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

Fields marked with * are mandatory.

## Introduction

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 - Offentliche Konsultation (auf deutsch) / Important - consultations publiques (en français)

DE

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## IMPORTANT NOTICE ON THE PUBLICATION OF CONTRIBUTIONS

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 (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).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

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.

Margarida dos Prazeres Pereira Faria

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
- [x] 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

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?

```
State self-regulation is important to regulate national press but there are
several media content that should be regulated at a supra-national level
because it is transnational and diffuse.
```

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

```
Lack of funding in regulatory authorities: funding should be more equal in the
EU.
```

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

```
Regulatory authorities need to use more internet and likewise media to verify
claims of press manipulation, sometimes there's data available but there's not
the framework available to consider those claims.
```

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

```
It should promote an equal opportunity of access to the plural ideas and
educate the public in democracy values
```

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

```
They should be more subjected to public scrutiny and do not work with the need
of private funding.
```

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.

```
Some interests of private funding are obvious, the Portuguese media public
service treated differently the claims of private schools and the public ones.
The time coverage of the private schools manifestation of a few hundred people
was so much higher than the coverage of a public schools manifestation of 80
000 people. The scope of media coverage was very partial and supported by
private companies.
```

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.

```
Media concentration lacks plurality. In Portugal a very few companies own the
whole media arrangement
```

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

```
There should be a free and plural market but without monopolies and a public
media broadcaster with total public 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.

```
Great media groups control several TV channels and newspapers, denying
pluralism of ideas across the several media. Concentration it is bad to a free
diffusion of ideas. We should regulate the amount of media organizations to be
hold by a single company.
```

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.

```
The regulatory authorities should facilitate public criticism, everyday the
public is more educated and able to fact-check the traditional media
```

## C. Journalists and new media players

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

```
The lack of funding on journalism is changing the quality because people are
embracing new media platforms and the traditional media is lacking speed,
quality and accuracy. Not funding is not the answer, is quite the opposite.
```

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.

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

```
Security laws on internet media should be discussed democratically by civil
society because internet works in very different spheres of public and
private. Security shall not override constitutional rights.
```

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?

```
No
```

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.

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

```
State law should create mechanisms of safety to reporters
```

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.

```
Snowden and the guardian case. EU States didn't protect an important
whistleblower, which didi not give a security to european civil disobedience
actions.
```

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

```
Those pressures should be taken by a positive message by the State, an
democratic State shall not shut down it's own criticism.
```

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

```
Source confidentiality should be protected by law. Then, if the State
officials break the law they can be prosecuted
```

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?

```
Under-investment of investigative journalism is allowing State officials
unchecked.
```

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.

```
For instance, every piece on EU legislation is always circumstantial, there's
no time to check regulation of the EU and the nationals are uninformed of EU
actions and real impacts on their lives.
```

30. Please indicate any best practice facilitating investigative journalism

```
Hiring more journalists with safe contracts.
```

## D. Hate speech online

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?

```
EU regulation on companies operating in the EU, State it's not strong enough
to deal with big web corporations.
```

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.

```
Media ca promote plural ideas that sometimes traditional media cannot portray
due to their close formats of information.
```

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

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

```
Democracy can only be achieved if plural ideas have an equal access to the
public, so a freer media, with more resources to research the authorities,
promotes transparency and closes the gap between the public and the
authorities.
```

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 | ○ | ○ | ○ | ◉ | ○ | ○ | ○ | ○ |
| Friends | ○ | ○ | ○ | ◉ | ○ | ○ | ○ | ○ |
| School | ◉ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Public authorities | ◉ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Media, including online providers | ◉ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Dedicated learning systems using e.g. radio, TV, mobile phones and the internet (please specify) | ◉ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Civil society | ◉ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |
| Other (please specify) | ○ | ○ | ○ | ○ | ○ | ○ | ○ | ○ |

Other - please specify

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

```
Media literacy can also be promoted by social media.
```

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)?

```
Citizen political participation on different degrees of government is
essential, democratizing civil society is the key, by promoting transparent
media and transparent institutions.
```

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 media should provide equal coverage to political ideas in different
platforms because the public cannot lose time over complicated research of the
issues that are not being broadcasted.
```

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

```
EU should promote a transnational platform to people to explore other
countries policies in key issues to their lives, not only the EU information.
```

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.

```
It allows citizens to express directly their problems and questions without a
filter, transparency works both ways.
```

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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