

# 2016 Annual Colloquium on fundamental rights Public consultation\* on "MEDIA PLURALISM AND DEMOCRACY"

Fields marked with \* are mandatory.

## Introduction

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Media freedom and pluralism are essential safeguards of well-functioning democracies. Freedom of expression and media freedom and pluralism are enshrined in the EU Charter of Fundamental Rights and they are at the core of the basic democratic values on which the European Union is founded.

The second Annual Colloquium on Fundamental Rights will take place on 17-18 November 2016. It will provide the stage for an open exchange on the many different aspects of media pluralism in a digital world, and the role of modern media in European democratic societies.

The colloquium should enable policymakers at EU and national level and relevant stakeholders — including NGOs, journalists, media representatives, companies, academics and international organisations — to identify concrete avenues for action to foster freedom of speech, media freedom and media pluralism as preconditions for democratic societies.

The Commission's objective with this public consultation is to gather broad feedback on current challenges and opportunities in order to feed into the colloquium's discussions. The questions asked are thus meant to encourage an open debate on media pluralism and democracy within the European Union — without, however, either prejudging any action by the European Union or affecting the remit of its competence.

**Wichtig - Öffentliche Konsultation (auf deutsch) / Important -  
consultations publiques (en français)**

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DE

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## IMPORTANT NOTICE ON THE PUBLICATION OF CONTRIBUTIONS

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\*Contributions received from this survey will be published on the European Commission's website. Do you agree to the publication of your contribution?

- Yes, my contribution may be published under my name (or the name of my organisation);
- Yes, my contribution may be published but should be kept anonymous (with no mention of the person/organisation);
- No, I do not want my contribution to be published. (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).

*For further information, please consult the privacy statement [click below]*

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### A. Identifying information

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1. In what capacity are you completing this questionnaire?

- Individual/private person
- Civil society organisation
- Business
- Academic/research institution
- Other (please specify)

2. If you are answering this consultation as a private citizen, please give your name.

3. If you are answering this consultation on behalf of an organisation, please specify your name and the name of the organisation you represent.

Is your organisation included in the Transparency Register?

- Yes  
 No

If yes, please indicate your Register ID-number

If your organisation is not registered, we invite you to register [here](#). Please note that it is not compulsory to register to reply to this consultation. Responses from organisations that are not registered will be published as part of the individual contributions.

*Citizens have a right to expect that European institutions' interaction with citizens associations, NGOs, businesses, trade unions, think tanks, etc. is transparent, complies with the law and respects ethical principles, while avoiding undue pressure, and any illegitimate or privileged access to information or to decision-makers. The Transparency Register exists to provide citizens with direct and single access to information about who is engaged in activities aiming at influencing the EU decision-making process, which interests are being pursued and what level of resources are invested in these activities. Please help us to improve transparency by registering.*

4. If you are an individual/private person:

a) What is the country of your nationality?

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- United Kingdom
- Other (please specify)

Other (please specify)

b) What is your age group?

- Under 18
- 18-30
- 31-40
- 41-50
- 51-60
- 61-70
- Over 71

## B. Media freedom and pluralism

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5. In the context of media freedom and pluralism, what should be the role of the State, if any, in the regulation of media? What should be the role of self-regulation?

The state and its bodies need to regulate the whole media freedom and pluralism with a concrete state mechanism provided by law and specific acts in order to set basic criteria and standards. Media must be regulated just within the bounds of law, if they were influenced too much, it would change the character of their outcomes, mainly the broadcasting ones. Slovakia adopted the Act no. 351/2011 Coll. on Electronic Communications. This act points to the regulations providing the electronic communication.

6. Could you provide specific examples of problems deriving from the lack of independence of media regulatory authorities in EU Member States?

Media are highly influencing public opinion and public debate hence the lack of independence of media regulatory authorities can lead to bias information, misinformation and endanger democratic debate.

7. What competences would media regulatory authorities need in order to ensure a sufficient level of media freedom and pluralism?

General competencies of the authorities for media regulation are for example: providing of the electronic communication network; providing of conditions for radio equipment; regulation of the electronic communication, rights and obligations of companies and the users of electronic communication networks etc. In terms of ensuring sufficient level of media freedom and pluralism, media regulatory authorities should be able to license new media and set criteria for proving their independence and pluralistic scope.

8. What should be the role of public service media for ensuring media pluralism?

The main role of the public service media for ensuring media pluralism should be promoting universality (to reach everyone everywhere), independence (trust in program producers), excellence (integrity and professionalism), accountability (listening to the audience and including it into meaningful debate), innovation (driving force for innovation and creativity).

9. How should public service media be organised so that they can best ensure the public service mandate?

Public service media has to be divided into several parts, which include television and radio digital platforms in order to fulfil the requirements of the audience. This is the basic purpose for the ensuring the public service mandate.

10. Have you experienced or are you aware of obstacles to media freedom or pluralism deriving from the lack of independence of public service media in EU Member States?

- Yes  
 No

If yes, please give specific examples.

For instance the impact of wealthy people, not known among ordinary people, who are owners of media establishments and influence their content. To some extent they can influence media (TV, radios, newspaper etc.) This influence can be social, cultural, religious or political influence.

11. Are you aware of any problems with regard to media freedom and pluralism stemming from the lack of transparency of media ownership or the lack of rules on media ownership in EU Member States?

- Yes  
 No

If yes, please give specific examples.

The issue considering the lack of transparency of media ownership and the lack of rules on media ownership can be divided into two answers. Every medium has to achieve its primary aim (media regulated by state and private media) - to inform the whole country about the actual situation in every area of interest. The state media, as television and radio, has to be completely independent from any ownership ideas (that's why they are in the ownership of state bodies). Private media is influenced by the ideology of their owners or providers (as already mentioned, it is a common rule in politic, sport and social opinion). The media pluralism is influenced by them.

12. Please indicate any best practice on how to ensure an appropriate level of transparency and plurality of ownership in this area.

The first rule to obey is linked with the Council for Broadcasting and Retransmission. This body has to ensure that any media, which gets the right to broadcast, retransmission and on-demand audio-visual media services, must have the same conditions and comparable status on market as the other one. If the Council secures this platform, it can be the best solution.

13. What is the impact of media concentration on media pluralism and free speech in your Member State? Please give specific examples and best practices on how to deal with potential challenges brought by media concentration.

Media can be divided into several groups - first group deals with television media, second with radio, the third with newspaper (divided into daily newspaper, weekly and monthly) etc. It can occur competition between two largest media channels. For example in television, the most important prime time TV program is the TV News and competition among different media may improve the quality of reporting and informing as well as provide wider space to present various opinions and ideas and hence enhance free speech.

14. Are you aware of any problems related to government or privately financed one-sided media reporting in the EU?

- Yes  
 No

If yes, please give specific examples.

This question is very disputable. It has been partially answered in question 10 and 11.

15. Please indicate any best practice to address challenges related to government or privately financed one-sided media reporting while respecting freedom of speech and media pluralism.

The best practice to address challenges related to government or privately financed one-sided media reporting, while respecting freedom of speech and media pluralism can be the ethical code of journalists called the syndicate of journalists. A very good practice is a non-governmental organization, which provides independent focus on one-sided media reporting.

## C. Journalists and new media players

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16. What is the impact of media convergence and changing financing patterns on quality journalism?

It can help journalist to become more independent because of the option of sharing their opinions through blogs or other online resources.

17. Have you ever experienced, or are you aware of, any limitation imposed on journalistic activities by state measures?

- Yes  
 No

If yes, please give specific examples and further information, including justifications given by authorities and the position taken by journalists.

For example in the year 2008 the Press Act. No. 167/2008 Coll. was accepted. This act has regulated the acts of journalists and has created a big space for non-journalists. It has approved the regulations for press and media. The Act includes the right to correct and revise the press outcomes which caused a huge discussion about the rights of press and journalists. This Act was further amended to soften the burden imposed on the journalists.

18. Please indicate any best practice that reconciles security concerns, media freedom and free speech in a way acceptable in a democratic society.

We cannot identify any such practice.

19. Have you experienced, or are you aware of, limitations related to privacy and data protection imposed on journalistic activities?

- Yes  
 No

If yes, please give specific examples and further information.

The Centre is not aware of any limitations neither has it been communicated any limitation related to privacy and data protection imposed on journalistic activities.

20. Have you experienced, or are you aware of, problems linked to hate speech and threats directed towards individuals exercising journalistic activities?

The Centre has not experienced neither has it been communicated any cases of hat speech or threats directed towards individuals exercising journalistic activities.

21. Are you aware of cases where fear of hate speech or threats, as described above, has led to a reluctance to report on certain issues or has had a generally chilling effect on the exercise of freedom of speech?

- Yes  
 No



If yes, please give specific examples and further information.

After the division of Czechoslovakia into two states, government completely regulated the freedom of speech. It was very spectacular because after the end of socialism in Czechoslovakia, where the press was regulated for more than 50 years, it was unacceptable that a new democratic state would have the same or very similar regulations.

22. Have you experienced, or are you aware of, problems concerning journalists' safety and security in the EU?

- Yes  
 No

If yes, please give specific examples.

The Centre cannot recall any specific cases or examples.

23. Please indicate any best practice for protecting journalists from threats against their safety and security.

The best practice for protecting journalists from treats against their safety and security is through legislation. UNESCO has agreed per Resolution 29 on the 29th UNESCO General Conference the statute and rights of journalists. This legal act protects the right of journalists to not be treated as an object of killing and persecution.

24. Have you ever experienced or are you aware of pressures put by State measures on journalistic sources (including where these sources are whistleblowers)?

- Yes  
 No

If yes, please give specific examples.

The Centre cannot recall any specific examples which however does not mean that no such cases occur.

25. How would pressures on journalistic sources be best addressed?

The pressure can be addressed by sources from political sphere, also financial groups, which provide the resources and space for journalistic work.

26. Please indicate any best practice for protecting the confidentiality of journalistic sources/whistleblowers.

Effective legislative regulation safeguarding the protection of journalistic sources including whistleblowers allowing the journalists to protect their source from disclosing his/her identity.

27. Have you experienced, or are you aware of, censorship (including self-censorship) in the EU?

- Yes  
 No

If yes, please give specific examples.

The Centre is not aware of any formal censorship in Slovakia.

28. Have you experienced, or are you aware of, any obstacles to investigative journalism, which may include legal provisions in force or a lack of resources?

We are not aware of any obstacles to investigative journalism, which include legal provisions in force or a lack of resources.

29. Do you consider that the level and intensity of investigative journalism, the number of journalists engaged in such activity, the resources available, the space in print and the time available in audiovisual media for the publication of results of investigations has changed over time?

- Yes  
 No

If yes, please give specific examples.

Yes, we are aware that the level and intensity of investigative journalism, the number of journalists engaged in such activity, the resources available, the space in print and the time available in audiovisual media for the publication of results of investigations has changed over time. In the region of post-soviet countries this certainly holds true and is linked with the elimination of censorship and transformation to democracy.

30. Please indicate any best practice facilitating investigative journalism

Financial support can be a good practice for facilitating the investigative journalism.

## D. Hate speech online

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31. What would be the most efficient ways to tackle the trivialisation of discrimination and violence that arises through the spreading of hatred, racism and xenophobia, in particular online?

The most efficient way how to tackle the trivialisation of discrimination and violence is, with a help of a good browser, to search and name the hatred speech online. There is need to use relevant bodies to solve this problem. Due to many social media sources, it is very difficult to control and locate the hatred speech sources.

32. How can a better informed use of modern media, including new digital media ('media literacy') contribute to promote tolerance? Please indicate any best practice.

New digital media can support tolerance in many aspects. Access, analysis, evaluation and creation of media are the most important factors regarding the media literacy, which needs to be improved. Media have a great power to influence public opinion and reach wide range of target groups. Spreading ideas of tolerance can be supported by reporting/informing objectively on other cultures, ideologies, religions so that people can better understand them and do not fear the unknown which is the catalyst of prejudice and intolerance.

## E. Role of free and pluralistic media in a democratic society

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33. How do developments in media freedom and pluralism impact democracy? Please explain.

Media freedom and pluralism are one of the basic pillars of a democratic society. Any limitations and censorship negatively affect awareness of the public as well as their right to have access to transparent and impartial information.

34. Who do you think is the most suited to help increase media literacy? Please rank and explain why.

	The most important - 1	2	3	4	5	6	7	The least important - 8
Family	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Friends	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
School	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Public authorities	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Media, including online providers	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Dedicated learning systems using e.g. radio, TV, mobile phones and the internet (please specify)	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Civil society	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (please specify)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Other - please specify

35. Please give specific good examples or best practices for increasing media literacy.

Through workshops for young people for example at schools.

36. What would be concrete ways for free and pluralistic media to enhance good governance and transparency and thus foster citizens' democratic engagement (e.g. self-organisation for political purposes, participation in unions, NGOs, political parties, participation in elections)?

The methods mentioned in the question propose useful and effective ways to enhance good governance and transparency - self-organisation for political purposes, participation in unions, political parties, participation in elections etc.

37. What are best practices of free and pluralistic media contributing to foster an informed political debate on issues that are important for democratic societies (e.g. in terms of the nature of the content or in terms of format or platforms proposed)?

The good example of best practices regarding pluralistic media is the governmental elections in Slovakia after March. There have been many political debates before and after the elections. These kinds of debates have been the most actual political debates in media for last 4 months. The space was given to all the parties running in the elections and after the elections to those that were elected. It is, however, important that the politicians participate in media debate (especially tv and radio debates) throughout the year and not only in times of elections. Regular political debates addressing current issues and topics is important to foster an informed political debate.

38. Which measures would you consider useful to improve access to political information across borders? Please indicate any best practice.

There is no need to improve the political information across the borders with specific measures. Media are relevant in this position but people need to use the right sources according to their needs which can provide relevant information about all political spheres.

39. Do you consider that social media/platforms, as increasingly used by candidates, political parties and citizens in electoral campaigns play a positive role in encouraging democratic engagement?

- Yes
- No

If yes, please give specific aspects and best practices that you would recommend.

These sources/media are better accessible for general public and get bring politicians closer to people. Establishment of particular online phora with a regulated debate would increase pluralistic information and wider debate so that politicians do not use social media/platforms only for propaganda (often of populist ideas).

If no, please give specific aspects and examples of negative impacts, and possible alternatives to address them.

40. Do you consider that there are specific risks or problems regarding the role of platforms and social media — in relation to pluralism of the journalistic press or more generally — as regards the quality of the democratic debate and the level of engagement?

- Yes
- No

If yes, please give specific examples and best practices that you would recommend to address these risks or problems.

see answer to question 39

## Contact

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