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.

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 (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).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

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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
- [x] 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
- [x] 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?

```
The state should regulate (through courts) with no self-regulation allowed.
Private parties should not be allowed to censor citizens without a full court
order. Court system is slow but it is better to accept a bit slower response
than the alternative which is private companies deciding what is and what is
not allowed without any chance for the the public to question or fight their
decisions.
```

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

```
Since most of mainstream media is owned by very few organizations the
reporting is very one sided when it comes to politically inconvenient
subjects. Iraq war was excellent example of media going along with the
official line despite all expert opinions clearly stating that justification
for war was utter lie. Thus the lack of objective reporting resulted in
estimated 1 million dead people and is hardly the only example of media
pushing a single agenda.
```

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

```
Regulatory agencies need to make sure that ownership structure is as diverse
as possible and prevent creation of oligopoly or monopoly in mass media.
Internet media has less issues with censorship and one sided reporting but it
is in general very low impact and demands high amount of effort from the
public (who in most cases don't have the time and thus must rely on the mass
media.
```

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

```
Public service media should try to be as objective as possible at all times
even if that goes against the current political climate in the country. The
reason why we are financing is to get objective and trustworthy news and not
as a PR outlet of the government.
```

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

```
Public service media should have finances completely independent from the
state (tax or fee for it should go to it directly without the ability of the
state to interfere). It should also be run under culture of objective
reporting and of complex reporting, that is reporting that doesn't lie by
omitting information and most importantly does not simplify issues discussed).
```

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.

```
In both Sweden and Germany the public media is fully toeing the government
line on any kind of foreign policy to the point where it's more of a PR outlet
for the government than an independent organisation tasked with informing the
public with objective and not simplified news.
```

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 Sweden the main print media is more or less owned by two owners and this
can bee clearly seen as they are running very similar agendas. However most of
the public is not aware of the ownership structure and believes that different
name means different viewpoint and approach instead of just different costume
pushing the same agenda.
```

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

```
The ownership structure should be public information (probably even registered
with the state to ensure compliance) and there should be a maximal limit (in
%) on how much of mass media a single owner/group/company/any kind of
conglomeration with a similar agendas be allowed to own. News media are
supposed to inform the public not push owners agenda or if that is impossible
to achieve than at least several owners means several agendas being pushed and
thus higher likelihood of a balanced information reaching the public.
```

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.

```
As mentioned, in Sweden most of the mainstream media is owned by two owners
which results in several "different" newspapers pushing exact same agenda and
style on the public.
```

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.

```
SVT (Sweden) and DW (Germany) have been exceptionally one-sided when it comes
to reports on Russia, Syria, Libya, Ukraine, China, and basically any country
deemed by the government to not be behaving "correctly". However it seems that
public is catching on that both are shilling government propaganda which has
resulted in marked decrease of articles that allow public comments as a large
amount of comments were exposing the one-sided reporting involved.
```

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.

```
Financial independence and editorial independence together with tasking to
provide objective information at all cost and avoid oversimplifying issues
being reported in order to allow the public to make up their mind based on
full information instead of snippets that fit the wanted reaction.
```

C. Journalists and new media players

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

```
In my experience the quality has gone down sharply as more and more journalism
is owned by fewer and fewer owners that want to push their own agenda and at
the same time the reporting has been simplified to the point of lies by
omission. Partly this is also by public demand but ownership and financing
changes are hardly helping the situation
```

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.

```
I believe that there is very little direct forcing of the journalist (except
whistle-blower reporters as detention of Glenn Greenwald's partner by UK
authorities). But there seem to be a huge amount of self-censorship (i.e.
omitting information that does not follow the government agenda) and tilting
of the articles to once again fit the government agenda. As a member of public
it is difficult to guess how exactly this is happening but it is clear that
many news outlets in Europe are anything but objective and not to mention
don't omit information not fitting the agenda.
```

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

```
Freedom of speech should be only limited by the court order and even then only
when actively calling for harm to others. That means that there should be
nearly limitless free speech as the drawbacks of it are minuscule in
comparison with censorship that happens when free speech is limited (even when
done with good intentions). At the point where someone or an organisation is
calling for harm to others the issue should be dealt with by the police and
not by censorship.
```

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.

```
In UK journalist have been threatened (the guardian had it's hard drives
destroyed by secret police) in connection with Snowden whistle blowing effort.
Similar things have happened in Germany where people reporting or protesting
NSA/CIA spying in Germany and EU have been at least questioned by the police
which clearly falls under intimidation.
```

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

```
It is very common nowadays to be called Putinbot or Russian spy if trying to
say almost anything positive about Russia. This has resulted in a highly
one-sided reporting that is actively harming the safety of Europe and its
citizens. It is in all our best interest to have this level of discussion
based on objective and not simplified information instead of basing it on
propaganda from the likes of NATO (with Nato Secretary-General Anders Fogh
Rasmussen claiming essentially that people against fracking in Europe are
Russian spies). When head of NATO is insulting and basically threatening as
spying is illegal large part of the population and this is reported by the
news as a fact its a clear issue with media freedom and objectivity.
```

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.

```
I have not been looking for this kind of information but in UK at least "the
Guardian" was visited by secret police and forced to destroy journalistic
information thought to contain Snowden leaks. I have heard of people getting
visits by the police after protesting or writing about NSA/CIA activities in
germany as well but they were mainly acting like private citizens/bloggers
(which should not change the protection they receive).
```

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

```
It should be completely forbidden for the state to try and influence the
journalists. The common excuses of national security and/or combating
extremism do not trump the value of an open society where the public is well
informed and thus able to make correct decisions. Alternative is society where
public is only told things that fit with the wishes of the government turning
media into essentially a PR machine for the government and/or powerful
corporations.
```

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?

```
By making sure that police and other enforcement agencies are expressively
forbidden to pressure or try and influence the journalist. The protection has
to be absolute as any loophole in it will be used when interests of government
agencies are at risk. See for example the banking crisis in Iceland and use,
by UK, of anti-terrorism laws against Iceland which is clearly not a terrorist
organisation in any way or form.
```

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

```
By making it illegal for government to spy on journalist and normal citizens
without a court order issued on per person basis to prevent loopholes pushing
for mass surveillance. At the same time pushing for constant use of encryption
should help secure sources from non-governmental agents.
```

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

- ◉ Yes
- ○ No

If yes, please give specific examples.

```
A while ago Aftonbladet (in Sweden) reported that SIDA (Swedish foreign aid
agency) was financing US supported nominally NGO (non government
organisations) working in Georgia to train journalists and politicians in the
correct approach to the west and correct reporting on it. This is clear
meddling in another countries internal affairs and is hardly what could be
called foreign aid. The article was online for about one day and none of the
other big newspapers reported on it. Similar things have happened with state
report on nuclear power as the conclusion was "not acceptable".
```

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?

```
I believe that most self-censorship comes from the editors who are able to get
rid of journalists who are writing about "wrong things" or using "wrong" tone
in their articles. This way it is almost impossible to prove any wrong doing
but the single-sided reporting and lying by omission is still detectable as a
result of it.
```

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.

```
In general quality and amount of real objective investigative journalism has
dropped markedly. While it is still doing reasonably well concerning domestic
issues it is more or less utterly dead (at least in mass-media) when it comes
to foreign policy and happenings.
```

30. Please indicate any best practice facilitating investigative journalism

```
Limits on ownership consolidation, strong and independent public services with
mandate to provide independent and not oversimplified information to the
public.
```

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?

```
Such things can only be tackled by supplying correct information and engaging
the individuals in dialogue. Censorship only creates a climate of fear and
self-justification as it's clear that state has something to hide since it's
censoring those individuals. On the side of information distribution having a
stable and well functioning society is the best way to limit extremism.
Extremism is generally result of broken social structure and thus there is a
great amount of responsibility on private citizens, government and companies
to maintain a stable society where as many as possible feel welcome and
valuable.
```

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.

```
By avoiding censorship the extremist views can be confronted before they
transfer to real life and violent action there. By avoiding conversation and
treating the people with extremist views like pariahs the society is itself
fuelling their extremism and justifying it. It is better to have few people
express extremism opinions (to the point of calling harm to others at which
point it becomes a police matter) than by using censorship just hiding those
opinions and in many cases reinforcing them.
```

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

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

```
Provided that information distributed by media is actually objective and not
over-simplified it will enable real democracy as public's ability to make
decisions is directly linked to the information it receives.
```

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.

Schools have a unique chance to teach analysis of information (as compared to just memorising facts) and source critique. In today's world the only way to get something resembling a full picture is to look at media from all sides of the discussion/conflict and try to combine all narratives into something resembling an objective view.

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)?

```
Protection of providers and platforms from responsibility for their users
actions and opinions as long as they do not filter anything. At the point
where they engage in filtering/censorship they are taking on an editorial
function and should be responsible for what is posted using their
equipment/platform.
```

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)?

```
Strong, independent and most importantly objective public service media. It is
difficult to expect private media to go strongly for objective reporting as
their income can be heavily influenced by reporting on "wrong" things or
agendas of their owners.
```

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

```
EU should publish as much information as possible about its actions including
meetings and meeting points with lobbyists, trade negotiations, negotiations
with large corporations. This would put pressure on local government to also
expose their inner workings and allow the public to make sure that what is
going on is in their best interest (something that is hardly the case at the
moment where lobbyists have far greater access to politicians than the
public). Additionally there should be mandated limits on how much input can be
accepted from a single source (as for example, lobbyists for corporations).
```

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.

```
Social media is in general all about finding like-minded people so it is
difficult to have an objective discussion when everyone agrees and those that
don't are pushed out. Additionally there should be no requirement to use
private services in order to communicate with the politicians and the
government.
```

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.

```
Social media, as mentioned before, is mainly about finding like-minded people
which results in active diminishing of dialogue and discussion of differing
viewpoints. Thus there is a very high chance of social media resulting in very
biased opinions and in the end extremism through reinforcement of views (as
everyone agrees who is member of the group).
```

Contact

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