



DER/BO/NFF/HdB/el

Brussels, 14 July 2017

LIBE 11/07: Media Pluralism and freedom in the EU

*The aim of this public hearing was to reflect on the situation in the EU and identify avenues to strengthen independence and better protect journalists and their freedom of expression. The LIBE Committee believes that it is particularly important **for the EU to monitor** and supervise the development of national media legislation and practices and their impact on media freedom and pluralism in the EU.*

Marilyn Clark (Ass. Professor, University of Malta)

On behalf of the CoE, Ms Clark presented the highlights of the '2017 Report of the CoE SG', which are: a) that MS fail to guarantee an enabling environment for journalists and b) that imprisonment of journalists have reached unprecedented numbers. Moreover, she continued with a presentation of her publication for the CoE called: '*Journalists under pressure - Unwarranted interference, fear and self-censorship in Europe (2017)*' by Marilyn Clark and Anna Grech. The study drew its results from 940 journalists from the MS of CoE (and Belarus). Regrettably, the vast majority did not feel protected against targeted surveillance, almost half reported fear that the ability to protect sources was compromised, and around a quarter reported to have experienced judicial intimidation (like arrest, investigation, threat of prosecution etc). However, there were some journalists which reported that their experiences provided them with increased resilience.

As regards to Remedies, the CoE will communicate widely and engage MS in dialogue on all serious threats to media freedom reported on the **on-line Platform** to promote the Protection of Journalism and Safety of Journalists.

Thijs Berman (Organisation for Freedom and Security in Europe-OSCE)

Mr Berman pointed that Security and the protection of Fundamental Freedoms are in the centre for OSCE. The current challenges regarding freedom of the media are as follows:

- a) **The safety of journalists:** journalists provide easy targets and thus there is a great increase of threats against them over the past few years. Moreover, it has been observed that women journalists are more targeted. It is urgent to set up an EU agreement on systematic prosecution of threats, intimidation and violence against media professionals.
- b) **Digital transition:** Facebook and Google are accelerating media concentration, which impacts on pluralism and diversity of voices. Need to develop new business models and to clarify options for public funding to protect pluralism.
- c) **Authorities not respecting their obligations:** and commitments on media freedom. Moreover, defamation and insult laws are still not decriminalised in many countries.

Renate Schroeder (Director of the European Federation of Journalists)

Ms Schroeder shared the view that concentration of media ownership represents one of the highest risks for media pluralism and one of the greatest barriers to diversity of information and viewpoints represented in media content. However, now at the top of the agenda is the fight against fake news. One solution for fake news and biased reporting is media pluralism.

The emphasis on market share at the expense of editorial values and the absence of a robust public interest test has enabled the strengthening of media monopolies and the dilution of media diversity. MS must adopt and implement media-ownership regulation in order to guarantee media pluralism. It should address issues such as indirect and cross-media ownership, and restrictions on media ownership by persons holding public office (**referred to CoE recommendations**).

A detailed data analysis shows that in many countries journalists face censorship, intimidation, job insecurity, physical attacks, and digital threats (this is confirmed by many other monitoring mechanisms including the recently established **CoE Platform** to promote the protection of journalism and safety of journalists. The **EU should push MS to fully implement the Recommendation of the CoE** on the protection of journalists).

Pier Luigi Parcu (Director of the Centre for Media Pluralism and Media Freedom- Florence)

Mr Parcu conducted a study (Co-funded by the EU) on Indicators for Media Pluralism in the MS, in order to assess the risks for media pluralism in those countries. The indications examined were, inter alia, the concentration of the media, political control of the media, editorial autonomy and social inclusiveness (how the weak parts of the population are treated). The results showed that the countries that are underscoring in the aforementioned indicators, running a risk of poor media independence, are the following: Bulgaria, Romania, Hungary, Greece (and Turkey).

The Media Pluralism Monitor is a tool, which is useful as it is a rich source of data for media policy. If implemented on regular basis, there would be room for improvements as it serves well for the EU as an early warning system for the need of regulatory adjustments.

Presentation of Study: A Comparative Analysis of Media Freedom and Pluralism in EU MS

The research paper was requested by the LIBE Committee, and commissioned, overseen and published by the Policy Department for Citizens' Rights and Constitutional Affairs.

Key findings:

- Bulgaria, Greece, Hungary and Italy experience high risk to pluralism in the political and market domain.
- Prevalence of cross-sector ownership with partner industries that receive public resources, such as construction, defence or telecommunication, and intransparent state aid in all examined MS.

Recommendations:

- A monitoring system to ensure compliance with existing legislation, charter obligations regarding pluralism and state aid according to TFEU.
- To further elaborate on existing legislation on state aid and the Transparency Directive.

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