understand the ethical implications of media and technology, and to communicate effectively, including by creating content. Media literacy contributes to media pluralism and diversity by empowering individuals to effectively access, evaluate and create diverse types of content; by reducing the digital divide; by facilitating informed decision-making, especially in respect of political and public affairs and commercial content, and by enabling the identification and countering of false or misleading information and harmful and illegal online content.

11. The adoption and effective implementation of media-ownership regulation can play an important role in respect of media pluralism. Such regulation can enhance transparency in media ownership; it should address issues such as cross-media ownership, direct and indirect media ownership and effective control and influence over the media. It should also contribute to ensuring effective and manifest separation between the exercise of political authority or influence and control of the media or decision making as regards media content, and therefore to ensuring that media continue to serve the public interest. Transparency of media ownership, organisation and financing help to increase media accountability.

12. Transparency and media literacy are also indispensable tools for individuals to make informed decisions about which media they use and how they use them, to search for, access and impart information and ideas of all kinds. This makes them effective practical instruments for ensuring pluralism.

13. Against this background, the present Recommendation reaffirms the importance of existing Council of Europe standards dealing with different aspects of media pluralism and transparency of media ownership and the need to fully implement them in democratic societies. The Recommendation builds further on those standards, adjusting, supplementing and reinforcing them, as necessary, to ensure their continued relevance in the current multi-media ecosystem.

Under the terms of Article 15.b of the Statute of the Council of Europe (ETS No. 1), the Committee of Ministers recommends that governments of member States:

    i.   fully implement the guidelines set out in this recommendation;

    ii.   remain vigilant to, assess and address threats to media freedom and pluralism, including the lack of transparency of media ownership, by regularly monitoring the state of media pluralism in their national media markets, and by adopting appropriate regulatory responses, including by paying systematic attention to such focuses in the on-going reviews of their national laws and practices;

iii.   in implementing the Guidelines, take account of previous Committee of Ministers' Recommendations and Declarations dealing with different aspects of media pluralism and transparency of media ownership, notably Recommendation 94/13 on measures to promote media transparency, Recommendation 99/1 on measures to promote media pluralism, Recommendation 2007/2 on media pluralism and diversity of media content, and Declaration on protecting the role of the media in democracy in the context of media concentration (31.01.2007), as well as other relevant Recommendations and Declarations, notably Recommendation 2000/23 on the independence and functions of regulatory authorities for the broadcasting sector, Recommendation 2007/3 on the remit of public service media in the information society, Declaration on the role of community media in promoting social cohesion and intercultural dialogue (11.02.2009), Recommendation 2011/7 on a new notion of media, Recommendation 2012/1 on public service media governance, Recommendation 2012/3 on the protection of human rights with regard to search engines, Recommendation 2015/6 on the free, trans-boundary flow of information on the internet, Recommendation 2016/1 on protecting and promoting the right to freedom of expression and the right to private life with regard to network neutrality, Recommendation 2016/4 on the protection of journalism and safety of journalists and other media actors and Recommendation 2016/5 on internet freedom;

iv.   promote the goals of this recommendation at the national and international levels and engage and co-operate with all interested parties to achieve those goals.
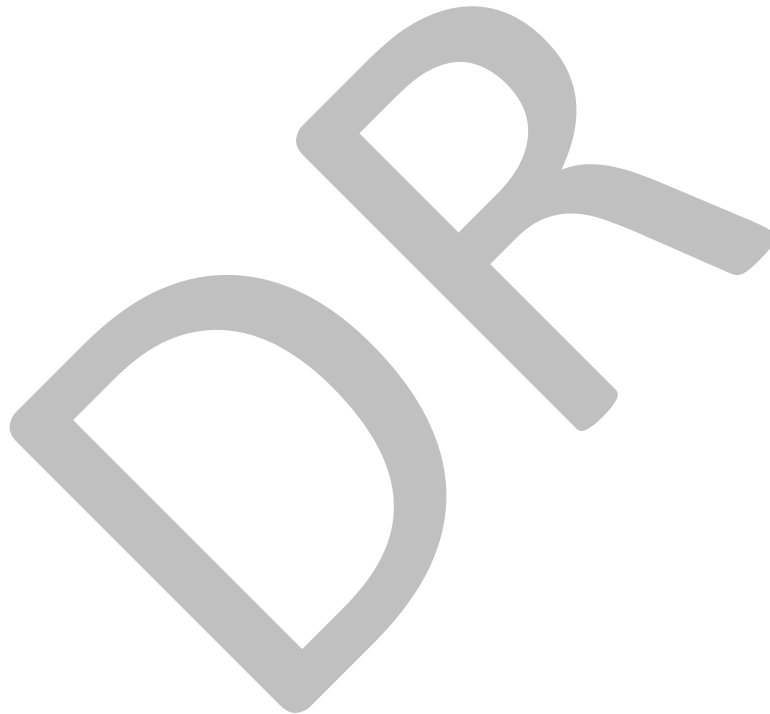
Guidelines

In the context of this Recommendation, the media are understood as including print, broadcast and online media. In line with a graduated and differentiated approach recommended by Recommendation CM/Rec(2011)7 of the Committee of Ministers to member states on a new notion of media, online media should encompass a wide range of actors involved in the production and dissemination of media content online and any other intermediaries and auxiliary services which, through their control of distribution of media content online or editorial-like judgments about content they link to or carry, have an impact on the media markets and media pluralism. These actors should be subject to appropriate forms and levels of protection and responsibility in response to the characteristics and needs of the media markets within the jurisdiction of the States and in conformity with the relevant standards of the Council of Europe.

1. A favourable environment for freedom of expression and media freedom

1.1. The principles of freedom of expression and media freedom, as grounded in the Convention, apply and must be adhered to, also in the present multi-media ecosystem, in which a range of new media actors have come to the fore. Those principles must continue to be developed in a way that takes full account of the fast-evolving nature of the sector.

1.2. States have a positive obligation to foster a favourable environment for freedom of expression offline and online, in which everyone can exercise their right to freedom of expression and participate in public debate effectively, irrespective of whether or not their views are received favourably by the State or others. Such an environment encompasses the rights to privacy and data protection, and the right to access information on issues of public interest held by public bodies which is necessary for the exercise of the right to freedom of expression. States should guarantee free and pluralistic media for their valuable contribution to robust public debate in which societal diversity can be articulated, explored and sustained.

1.3. National legislative and policy frameworks should safeguard the editorial independence and operational autonomy of all media so that they can carry out their key tasks in a democratic society. These frameworks should be designed and implemented in such ways as to prevent the State, or any powerful political, economic, religious or other groups from acquiring dominance and exerting pressure on the media.

1.4. The media should have the freedom and resources at all times to fulfil their task of providing accurate and reliable reporting on matters of public interest, in particular concerning vital democratic processes and activities, such as elections, referenda and public consultations on matters of general interest. Adequate safeguards, including legislative safeguards, as appropriate, should also be put in place to prevent interference with editorial independence of the media, in particular in relation to coverage of conflicts, crises, corruption and other sensitive situations where quality journalism and reporting are key tools in countering propaganda and disinformation.

1.5. In a favourable environment for freedom of expression, media regulatory authorities and other bodies entrusted with responsibility for regulating or monitoring other (media)

service providers or media pluralism or having any of the other functions set out in this Recommendation must be able to carry out their remit in an effective, transparent and accountable manner. A prerequisite for them to be able to do so is that they themselves enjoy independence that is guaranteed by law and borne out in practice.

1.6. The independence of the authorities and bodies referred to in the previous paragraph should be guaranteed by ensuring that they: have open and transparent appointment and dismissal procedures; have adequate human and financial resources and autonomous budget allocation; function according to transparent procedures and decision-making; have the power to take autonomous decisions and enforce them effectively, and that their decisions are subject to appeal.

1.7. States should ensure transparency of media ownership, organisation and financing, as well as promote media literacy, so as to provide individuals with the information and critical awareness that they need in order to access diverse information and participate fully in the multi-media ecosystem.

2. Media pluralism and diversity of media content

General requirements of pluralism

2.1. As ultimate guarantors of pluralism, States have a positive obligation to put in place an appropriate legislative and policy framework to that end. This implies adopting appropriate measures to ensure sufficient variety in the overall range of media types, bearing in mind differences in terms of their purposes, functions and geographical reach. The complementary nature of different media types strengthens external pluralism and can contribute to creating and maintaining diversity of media content.

2.2. States are called upon to ensure that there is regular independent monitoring and evaluation of the state of media pluralism in their jurisdictions based on a set of objective and transparent criteria for identifying risks to the variety in ownership of media sources and outlets, the diversity of media types, the diversity of viewpoints represented by political, ideological, cultural and social groups, and the diversity of interests and viewpoints relevant to local and regional communities. States should also ensure that bodies conducting the independent monitoring and evaluation exercises have sufficient access to all relevant data and sufficient resources to be able to carry out those tasks. States are further urged to develop and enforce appropriate regulatory and policy responses effectively addressing any risks found.

Specific requirements of pluralism

   Diversity of content

2.3. States should adopt regulatory and policy measures to promote the availability, findability and accessibility of the broadest possible diversity of media content as well as the representation of the whole diversity of society in the media, including by supporting initiatives by media to those ends. In respect of the audiovisual media, those measures could include must-carry rules; rules on due prominence of general interest content on electronic programme guides, and rules on accessibility for persons with disabilities.

2.4. As media content is not only distributed, but also increasingly managed, edited, curated and/or created by internet intermediaries, States should recognise the variety of their roles in content production and dissemination and the varying degrees of their impact on media pluralism. Any regulation governing those activities should be appropriate and proportionate, fully compliant with the requirements of Article 10 of the Convention and in line with the graduated and differentiated approach provided for by Recommendation CM/Rec(2011)7 of the Committee of Ministers to member states on a new notion of media. Any self-regulatory mechanisms developed in this area should operate independently and transparently, be open to meaningful participation from all relevant stakeholders, be accountable to the public, and work in accordance with ethical standards that take full account of the multi-media ecosystem.

2.5. States should encourage the development of open, independent, transparent and participatory initiatives by social media, media actors, civil society, academia and other relevant stakeholders, that seek to improve effective exposure of users to the broadest possible diversity of media content online.

The visibility, findability, accessibility and promotion of media content online is increasingly being influenced by automated processes, whether they are used alone or in combination with human decisions. States should encourage social media, media, search and recommendation engines and other intermediaries which use algorithms, along with media actors, regulatory authorities, civil society, academia and other relevant stakeholders to engage in open, independent, transparent and participatory initiatives that:

- increase the transparency of the processes of online distribution of media content, including automated processes;

- assess the impact of such processes on users' effective exposure to a broad diversity of media content;

- seek to improve these distribution processes in order to enhance users' effective exposure to the broadest possible diversity of media content;

- provide clear information to users on how to find, access and derive maximum benefit from the wide range of content that is available, and

- implement the principle of privacy by design in respect of any automated data processing techniques and ensure that such techniques are fully compliant with European privacy and data protection law and standards.

2.6. States should make particular efforts, taking advantage of technological developments, to ensure that the broadest possible diversity of media content, including general interest content, is accessible to all groups in society, particularly those which may have specific needs or face disadvantage or obstacles when accessing media content, such as minority groups, refugees, children, the elderly and persons with cognitive or physical disabilities. This implies that such media content should be made available in different languages and in suitable formats and that it should be easy to find and use.

2.7. Diversity of media content can only be properly gauged when there are high levels of transparency about editorial and commercial content: media and other actors should adhere to the highest standards of transparency regarding the provenance of their content and always signal clearly when content is provided by political sources or involves

advertising or other forms of commercial communications, such as sponsoring and product placement. This also applies to hybrid forms of content, including branded content, native advertising and advertorials and infotainment.

Institutional frameworks for media pluralism

2.8. States should recognise the crucial role of independent public service media organisations in fostering public debate, political pluralism and awareness of diverse opinions. States should accordingly guarantee adequate conditions for public service media to continue to play this role in the multi-media landscape, including by providing them with appropriate support for innovation and the development of digital strategies and new services.

2.9. States should adopt appropriate specific measures to protect the editorial independence and operational autonomy of public service media by keeping the influence of the State at arm's length. The supervisory and management boards of public service media must be able to operate in a fully independent manner and the rules governing their composition and appointment procedures must be transparent and contain adequate checks and balances to ensure that independence.

2.10. States should also ensure stable, sustainable, transparent and adequate funding for public service media on a multi-annual basis in order to guarantee their independence from governmental, political and market pressures and enable them to provide a broad range of pluralistic information and diverse content. This can also help to counterbalance any risks caused by a situation of media concentration. States are moreover urged to address, in line with their positive obligation to guarantee media pluralism, any situations of systemic underfunding of public service media which jeopardise that pluralism.

2.11. States should encourage and support the establishment and functioning of minority, regional, local and not-for-profit community media, including by providing financial mechanisms to foster their development. Such independent media give a voice to communities and individuals on topics relevant to their needs and interests, and are thus instrumental in creating public exposure for issues that may not be represented in the mainstream media and in facilitating inclusive and participatory processes of dialogue within and across communities and at regional and local levels.

2.12. Media which serve communities outside the country where they are established can supplement national media and can help certain groups in society, including immigrants, refugees and diaspora communities, to maintain ties with their countries of origin, native cultures and languages. States should not impede access to such cross-border media provided the publication, transmission, retransmission or any other form of dissemination of such media within their jurisdictions is in compliance with international law.

Support measures for the media and media pluralism

2.13. For the purpose of enhancing media pluralism, States should develop, in consultation with representatives of the media and civil society organisations, strategies and mechanisms to support professional news media and quality independent and investigative journalism, including news production capable of addressing diverse needs and interests of groups that may not be sufficiently represented in the media. They should explore a wide range of measures, including various forms of non-financial and financial support such as advertising and subsidies, which would be available to different media types and platforms, including those of online media. States are also encouraged to support projects

relating to journalism education, media research, investigative journalism and innovative approaches to strengthen media pluralism and freedom of expression.

2.14. Support measures should have clearly defined purposes and should be based on pre-determined clear, precise, equitable, objective and transparent criteria. They should be implemented in full respect of the editorial and operational autonomy of the media. Support measures could include positive measures to enhance the quantity and quality of media coverage of issues that are of interest and relevance to groups which are underrepresented in the media.

2.15. Support measures should be administered in a non-discriminatory and transparent manner by a body enjoying functional and operational autonomy such as an independent media regulatory authority. An effective monitoring system should also be introduced to supervise such measures, to ensure that they serve the purpose for which they are intended. Independent bodies responsible for the allocation of direct subsidies should publish annual reports on the use of public funds to support media actors.

3. Regulation of media ownership: ownership, control and concentration

3.1. As part of their obligation to guarantee pluralism in their jurisdictions, States should adopt and implement a comprehensive regulatory framework for media ownership and control that is adapted to the current state of the media industry. Such a framework should take full account of the impact of online media on public debate, including by ensuring that the producers of media content distributed through online distribution channels and users are protected from possible anti-competitive behaviour of online gatekeepers which adversely impacts media pluralism.

3.2. Monitoring and enforcement of media ownership regulation should be conducted by an independent body provided with sufficient and stable financial and staff resources to enable it to carry out the tasks in an effective manner.

Ownership and control

3.3. The enforcement of competition law including merger control should aim to ensure effective competition and prevent individual actors from acquiring significant market power in the overall national media sector or in a specific media market/sector at the national level or sub-national levels, to the extent that such concentration of ownership adversely impacts media pluralism.

3.4. Media ownership regulation can include restrictions on horizontal, vertical and cross-media ownership, including by determining thresholds of ownership in line with Recommendation CM/Rec 2007(2) of the Committee of Ministers to member states on media pluralism and diversity of media content. Those thresholds may be based on a number of criteria such as capital shares, voting rights, circulation, revenues, audience share or audience reach.

3.5. States should set criteria for determining control of media outlets by explicitly addressing direct and beneficial control. Relevant criteria can include proprietary, financial or voting strength within a media outlet or outlets and the determination of the different

levels of strength that lead to exercising control or direct or indirect influence over the strategic decision-making of the media outlet or outlets including their editorial policy.

3.6. As the key democratic tasks of the media include holding authorities to account and promoting transparency, ownership of media outlets by political parties or individuals actively involved in politics, and especially by any holder of an elected office, should be subject to reinforced checks and balances aimed at ensuring editorial independence and transparency of ownership. The exercise of financial control of media and editorial decision-making should be incompatible with the exercise of political authority. The incompatibility of these functions should be recognised as a matter of principle. The criteria of incompatibility and a range of appropriate measures for addressing conflicts of interest should be set out clearly in law.

3.7. Any restrictions on the extent of foreign ownership of media should be implemented in a non-arbitrary manner and should take full account of States' obligations under international law and in particular, the positive obligation to guarantee pluralism.

Concentration

3.8. States are encouraged to develop and apply suitable methodologies for the assessment of media concentration, in respect of both the influence of individual media and the aggregated influence of a media outlet/group across sectorial boundaries. In addition to measuring the availability of media sources, this assessment should reflect the real influence of individual media by adopting an audience-based approach and using appropriate sets of criteria to measure the use of individual media and their impact on opinion-forming. The audience-based approach should comprise the offline and online footprint of the media. The measurement exercise should be carried out by an independent authority or other designated body.

3.9. Media ownership regulation should include procedures to prevent media mergers or acquisitions that could adversely affect pluralism of media ownership or diversity of media content. Such procedures should involve a requirement for media owners to notify the relevant independent regulatory authority of any proposed media merger or acquisition whenever the ownership and control thresholds, as set out in legislation, are met.

3.10. The relevant independent regulatory authority or other designated body should be vested with powers to assess the expected impact of any proposed concentration on media pluralism and to make recommendations or decisions, as appropriate, about whether the proposed merger or acquisition should be cleared, subject or not to any restrictions or conditions, including divestiture. Decisions of the independent authority should be subject to judicial review.

4. Transparency of media ownership, organisation and financing

4.1. States should guarantee a regime of transparency of media ownership that ensures the public availability and accessibility of accurate, up-to-date data concerning direct and beneficial ownership of the media, as well as other interests that influence the strategic decision-making of the media in question or its editorial line. This information is necessary for media regulatory and other relevant bodies to be able to conduct informed regulation

and decision-making. It also enables the public to analyse and evaluate the information, ideas and opinions disseminated by the media.

4.2. States should set out clear criteria as to which media are subject to transparency requirements. The requirements to disclose ownership information may be limited with regard to criteria such as the commercial nature of the media outlet, a wide audience reach, exercise of editorial control, frequency and regularity of publication or broadcast, etc., or a combination thereof. Legislation should also determine the timeframe within which reporting obligations must be met.

4.3. Transparency requirements should be implemented in accordance with the right to privacy and data protection and should be limited to individuals directly involved in the ownership of a media outlet or its editorial oversight structures. Furthermore, appropriate derogations should be permitted from the transparency requirements to enable individuals or organisations to publish information anonymously, insofar as there are legitimate reasons for such precautionary measures.

Transparency requirements

4.4. States should put in place specific media transparency requirements, including a requirement for media outlets operating within their jurisdictions to disclose ownership information directly to the public on their website or other publication and to report this information to an independent national media regulatory body or other designated body, tasked with gathering and collating the information and making it available to the public. The body charged with these tasks should be provided with sufficient and stable financial and staff resources to enable it to carry out the tasks in an effective manner.

4.5. States should adopt and implement legislative or other equally effective measures that set out disclosure/transparency obligations for media in a clear and precise way. Such obligations should, as a minimum, include the following information:

-       Legal name and contact details of a media outlet;

-       Name(s) and contact details of the direct owner(s) with shareholdings enabling them to exercise influence on the operation and strategic decision-making of the media outlet. States are recommended to apply a threshold of 5% shareholding for the purpose of the disclosure obligations.

-       Name(s) and contact details of natural persons with beneficial shareholdings. Beneficial shareholding applies to natural persons who ultimately own or control shares in a media outlet or on whose behalf those shares are held, enabling them to indirectly exercise control or influence on the operation and strategic decision-making of the media outlet.

-       Information on the nature and extent of the share-holdings or voting rights of the above legal and/or natural persons in other media, media-related or advertising companies which could lead to decision-making influence over those companies, or positions held in political parties;

-       Name(s) of the persons with actual editorial responsibility;

-       Changes in ownership and control arrangements of a media outlet.

4.6. The scope of the above minima for disclosure/transparency obligations for the media includes legal and natural persons based in other jurisdictions and their relevant interests in other jurisdictions.

4.7. High levels of transparency should also be ensured with regard to the sources of financing of media outlets in order to provide a comprehensive picture of the different sources of potential interference with the editorial and operational independence of the media and allow for effective monitoring and controlling of such risks.

To this end, States are encouraged to adopt and implement legislation or other equally effective measures that set out disclosure of the following information, while taking into account relevant legislation on the protection of trade secrets:

-       Information on the sources of the media outlet's funding obtained from State funding mechanisms (advertising, grants and loans);

-       The existence of contractual cooperation with other media or advertising companies and political parties.

Transparency database and reports

4.8. Such legislation should also provide for the independent national media regulatory authority or other designated body to ensure that the public has easy, swift and effective access to data about media ownership and control arrangements in the State, including disaggregated data about different types of media (markets/sectors) and regional and/or local levels, as relevant. These data should be kept up to date on a rolling basis; made available to the public free of charge and without delay, and their availability publicised. Ideally they should be accessible and searchable, for example in the form of online databases; their contents should be made available in open formats and there should be no restrictions on their re-use.

4.9. Provision should be made for the independent national media regulatory body or other designated body or institution (academic institution, civil society organisation) to publish regular reports on media ownership. The reporting requirements should include:

-       A description of media ownership and control arrangements for media under its jurisdiction (including media whose services are directed at other countries);

-       A description of changes to the media ownership and control arrangements within the State during the reporting period;

-       An analysis of the impact of those changes on media pluralism in the State.

4.10. The publication of the reports on media ownership should be accompanied by appropriate explanations of the data and the methodologies used to collect and organise them, in order to help members of the public to interpret the data and understand their significance.

Coordination of transparency regimes

4.11. States should issue clear, up-to-date guidance on the interrelationship and implications of the different regulatory regimes and on how to implement them correctly and coherently. That guidance could take the form of user-friendly guidelines, handbooks, manuals, etc.

4.12. States should also facilitate inter-agency cooperation and coordination, including the relevant exchange of information about media ownership held by different national authorities (such as media regulatory authorities, competition authorities, data protection authorities, company registers and financial supervisory authorities). Similarly, the exchange of information and best practices with equivalent authorities in other jurisdictions should be facilitated.

4.13. Up-to-date and reliable information relating to media ownership issues constitutes a valuable resource for citizens and a wide range of stakeholders, but it remains a challenge to collect such information in a comprehensive manner. States are therefore encouraged to support information gathering and dissemination activities relating to media ownership issues, such as relevant activities of the European Audiovisual Observatory, in particular its MAVISE database, insofar as those activities contribute to a fuller understanding of media ownership in Europe.

5. Media literacy/education

5.1. States should introduce legislative provisions or strengthen existing ones that promote media literacy with a view to enabling individuals to access, understand, critically analyse, evaluate, use and create content through a range of legacy and digital (including social) media. This should also include appropriate digital (technological) skills for accessing and managing digital media. Another important aim of media literacy is to enable individuals to know and understand how their personal data are collected, stored and used by internet platforms.

5.2. States should also develop a coordinated national media literacy policy and ensure its operationalisation and implementation through (multi-)annual action plans and by providing adequate resources for those purposes. A key strategy could be to support the creation of a coordinated national media literacy network comprising a wide range of stakeholders, or the further development of such a network where it already exists. Positive practices developed within national networks should be actively exchanged and promoted in relevant international forums.

5.3. In the multi-media ecosystem, media literacy is essential for people of all ages and all walks of life. Measures promoting media literacy should thus help to develop the teaching of media literacy in school curricula at all levels and as part of lifelong learning cycles, including by providing suitable training and adequate resources for teachers and educational institutions to develop teaching programmes and project-oriented learning schemes.

5.4. States should encourage all media, without interfering with their editorial independence, to promote media literacy through policies, strategies and activities. Public service media and community media can play leading roles in promoting media literacy, by virtue of their objectives, mandates and working methods. States should also promote

media literacy through support schemes for media, taking into account the particular roles of public service media and community media.

5.5. States should ensure that independent national regulatory authorities and/or other bodies have the scope and resources to promote media literacy in ways that are relevant to their mandates and encourage them to do so.

5.6. States are encouraged to include in their coordinated national media literacy programmes focuses on media pluralism and transparency of media ownership in order to help citizens to make an informed and critical evaluation of the information and ideas propagated via the media. To this end, States are called upon to include in their strategies for ensuring transparency in the media sector educational content which enables individuals to use information relating to media ownership, organisation and financing, in order to better understand the different influences on the production, collection, curation and dissemination of media content.