

## **Media pluralism and freedom in the EU, European parliament, 11 July 2017**

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Thanks for having been invited to the public hearing, a theme of course at the heart of our work. Thanks to Barbara Spinelli, rapporteur and Claude Moraes for having invited me/EFJ.

The European Federation of Journalists (EFJ) is the largest organisation of journalists in Europe, representing over 320,000 journalists in 71 journalists' organisations (trade unions and associations) across 43 countries.

First, I would like to sincerely congratulate the team of the Centre for Media Pluralism and Media Freedom for its excellent monitoring since 2014. It is in our mind a very useful tool and should be distributed to all responsible stakeholders at national level.

We absolutely share the concern expressed in the conclusions 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”.

25 years ago I started my work at the IFJ with lobbying for media pluralism regulation via its green paper on pluralism and media concentration (1992) It failed not due to the European Parliament but to some Member States (who had been lobbied successfully by major media players (Murdoch and Leo Kirch).

Now top of the political agenda is the fight against fake news. Understandably but as long as we do not deal with the causes of the failure of media to ensure pluralistic, independent and quality information we will not hinder this phenomenon. The rapidly changing media eco system indeed is complex but the unprecedented level of media concentration be it at national or at local level endangers the people's right to KNOW. Including the people's right to know who owns what!

**“ one solution for fake news and biased reporting is media pluralism”**

That is why we appreciate very much that the LIBE Committee in the European Parliament is holding this hearing now, and will be writing a report.

We also appreciate that the Estonian presidency will organise a seminar tomorrow on media pluralism and rule of law in the digital age. We hope not only words but actions will follow!

The EFJ in a recent Resolution adopted at its last AM in May in Bucharest criticized the decision of the European Commission announced on April 7th 2017 to give unconditional

approval to the proposed acquisition of Sky Plc by Twenty-First Century Fox, controlled by Rupert Murdoch and his family.

The Commission found that “the proposed transaction would lead to only a limited increase in Sky’s existing share of the markets for the acquisition of TV content as well as in the market for the wholesale supply of TV channels in the relevant Member States.”

In our view the Commission thereby failed to take into account the dominant position of Murdoch on the UK media landscape, the scale of the influence of Fox and Sky in different markets in Austria, Germany, Ireland, Italy and the UK or the manner in which Murdoch has abused his existing power and influence. The full implications for media plurality in Europe, in news coverage and the impact on broadcasting rights have not been taken into account.

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 across Europe.

- EU member states must adopt and implement media-ownership regulation in order to guarantee media pluralism. Such regulation should ensure transparency in media ownership and prevent its concentration where this is detrimental to pluralism. It should address issues such as indirect and cross-media ownership, and appropriate restrictions on media ownership by persons holding public office (these are extracts from CoE recommendation, adopted in 2016, see below).

Following are some comments on the findings of the MPM and recommended actions:

1. One of the two indicators that are most problematic in the Basic Protection area are **Journalistic profession, standards and protection:**

this indicator produces alarming results, as one third of the countries analysed under the MPM2016 (Croatia, Ireland, Italy, Romania, Latvia, Bulgaria, Greece, Montenegro, Hungary, Turkey) fall within the medium risk band. Most of the countries report a medium or high risk regarding the risks for the safety of journalists. The detailed data analysis of this indicator shows that in many countries journalists face censorship, intimidation, job insecurity, physical attacks, and digital threats, this is confirmed by many other monitoring mechanism including the recently established [Council of Europe Platform to promote the protection of journalism and safety of journalists](#). States are, therefore, failing to a large extent in fulfilling their positive duty to create that favourable environment for participation in public debate by journalists and other media actors that the European court of Human rights, Council of Europe and the Media representative of the OSCE have repeatedly advocated for. This means also that the countries are under a duty to guarantee a safe environment where journalists and other media actors can exercise their watchdog function.

Let’s not reinvent the wheel: Law enforcement measures

The EU should push EU member States to fully implement the [Recommendation of the Committee of Ministers of the Council of Europe on the protection of journalism](#) (13 April 2016). All EU member States are CoE member States. Why are they so reluctant to comply with their own commitment to promote media freedom? The EU MUST push them.

- as part of this recommendation is: States are supposed to review their national legislation and practice concerning media freedom to make sure they are in conformity with the European Convention of Human Rights. The job was supposed to be done by independent bodies (a national human rights commission, ombudsperson and/or another independent body). A national review report was supposed to be written. None of the EU member States complied with this commitment!!!!!! Not a single State launched yet that reviewing process.

This shows that a major problem lies in the lack of political will of member States in law enforcement of essential democratic mechanisms!

2. **Working conditions** were reported to be particularly problematic in Czech Republic, Latvia, Lithuania, Poland, Romania, Slovakia, Spain Ireland (all high risk). That's reason to ring the alarm bell, indeed!

Reference to recent [study on journalism, an increasingly precarious profession](#), by ETUI **burn out**; multitasking in a 24h news ecosystem where speed replaces quality, extremely low fees, a sort of de-professionalisation of journalism as well as self-censorship and fear factor (will be discussed by follow speaker) ....

Also part of guidelines promoted by CoE recommendation: *EU member states must pay attention to the importance of adequate labour and employment laws to protect journalists from arbitrary dismissal or reprisals, and from precarious working conditions that may expose them to undue pressures to depart from accepted journalistic ethics and standards..*

3. We have appreciated that **editorial independence** is a new criterium, in fact ever more important when political and economic pressures are on the rise. The report mentions that "the diversity of the people living in Europe has to be reflected in the content and in the organisation of media". It is indeed paramount for editorial teams to better reflect today's multi-ethnic society. Caricaturing this it would seem that we have at the moment a press dominated by white foremost male journalists producing "mono-form" information. This is a finding that has emerged from the surveys conducted among our member organisations on diversity in editorial teams and content diversity. Our current media productions, our current press companies, our current journalists no longer reflect the society they write about.

4. The indicator where the largest number of countries shows high risk is **#Media Literacy**: high priority: we need to invest in digital media literacy from an early age.

5. last but not least need for open discussions about **new funding models**, sort of public media funding taking into account the continued importance of viable independent psm, support for cross border investigative journalism models; citizen-financed digital platforms where journalists could individually sell their articles.

Facebook and Google are now the dominant media powers in the world. They are now of such a size that it is impossible to argue that their dominance does not raise worrying issues about media pluralism.

*The role of online intermediaries (such as search engines, news aggregators and social media);*

- *Concentration of Internet service providers (ISPs) and Internet content providers (ICPs)*