

EUROPEAN PARLIAMENT

2004



2009

Committee on Civil Liberties, Justice and Home Affairs

2007/2253(INI)

6.5.2008

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Culture and Education

on concentration and pluralism in the media in the European Union
(2007/2253(INI))

Draftsman: Luis Herrero-Tejedor

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SUGGESTIONS

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

- A. whereas Parliament has repeatedly expressed its view that the Commission should establish a stable legal framework, both in the media and in the information society as a whole, aimed at ensuring an equivalent level of protection of pluralism in the Member States and enabling operators to benefit from the opportunities created by the single market,
 - B. whereas media pluralism is a basic pillar of the right to freedom of expression and information under Article 11 of the Charter of Fundamental Rights of the European Union,
 - C. whereas, as the Commission stressed in its working document, the concept of media pluralism cannot be limited to the issue of concentration of ownership of companies, but also includes issues related to public broadcasting services, political power, competition in the economy, cultural diversity, the development of new technologies, transparency, and the working conditions of journalists in the Union,
 - D. whereas, as Parliament has been warning since 1995, the variations in national law regarding media concentration have adverse consequences for the workings of the single market, and those consequences need to be eliminated by means of a directive for the harmonisation of national provisions within the meaning of Article 95 of the EC Treaty,
 - E. whereas in practice public authorities frequently tamper with the basic principle of the free transmission and reception of information,
 - F. whereas public broadcasting services need to have the necessary resources and institutions to allow them to be genuinely independent of political pressures and market forces,
 - G. whereas as things stand public broadcasting services are under pressure, unjustifiably and to the detriment of content quality, to compete for ratings with commercial channels, whose objective is ultimately not quality but satisfaction of majority public taste,
 - H. whereas as long as they are primarily obliged to satisfy majority public taste, public service broadcasters will be forgetting their subsidiary role, interfering in the advertising market, and competing unfairly with commercial TV channels,
1. Calls on the Commission to commit itself to promoting a stable legal framework with a guaranteed high standard of protection of pluralism in all the Member States;
 2. Calls on the Commission and the Member States to consolidate an objective framework for granting broadcasting licences in the areas of cable and satellite TV and analogue and digital broadcasting markets, on a basis of transparent and fair criteria, in order to

establish a system of pluralist competition and prevent abuses by companies enjoying monopolies or dominant positions;

3. Calls on the Commission to take into consideration the issues arising from the unethical usage and commercial misuse of user-generated content;
4. Regrets the fact that the new directive on audiovisual media services confines itself to establishing an obligation on Member States to ensure the independence of the national regulatory authorities and does not offer a better definition of those authorities' role;
5. Reminds the Member States that a balance must always be sought, in the decisions of the national regulatory authorities, between their duties and freedom of expression, the protection of which is ultimately the responsibility of the courts;
6. Reminds the Commission that on several occasions, it has been asked to draw up a directive that would aim to ensure pluralism, encourage and preserve cultural diversity as defined in the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, signed in Paris on 20 October 2005, as well as to safeguard access for all media companies to the technical elements that can enable them to reach the public in its entirety;
7. Calls on the Member States to support high-quality public broadcasting services which can offer a real alternative to the programmes of commercial channels and can, without necessarily having to compete for ratings or advertising revenue, occupy a more high-profile place on the European scene as pillars of the preservation of media pluralism, democratic dialogue and access to quality content for all citizens;
8. Calls on the Commission and the Member States to support greater co-operation between European regulatory authorities and to intensify the formal and informal discussions and exchanges of views between regulatory authorities in the broadcasting field;
9. Recommends that, where appropriate, public service media in the Member States reflect the multicultural nature of regions.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	6.5.2008
Result of final vote	+: 34 -: 1 0: 0
Members present for the final vote	Alexander Alvaro, Philip Bradbourn, Mihael Brejc, Kathalijne Maria Buitenweg, Michael Cashman, Giusto Catania, Jean-Marie Cavada, Elly de Groen-Kouwenhoven, Panayiotis Demetriou, Gérard Deprez, Agustín Díaz de Mera García Consuegra, Armando França, Urszula Gacek, Kinga Gál, Roland Gewalt, Jeanine Hennis-Plasschaert, Livia Járóka, Ewa Klamt, Magda Kósáné Kovács, Stavros Lambrinidis, Henrik Lax, Claude Moraes, Martine Roure, Inger Segelström, Vladimir Urutchev, Ioannis Varvitsiotis, Manfred Weber, Tatjana Ždanoka
Substitute(s) present for the final vote	Luis Herrero-Tejedor, Sylvia-Yvonne Kaufmann, Marianne Mikko, Bill Newton Dunn, Nicolae Vlad Popa, Stefano Zappalà
Substitute(s) under Rule 178(2) present for the final vote	Jas Gawronski