

## Research for CULT Committee - Media Action Plan: Key challenges related to media pluralism, media freedom and democracy

### Concomitant expertise for INI report<sup>1</sup>

#### KEY FINDINGS

Media pluralism is an essential condition for any democratic society. It constitutes a source of access to a plurality of editorial lines and analyses, opinions and issues expressed, as well as a coexistence of public and private service media.

Media pluralism is at risk due to several factors. First, the level of basic protection for journalists is threatened, for example in terms of the protection of their personal data online or abusive defamation charges against them.

Second, most EU countries are characterised by a high degree of market concentration, with monopoly or oligopoly structures in most news media sectors. These main players co-exist with a myriad of smaller news media operators (e.g. focusing on local news or specialised in particular topics).

Third, trust in the media is eroded by fake news and disinformation, and the perception of an alleged gatekeeping position by larger media groups.

Initiatives are however emerging to improve transparency in the media, for example by establishing charters for the media to ensure the credibility and trustworthiness of sources, or by developing algorithms to debunk misinformation.

Media pluralism is an essential condition for any democratic society<sup>2</sup>. Indeed, if we refer to the Charter of Fundamental Rights of the European Union, freedom of expression and freedom of media

<sup>1</sup> This Briefing complements the Background Analysis on 'Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation (news media sector)' and the Policy Recommendations Briefing on Media Action Plan. These three research papers were commissioned by the Policy Department for Structural and Cohesion Policies as a part of concomitant expertise aiming to support the work of the CULT Committee on the own initiative report on '[Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation](#)'.

<sup>2</sup> The Role of Media in Democracy: A Strategic Approach. (1999). US Agency for International Development. <https://gsdrc.org/document-library/the-role-of-media-in-democracy-a-strategic-approach/>



pluralism are fundamental rights<sup>3</sup>. Media pluralism constitutes a source of access to a plurality of editorial lines and analyses, opinions and issues expressed, as well as a plurality of media types and a coexistence of public and private service media<sup>4</sup>.

According to the Media Pluralism Monitor, media pluralism covers the following important areas: Basic Protection, Market Plurality and Political Independence.

#### 1) Basic protection

In a pluralistic and democratic society, regulatory mechanisms are necessarily needed to protect the fundamental principles that are the freedom of expression and the right to seek, receive and impart information, the status of journalists in each country, the independence and effectiveness of the media authority, the universal reach of traditional media and access to the Internet<sup>5</sup>.

#### 2) Market plurality

Media pluralism can be affected by a range of legal and economic issues: market concentration, (lack of) transparency of ownership, businesses' influence over editorial content, and the sustainability of media production<sup>6</sup>.

#### 3) Political independence

Media pluralism can also be considered as a source of political pluralism - media pluralism allows diversity of the political spectrum and of ideological views in the media and other relevant platforms<sup>7</sup>.

In addition to the political aspects expressed above, media pluralism contains a significant cultural aspect according to the French Conseil Supérieur de l'Audiovisuel. Indeed, it allows a range of cultures reflecting the diversity of society to find their expression through the media<sup>8</sup>.

## Why is media pluralism at risk today?

The media landscape has been rapidly evolving, especially under the pressure of the digitalisation and the development of new business models. These technological advances may have created some opportunities for media pluralism but they have unfortunately also created many risks. Indeed, we will see below that digitalisation has had consequences on the fields covered by media pluralism<sup>9</sup>.

Digitalisation creates a high risk for market plurality, both in the news media and the digital intermediaries' markets, and even more so in terms of ownership transparency<sup>10</sup>.

<sup>3</sup> Centre for Media Pluralism and Media. (2017). Monitoring media pluralism in Europe: Application of the media pluralism monitor 2016 in the European Union, Montenegro and Turkey (Centre for Media Pluralism and Media Freedom). <https://doi.org/10.2870/959900>

<sup>4</sup> Public consultation—2016 Annual Colloquium on Fundamental Rights on 'Media Pluralism and Democracy'—European Commission. (2016). European Commission. [https://ec.europa.eu/newsroom/just/item-detail.cfm?item\\_id=31690](https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=31690)

<sup>5</sup> Centre for Media Pluralism and Media (2017) Monitoring media pluralism in Europe: Application of the media pluralism monitor 2016 in the European Union, Montenegro and Turkey (Centre for Media Pluralism and Media Freedom). <https://doi.org/10.2870/959900>

<sup>6</sup> Ibidem

<sup>7</sup> Ibidem

<sup>8</sup> CSA (2020) Le pluralisme dans les médias. Conseil Supérieur de l'Audiovisuel. Retrieved 30 March 2021, from <https://www.csa.be/le-pluralisme-dans-les-medias/>

<sup>9</sup> Centre for Media Pluralism and Media. (2017). Monitoring media pluralism in Europe: Application of the media pluralism monitor 2016 in the European Union, Montenegro and Turkey (Centre for Media Pluralism and Media Freedom). <https://doi.org/10.2870/959900>

<sup>10</sup> Ibidem

## Transparency and ownership

In terms of transparency of media ownership, it is sometimes difficult today for the public to evaluate the information and opinions disseminated in the media<sup>11</sup>. Media ownership is often difficult to assess, especially for media operating in multiple countries, while it can have bearings on the editorial independence of news media operators.

A lot of research has focused on distinctions between the types of ownership of news media outlets, from public service media to large commercial conglomerates, family-owned media, as well as smaller media outlets, including non-profit associations.<sup>12</sup> In the EU, media ownership is often concentrated, exceeding concentration levels allowed for in other industries.<sup>13</sup> Most EU countries are characterised by a high degree of market concentration: monopoly or oligopoly in the broadcasting sectors; oligopolies in newspaper industries; and significant competition in magazine and book publishing<sup>14</sup>. These main players co-exist with a myriad of smaller news media operators (e.g. focusing on local news or specialised in particular topics).

According to Sjøvaag and Ohlsson, ownership have two kinds of control over their media - allocation control (policy and strategy of the company; controlling mergers, acquisitions, or cutbacks) and operational control (internal distribution of resources; setting editorial strategies; deciding on leadership models; and hiring leaders and managers).<sup>15</sup> This is particularly important for the design of policies for the news media sector while preserving media freedom and independence. While allocation control can be ring-fenced by adequate regulatory frameworks and scrutiny (e.g. competition law to address merger issues), operational control is directly linked to the day-to-day editorial work of news media outlets.

## Basic protection of journalists and media professionals

Digitalisation poses several challenges in terms of basic protection. Indeed, the digital environment creates difficulties concerning the protection of online data, discrepancies in levels of Internet connectivity (populations experience huge inequalities in access to and quality of content on the Internet<sup>16</sup>), and the online protection of journalists<sup>17</sup>.

Media pluralism is intrinsically linked to the level of protection of journalists and their ability to exert their job in a secure environment. Today, several trends are negatively affecting them:

- Journalistic profession standards and protection: The professional environment in which journalists work has deteriorated significantly in recent years. They are regularly subjected to anonymous online attacks and threats<sup>18</sup>.

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<sup>11</sup> Media ownership and its impact on media independence and pluralism. (2004). Resource Centre by OBCT. <https://www.rcmediafreedom.eu/Publications/Books/Media-ownership-and-its-impact-on-media-independence-and-pluralism>

<sup>12</sup> Humprecht, Edda. (2019). Ownership of News Media. In *The International Encyclopedia of Journalism Studies*. Edited by Tim P. Vos & Folker Hanusch Wiley & Sons

<sup>13</sup> Noam, E. (Ed.) (2016). *Who owns the world's media: Media concentration and ownership around the world*. Oxford, U.K.: Oxford University Press.

<sup>14</sup> Picard, R. G., & Dal Zotto, C. (2016). The dimension of ownership and control of media. In P. Valcke, M. Sükösd, & R. G. Picard (Eds.), *Media pluralism and diversity: Concepts, risks and global trends*. Basingstoke, U.K.: Palgrave.

<sup>15</sup> Sjøvaag, H., & Ohlsson, J. (2019). *Media Ownership and Journalism*. Oxford Research Encyclopedia of Communication.

<sup>16</sup> Pulikoonattu, R. (2008). *On the inequalities in information theory*.

<sup>17</sup> Ibidem

<sup>18</sup> Protection and the Protection of Journalistic Materials. (n.d.). Media Defence. Retrieved 30 March 2021, from <https://www.mediadefence.org/ereader/publications/advanced-modules-on-digital-rights-and-freedom-of-expression-online/module-4-privacy-and-security-online/source-protection-and-the-protection-of-journalistic-materials/>

- Independence and effectiveness of media authority: Today, the role of media regulators is increasingly important<sup>19</sup>. Therefore, their independence from economic and political authorities is essential.
- Legislation on freedom of information is also challenged as there is a minimal or inexistent protection for whistle-blowers<sup>20</sup>.

For example, in February 2021, the anonymous Telegram channel "Komi-Telega" (6,000 subscribers) leaked copies of tax returns of Russian journalist Elena Solovyova relating to her work as a reporter for several media<sup>21</sup>. The channel had also been home to many criticisms towards journalists deemed as "pro-Western", and the leak raised further concerns related to the protection of journalists online and personal data.

More broadly, the platformisation of information-sharing also raises issues linked to the protection of freedom of expression: Today, defamation is disproportionately punished in many parts of the world. In addition, many online platforms and social media outlets are not always transparent about their content moderation policies<sup>22</sup>.

For example, in April 2021, three investigative journalists and two media outlets, who reported on a series of articles alleging sexual abuse and rape at an Orthodox Christian high school in Romania, were sued for defamation<sup>23</sup>. Sometimes a conviction for defamation violates human rights. It was the case in 2019, when an NGO director, Andrey Yegorevich Margulev, was convicted of defamation for criticising the renovation of a heritage site near Moscow. Eventually, the European Court of Human Rights found a violation of the right to freedom of expression<sup>24</sup>.

## Political independence and trust

Political independence of the media forms an essential pillar of trust in the media. However, some media are in danger of falling under political control, especially the broadcasters and newspapers. Moreover, the laws that prevent medias from falling under political influence are considered inadequate by associations such as reporters without borders<sup>25</sup>.

Trust in diverse media is also challenged by several important recent trends, and notably:

### 1) Gatekeeping perception

The principle of freedom of expression is sometimes associated with partial/biased information from the media. Indeed, this freedom of expression allows media to select and filter the information they publish. In this sense, the media are sometimes considered as gatekeepers<sup>26</sup>. In some cases,

<sup>19</sup> European Regulators Group for Audiovisual Media Services (ERGA). (2014, July 16). European Commission. <https://ec.europa.eu/digital-single-market/en/european-regulators-group-audiovisual-media-services-erga>

<sup>20</sup> Ibidem

<sup>21</sup> Council of Europe (2021) Une chaîne anonyme de Telegram publie des informations financières de la journaliste russe Elena Solovyova. [https://www.coe.int/fr/web/media-freedom/detail-alert?p\\_id=sojdashboard\\_WAR\\_coesoportlet&p\\_lifecycle=0&p\\_col\\_id=column-1&p\\_col\\_pos=1&p\\_col\\_count=2&sojdashboard\\_WAR\\_coesoportlet\\_alertId=91150712](https://www.coe.int/fr/web/media-freedom/detail-alert?p_id=sojdashboard_WAR_coesoportlet&p_lifecycle=0&p_col_id=column-1&p_col_pos=1&p_col_count=2&sojdashboard_WAR_coesoportlet_alertId=91150712)

<sup>22</sup> Conference of Ministers responsible for Media and Information Society: 10-11 June 2021, online. (n.d.). Council of Europe. Retrieved 30 March 2021, from <https://www.coe.int/en/web/freedom-expression/home>

<sup>23</sup> Protection et sécurité des journalistes. (2021, April 13). [Council of Europe]. Plateforme pour renforcer la protection du journalisme et la sécurité des journalistes. <https://www.coe.int/fr/web/media-freedom/home>

<sup>24</sup> Cour européenne des Droits de l'Homme (21248/09, 40442/07, 56679/11, 6327/09)—Cour (Troisième Section Com... - Strada lex. (2019, October 8). [https://www.stradalex.com/fr/sl\\_src\\_publ\\_jur\\_int/document/cedh\\_21248-09\\_40442-07\\_56679-11\\_6327-09\\_001-196876](https://www.stradalex.com/fr/sl_src_publ_jur_int/document/cedh_21248-09_40442-07_56679-11_6327-09_001-196876)

<sup>25</sup> Public consultation—2016 Annual Colloquium on Fundamental Rights on 'Media Pluralism and Democracy'—European Commission. (2016). European Commission. [https://ec.europa.eu/newsroom/just/item-detail.cfm?item\\_id=31690](https://ec.europa.eu/newsroom/just/item-detail.cfm?item_id=31690)

<sup>26</sup> Gatekeeping Theory. (2018, November 2). Mass Communication Theory. <https://masscommtheory.com/theory-overviews/gatekeeping-theory/>

information pluralism leads some populist parties to denigrate the mainstream media, considering them as opponents who restrict their speaking opportunities and attack their positions and personnel<sup>27</sup>.

A report called "Silent Majority" recently revealed that European citizens prefer so-called "objective" news. Indeed, in the nine European countries surveyed, all said they preferred news from sources with "no point of view". The strongest preference was in Germany, the UK and Denmark, countries with strong and independent public broadcasters<sup>28</sup>. Trust in the media and clear editorial independence seems essential to address this challenge.

## 2) Disinformation and fake news

As a result of digitalisation, there are various sources of misinformation in the media and their circulation is extremely fast<sup>29</sup>. Fake news travel faster and further on social media sites<sup>30</sup>. Consequently, misinformation can be a threat to our European democracies, adding to the divide between the EU and its citizens. Whilst having access to diverse sources of information for citizens is important, it is even more crucial that they can rely on their sources<sup>31</sup>. In addition to that, the uncertainty of the COVID-19 crisis reported in the media has further discredited the media in the eyes of the public. Indeed, according to a recent survey, only 38% of the population said they believed the news most of the time<sup>32</sup>.

As new technologies have entered the media world, multiplying the sources of information, the news media sector has become increasingly complex. These changes have led to challenges regarding the transparency and effectiveness of information sources and ownerships. It is therefore essential to strengthen the transparency of sources and rigorous fact-checking<sup>33</sup>.

# Addressing the challenges – some initiatives from the news media sector

To deal with **fake news**, news media companies are working on ensuring population's trust. In the past, news media companies managed information integrity in a process-driven way. Now, the

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<sup>27</sup> Wettstein, M., Esser, F., Schulz, A., Wirz, D., & Wirth, W. (2018). News Media as Gatekeepers, Critics, and Initiators of Populist Communication: How Journalists in Ten Countries Deal with the Populist Challenge. *The International Journal of Press/Politics*, 23, 194016121878597. <https://doi.org/10.1177/1940161218785979>

<sup>28</sup> Schroeder, R. (2020, June 16). Digital News Report 2020 – We need new business models for journalism. European Federation of Journalists; European Federation of Journalists. <https://europeanjournalists.org/blog/2020/06/16/digital-news-report-findings-2020journalism-matters-and-is-in-demand-again-but-lacks-income/>

<sup>29</sup> Schroeder, R. (2020, June 16). Digital News Report 2020 – We need new business models for journalism. European Federation of Journalists; European Federation of Journalists. <https://europeanjournalists.org/blog/2020/06/16/digital-news-report-findings-2020journalism-matters-and-is-in-demand-again-but-lacks-income/>

<sup>30</sup> Martens, B., Aguiar Wicht, L., Gomez Herrera, M. E., & Muller-Langer, F. (2018, April 25). The digital transformation of news media and the rise of disinformation and fake news [Text]. EU Science Hub - European Commission. <https://ec.europa.eu/jrc/en/publication/eu-scientific-and-technical-research-reports/digital-transformation-news-media-and-rise-disinformation-and-fake-news>

<sup>31</sup> 2018-2020 *Calls on Socioeconomic and cultural transformations in the context of the fourth industrial revolution* | CROS. (n.d.). CROS - Collaboration in Research and Methodology for Official Statistics - European Commission. Retrieved 31 March 2021, from [https://ec.europa.eu/eurostat/cros/content/2018-2020-calls-socioeconomic-and-cultural-transformations-context-fourth-industrial-revolution\\_en](https://ec.europa.eu/eurostat/cros/content/2018-2020-calls-socioeconomic-and-cultural-transformations-context-fourth-industrial-revolution_en)

<sup>32</sup> Schroeder, R. (2020, June 16). Digital News Report 2020 – We need new business models for journalism. European Federation of Journalists; European Federation of Journalists. <https://europeanjournalists.org/blog/2020/06/16/digital-news-report-findings-2020journalism-matters-and-is-in-demand-again-but-lacks-income/>

<sup>33</sup> Improving Media Transparency as New Technologies Are Adopted. (2018, May 2). Ebiquty. <https://www.ebiquty.com/news-insights/blog/improving-media-transparency-as-new-technologies-are-adopted/>

integrity must be integrated across the people who make up the organization. According to a study conducted by EY, here are the key steps for a news media company to build and maintain trust:

- *“Building a culture of integrity, compliance and ethics that support accurate and well-verified information, with a focus on quality content and journalism*
- *Strengthening cybersecurity to prevent breaches that generate fake news*
- *Monitoring content on news platforms, social media and other interactive channels to identify potentially damaging fake news items*
- *Creating a crisis management plan to react quickly and effectively when problems occur”<sup>34</sup>*

For example, the "SocialTruth" platform, a project of the Horizon 2020 programme, aimed to combat fake news related to the COVID19 crisis. This platform, by putting together search engines, media groups, research institutes and consumers associations, has made it possible to remove misinformation thanks to algorithms<sup>35</sup>.

To combat the **lack of transparency in the media**, several countries have decided to establish a charter for the media to ensure the traceability of their sources.

In Belgium, for example, the "Inside" scheme aims at committing the Belgian media to greater transparency towards the public, in terms of its editorial choices for example<sup>36</sup>.

In addition, an algorithm revealing the political affiliation of certain media was recently created by a Swiss research institute, the EPFL (Ecole Polytechnique fédérale de Lausanne). This initiative is called "Media Observatory" and aims to improve media transparency<sup>37</sup>.

Finally, many measures have also been adopted around the world to ensure the **safety of journalists** and to better improve their working conditions in a digitally driven society.

Since the beginning of 2020, the European Union has funded in total 18 projects that aim to map violations of media freedom and defend journalists under threat and support collaborative journalism, cooperation and exchange of best practices. The total amount dedicated to these projects is almost EUR 20 million. The list of projects is available on the European Commission's website<sup>38</sup>.

Moreover, the International Media Support (IMS) organization was created in Denmark to support local media in countries affected by armed conflict, human insecurity and political transition. This NGO, founded in 2001, is currently active in more than 30 countries to improve professional journalism and help media personnel to operate under difficult circumstances.<sup>39</sup>

<sup>34</sup> How media organizations can get real and confront fake news. (n.d.). EY. Retrieved 31 March 2021, from

[https://www.ey.com/en\\_gl/forensic-integrity-services/how-media-organizations-can-get-real-and-confront-fake-news](https://www.ey.com/en_gl/forensic-integrity-services/how-media-organizations-can-get-real-and-confront-fake-news)

<sup>35</sup> SocialTruth: Fighting fake news with trust at the times of Covid-19 | Shaping Europe's digital future. (2020, March 20). [European Commission]. <https://digital-strategy.ec.europa.eu/en/news/socialtruth-fighting-fake-news-trust-times-covid-19>

<sup>36</sup> La transparence, moteur de l'éducation aux médias. (2018, December 27). Le Soir Plus. <https://www.lesoir.be/197676/article/2018-12-27/la-transparence-moteur-de-leducation-aux-medias>

<sup>37</sup> Media Observatory Initiative. (n.d.). [EPFL]. Retrieved 2 April 2021, from <https://www.epfl.ch/labs/lisr/media-observatory-initiative/>

<sup>38</sup> EU-funded projects to support media freedom and pluralism in the Shaping Europe's digital future. EU (2020, June 10). European Commission. <https://digital-strategy.ec.europa.eu/en/library/eu-funded-projects-support-media-freedom-and-pluralism-eu>

<sup>39</sup> International Media Support | Paving the way for good journalism. (n.d.). International Media Support. Retrieved 14 April 2021, from <https://www.mediasupport.org>

# Key background legal documents and recent key resources

- Charter of Fundamental Rights of the European Union, (2012). <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12012P%2FTEXT>
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- European Commission (2020) *European Democracy Action Plan: making EU democracies stronger*. Brussels, 3.12.2020 COM(2020) 790 final <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2020%3A790%3AFIN&qid=1607079662423>
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## Further information

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