

# 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

[DE - Konsultationen.docx](#)

FR

[FR - consultation.docx](#)

## 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 (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).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]*

[Privacy statement\\_2016ac\\_public\\_consultation.pdf](#)

### 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.

Edita Slezáková, President of the European Association of Daily Newspapers in Minority and Regional Languages (MIDAS)

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?

Especially in regard to minorities, the state has to support media in minority languages. Minority media struggle even more with the financial and media crisis, and with a limited leadership have difficulties to survive. Over 50 million people in the European Union speak a language other than the official language of their country. Minority Media not only play a crucial role in minority protection but moreover in the preservation of the minorities identity and consequently the diversity in Europe. The state has to support minority media financially in order to guarantee it's minorities to have access to media in their mother tongue and in order to preserve and develop their local identity.

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

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

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

Public service media should insert in the program also media and information in minority languages. These media assure linguistic pluralism, In many minority areas these media could not exist without public support, consequently in EU-member states where public service is guaranteed it should cover also minority languages as well as minority topics.

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

Public Service should be based on transparency. The management of public service in minority languages should be appointed among members of the minority. The editorial policy should not depend on public authorities.

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.

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.

In the specific case of media in minority languages the ownership is interconnected with the minority communities. In most cases the communities can afford only few media, e.g. one newspaper, one radio and TV, maybe more web pages and some magazines, therefore it is essential that the ownership is connected in the community and knows the situation and the challenges of the minority area.

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

A good example is Pr.A.E., the publisher of Slovenian daily newspaper Primorski dnevnik in Trieste, Italy, the only newspaper in Slovenian language in Italy, established about 20 years ago by a cooperative of readers and subscribers. Nowadays it has more than 2.000 members. The cooperative owns the newspaper and members attend the yearly general assembly to adopt the financial and strategic decisions related to the newspaper. The cooperative also appoints the management of the newspaper. The list of members of assembly is public in order to guarantee transparency.

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.

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.

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.

## 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?

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.

Some newspaper in minority languages closed down due to a lack of financial funds by the relevant state authorities. Some newspaper were the only newspapers within the state in minority language. For example the following newspapers closed down due to financial cuts: i.e. El Correo Gallego in Galizia, Spain, Galician language, and La in Northern Ireland, in Irish language. Authorities justified the decision with budgetary Problems and although the journalistic staff protested, no agreement has been reached.

Another special case was Egunkaria, the only Basque daily newspaper. It was closed down on 20 February 2003 by the Spanish authorities due to allegations of an illegal association with ETA, the armed Basque separatist group. The operation against the newspaper ended with the Editor in Chief as well as 10 other employees being arrested and some of them even tortured. According to the Guardia civil, 'ETA intervened in the creation, implementation of regulations and the dynamics of the newspaper'. After seven years, on 15 April 2010 the defendants were acquitted on all charges related to ties to ETA. The issue of damages for the closure of the newspaper (which no longer operates) remains open, as well as the alleged torture of the members of the newspaper's executive board during detention.

Midas considered it unacceptable that the only Basque language newspaper had been shut down. Among other things, Egunkaria has been used in Basque schools and other educational institutions as a learning tool. Midas considered these measures of closing down a newspaper to be completely inappropriate in a Democracy. It was an action against freedom of expression in minority language.

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

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.



20. Have you experienced, or are you aware of, problems linked to hate speech and 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.

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 above mentioned case of Egunkaria proves that in this particular case safety and security of journalists have been threatened.

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

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.

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

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

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

- Yes
- No

If yes, please give specific examples.

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?

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.

30. Please indicate any best practice facilitating 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?

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.

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

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

In every democracy pluralism and media freedom should be a *conditio sine qua non*. The citizens must have the possibility to receive a variety of information and news. The streamlining of news makes it difficult for citizens to evaluate information, also it gets more difficult to get local news. The minorities perspective often differs from the perspective of the majority, so it is important both for the minority members as for the majority members to receive information from both sides. Linguistic or/and national minorities are an essential element of pluralism. Assuring media in minority languages will foster pluralism and democracy.

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 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 type="radio"/>	<input type="radio"/>	<input type="radio"/>
School	<input type="radio"/>	<input type="radio"/>	<input 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 type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Media, including online providers	<input type="radio"/>	<input 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 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 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.

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)?

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)?

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

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.

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.

## Contact

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