



EUROPEAN PARLIAMENT

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Committee on Culture and Education

2011/2246(INI)

21.6.2012

OPINION

of the Committee on Culture and Education

for the Committee on Civil Liberties, Justice and Home Affairs

on the EU Charter: standard settings for Media Freedom across the EU
(2011/2246(INI))

Rapporteur: Marek Henryk Migalski

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SUGGESTIONS

The Committee on Culture and Education calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Stresses that free, independent and pluralistic media offline and online are one of the foundations of democracy and recognises the importance of plurality of information sources for true media freedom and pluralism; stresses that it is in the common interest to maintain and improve free and independent media across Europe;
2. Notes the decisive role of free and independent media and the free exchange of information in the democratic transformations taking place in non-democratic regimes, as the Arab Spring recently demonstrated; calls on the Commission to closely monitor media freedom and pluralism in accession countries and to pay sufficient attention to the role of free media in the promotion of democracy throughout the world; highlights the importance of the European Endowment for Democracy in this respect (European Parliament recommendation of 29 March 2012 to the Council on the modalities for the possible establishment of a European Endowment for Democracy (EED)¹);
3. Recalls that the European Court of Human Rights has derived a positive obligation for Member States to ensure media pluralism from Article 10 of the Convention for the Protection of Human Rights and Fundamental Freedoms, which includes similar provisions to those contained in Article 11 of the Charter of Fundamental Rights, being part of the *acquis communautaire*;
4. Notes that an increasing proportion of journalists find themselves employed under precarious conditions, lacking social guarantees common on the normal job market;
5. Aims to guarantee media pluralism and a more qualified public debate and coverage of the EU, by securing a setting in which quality journalism can survive, therefore asks the Commission to come up with new models for financing of journalism and underlines that editorial freedom must be applied;
6. Stresses that the Commission should ensure that Member States guarantee proper implementation of the Charter of Fundamental Rights in their country, as witnessed by media pluralism, equal access to information and respect for the independence of the press through neutrality;
7. Emphasises that a pluralistic media landscape is essential for a well-functioning democratic system, since the participation of citizens in public debate and access to information in the digital world depend on a vibrant and competitive audiovisual and written press sector;
8. Notes that, under the Copenhagen criteria, countries wishing to accede to the European Union must comply with the *acquis communautaire*, which includes the Charter of

¹ Texts adopted, P7_TA-PROV(2012)0113.

Fundamental Rights and, more particularly, Article 11, thereof which requires respect for the freedom and pluralism of the media; notes, conversely, that although existing Member States of the European Union are also required to comply with the Charter, no mechanism exists to ensure that they do so;

9. Underlines the fundamental role of a genuinely balanced European dual system, in which private and public service media play their respective roles, independent of political and economic pressure, in promoting democracy, social cohesion and integration and freedom of speech;
10. Notes that the changes in the media world and in communication technologies have redefined the arena of information exchange; notes that the new technologies have created new possibilities for freedom of speech and individual expression, which can play a crucial role in promoting human rights, democratic participation, accountability, transparency and economic development; notes that unrestricted, individual expression can also be misused to violate human rights and fundamental freedoms; emphasises therefore the importance of ethical codes and of measures to combat incitement to hatred, violence or terrorism; states, however, that the mere existence of these new communication platforms does not ensure freedom of speech and plurality of the media per se and that it does not reduce governments' responsibilities in this respect; emphasises that digital terrestrial transmission platforms contribute to the diversity of opinion as they are particularly capable of directly distributing diverse, local and regional information at low consumer prices;
11. Stresses that sufficient attention must be paid to the level of concentration of media ownership in Member States; but underlines that the concept of media pluralism cannot be limited to this issue, but also includes prohibition of censorship, protection of sources and whistleblowers, issues related to pressure from political actors and market forces, transparency, working conditions of journalists, media control authorities, cultural diversity, the development of new technologies, unrestricted access to information and communication, uncensored access to the Internet and the digital divide;
12. Reaffirms the principle of net neutrality, which is designed to ensure that the Internet remains a free and open technology, fostering democratic communication;
13. Calls on Member States to be more robust in their assessments of threats to media pluralism, media freedom and freedom of expression in general and to tackle these threats at source; Member States should take steps to dismantle overly powerful media concentrations within their jurisdictions;
14. Stresses that the protection of journalists' sources must be absolutely and effectively guaranteed in the legal system of all Member States;
15. Stresses the need for the Member States to ensure journalistic and editorial independence by means of appropriate and specific legal guarantees, and points to the importance of editorial charters to prevent owners, shareholders, governments and external stakeholders from interfering with news content; stresses in this context that editorial independence and autonomy of content broadcasted with an independence from media state control and involvement, are crucial for a free and diverse media landscape;

16. Notes with regret that the Commission has not proceeded to the third stage of its three-step process to address concerns over media concentrations in the European Union; calls, in that regard, on the Commission to immediately publish a communication on indicators for media pluralism in EU Member States;
17. Calls on the Commission to urgently consider proposing arrangements that safeguard confidentiality of sources for media outlets and journalists;
18. Notes that in a multi-media society, where the number of commercially-driven global market players has increased, a strong public-service media is essential to guarantee a pluralistic media landscape and to safeguard and promote freedom of expression, as long as it can keep its necessary distance from governmental influence;
19. Recalls that the current financial crisis puts media pluralism at risk and has led to problems of freedom of speech and censorship that have affected the public media in several Member States;
20. Welcomes the conclusions of the independent study, conducted at the Commission's request, on defining indicators to measure EU media pluralism and encourages the Commission to make full use of the Media Monitoring Tool, which applies a broad notion of media pluralism and can identify potential risks for media pluralism in the Member States, and to come forward with recommendations to address those risks;
21. Recalls its resolution of 25 November 2010 on 'public service broadcasting in the digital era: the future of the dual system'¹, which stresses the important societal role of public service media; emphasises in this regard the importance of a balanced approach between public and private broadcasters for the protection of journalistic competition, information and diversity of opinion;
22. Recalls the Council of Europe's recommendations and declarations, which have been agreed upon by all EU Member States and lay down European standards relating to freedom of expression, press freedom, media pluralism and the independence, organisation, remit and funding of public service media; reminds the Member States of their commitment to these European standards and recommends that they provide appropriate, proportionate and stable funding for public service media so that public service media may fulfil their remit, including their social, educational, cultural and democratic role, guarantee political and economic independence, adapt to digital change and contribute to an inclusive information and knowledge society with representative, high-quality media available to all;
23. Stresses that a growing number of journalists are employed under precarious conditions in the absence of social guarantees, and emphasises that the working conditions of media professionals must be improved;
24. Stresses the societal responsibilities a media company carries, as it has considerable ideological and political influence; underlines that media reporting should thus comply consistently with journalistic ethical codes, including objective reporting;

¹ OJ C 99E, 3.4.2012, p. 50.

25. Emphasises the vital role of independent national media regulators in order to safeguard media pluralism and to ensure the objectivity, impartiality and accountability of the media in the Member States; calls on the Member States to intensify cooperation between national media regulators within the European Platform of Regulatory Authorities (EPRA) and step up the exchange of experience and best practice in relation to their respective national broadcasting systems;
26. Stresses the importance of transparency with respect to the ownership of private broadcasters, which has to be ensured in all Member States, and calls on the Commission to monitor and support progress to this end;
27. Encourages the Commission and Member States, in the framework of the Commission's media literacy policy, to pay sufficient attention to the importance of media education, which must provide citizens with the skills of critical interpretation and the ability to sift through the ever-growing volume of information.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	19.6.2012
Result of final vote	+: 27 -: 0 0: 0
Members present for the final vote	Zoltán Bagó, Malika Benarab-Attou, Lothar Bisky, Piotr Borys, Santiago Fisas Ayxela, Lorenzo Fontana, Petra Kammerevert, Morten Løkkegaard, Emma McClarkin, Emilio Menéndez del Valle, Marek Henryk Migalski, Katarína Neveďalová, Doris Pack, Chrysoula Paliadeli, Gianni Pittella, Marie-Thérèse Sanchez-Schmid, Marietje Schaake, Marco Scurria, Hannu Takkula, László Tőkés, Gianni Vattimo, Sabine Verheyen, Milan Zver
Substitute(s) present for the final vote	François Alfonsi, Ivo Belet, Seán Kelly, Iosif Matula, Rui Tavares
Substitute(s) under Rule 187(2) present for the final vote	Luigi Berlinguer, Mario Pirillo