

### 3. Parliamentary Assembly Recommendations and Resolutions

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**T**he Parliamentary Assembly of the Council of Europe (PACE) retains a consistent attention on various aspects of PSM and their role in our societies. The most relevant recommendations and resolutions are summarised below.

#### **Recommendation 1641 (2004) on public service broadcasting**

PACE, reiterating the important role of PSM organisations not only for providing information, education and entertainment, but also enhancing social, political and cultural citizenship, alerts to the fact that their operation should be free from any particular interest and independent from those holding either economic or political power.<sup>53</sup>

However, PACE also observes that the situation varies across Europe, with some PSM still under strict governmental control and little prospect of transforming into genuine public broadcasters in the foreseeable future. Another concern expressed is that the shift to multi-platform, on-demand services would be considered as empowering the market to cater for all needs and rendering PSM unnecessary. However, as stressed by PACE, there is no guarantee about the quality, independence or universality of such provision.

PACE thus recommends to the Committee of Ministers to propose a new major policy regarding PSM because of its special role in the society and to call on States to bring about renewed commitment to strong and vibrant PSM, as follows:

- ▶ Therefore the Parliamentary Assembly recommends that the Committee of Ministers [to]:
- ▶ 17.2. mobilise the relevant structures of the Council of Europe to ensure proper and transparent monitoring, assistance and, where necessary, pressure, so that member states undertake the appropriate legislative, political and practical measures in support of PSM;<sup>54</sup>
- ▶ 17.7. call on the governments of member states to
  - a. reaffirm their commitment to maintaining a strong and vibrant independent PSM service,

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53. Recommendation 1641 (2004) on Public service broadcasting, § 2. <https://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17177&lang=en>

54. Ibid, § 17.2

- b. define an appropriate legal, institutional and financial framework for the functioning of PSM and its adaptation and modernisation,
- c. design education and training programmes, adapted to the digital media environment, for journalists.<sup>55</sup>

### **Recommendation 2001 (2012) on protection of and access to the audiovisual cultural heritage**

Besides their essential role in serving the information needs of the public, PSM play an equally important role of bearers of the national audiovisual heritage which is of considerable value to the public. In 2009, PACE called upon the governments to sign the European Convention for the Protection of the Audiovisual Heritage (ETS No. 183) and take measures to preserve the audiovisual archives of their respective PSM.<sup>56</sup> In its Recommendation 2001 (2012), it stresses that these materials should be preserved and made publicly available:

- ▶ Public service broadcasters and production companies have generated large quantities of audiovisual material and hold a vast collection of archives of the audiovisual heritage. This material is of considerable value to the public. Every effort should be made to overcome outstanding copyright issues and to ensure that authors, performers and other rights holders receive fair and proper reward for their work while ensuring that such material is also, wherever possible, both preserved and made publicly available through archives. The Assembly urges that consideration be given to arrangements which ensure that the audiovisual heritage is not permanently hidden from public view, but is properly recorded and preserved with a view to professional preservation and possible public display.<sup>57</sup>

### **Resolution 1636 (2008) on indicators for media in a democracy**

In its resolution on indicators for media in a democracy, PACE recalls that freedom of expression and information in the media is an essential requirement of democracy<sup>58</sup> and emphasises that measures must be taken to protect PSM from political interference. In this context PACE clearly states that senior management positions in PSM should be refused to people with clear party-political affiliations.<sup>59</sup> Additionally, the Resolution calls for the establishment of in-house conduct codes for journalistic work and editorial independence in PSM in order to protect them from political interference.<sup>60</sup>

55. Ibid, § 17.7

56. Recommendation 1878 (2009) on Funding of public service broadcasting, § 16.6. <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17763&lang=en>

57. Recommendation 2001 (2012) on protection of and access to the audiovisual cultural heritage, § 8. <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=18725&lang=en>

58. Resolution 1636 (2008) on Indicators for media in a democracy, § 1. <http://assembly.coe.int/nw/xml/xref/xref-xml2html-en.asp?fileid=17684&lang=en>; ibid, § 2

59. Ibid, § 8.20

60. Ibid, § 8.21

## **Resolution 2141 (2017) on attacks against journalists and media freedom in Europe**

PACE notes in its Resolution on attacks against journalists that the situation of PSM in several member states is difficult and recalls that their independence from governments has to be ensured through law and practice.<sup>61</sup> Referring to the PSM, it reiterates and summarises its established position<sup>62</sup> that governments and parliaments should not interfere in the daily management and editorial work of such broadcasters; that PSM should establish in-house codes of conduct for journalistic work and editorial independence from political interference; and that senior management positions should be refused to people with clear party political affiliations.

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61. Resolution 2141 (2017) on Attacks against journalists and media freedom in Europe, § 21. <https://pace.coe.int/en/files/23400/html>

62. As previously stated in Resolution 1636 (2008) on Indicators for media in a democracy.