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

DE - Konsultationen.docx

FR

FR - consultation.docx

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 (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).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

[redacted]

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
- [x] 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?

```
I do not want the state to meddle in anything media do or do not do in
addition to existing national legislation
```

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

```
I cannot because I do not tune in to any traditional media outlets for several
reasons
```

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

```
the existing national legislation seems sufficient
```

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

```
public service media deserve whatever fate they get by participating in a free
market as there is no longer a need for them unlike it has been in analog
times; I wish to see my national broadcaster privatized or liquidated
```

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

```
they should fall under the existing national legislation commercial media
abide by
```

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.

```
the most rampant issue I see in traditional media is they all seem to push the
exact same narrative with little to no variation; keywords: globalism,
doublethink, copy/paste journalism that reads like PR, demonization of
dissenting opinions, promotion of agreeing opinions essentially manufacturing
consent in an echo chamber that spreads outwards through confirmation bias
(everyone knows that... as we all know... it's been said a thousand times...
only a fool thinks otherwise etc)
One thing that especially sticks out is media across the EU calling
centrist-right parties invariably as far right
```

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.

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

```
any additional authoritarian approach would be wrong regardless of goals or
intentions
```

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.

```
there are particulaties in my country, mostly revolving around hidden
concentrations of power; after the dissolution of Yugoslavia we failed at
carrying out a decisive lustration and opening of archives concerning ex-state
security apparatus that is infamous for its supposed and real state terrorist
activities, clandestine operations and the like. These individuals supposedly
still hold the reins in politics and economy, consequently also most major
media outlets although there are several that are foreign-owned or
grassroots-driven.
```

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.

```
as stated above, I would like to see dissenting and non-politically correct
opinions/talking points discussed without them a priori being labeled,
ridiculed and discredited
more likely scenario would be the eventual demise of traditional media after
the pre-1980 generations will have passed away - their major and soon-to-be
only audience
```

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 existing national legislation seems sufficient
```

C. Journalists and new media players

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

```
my peers have more trust in sources like well-informed and well-connected
individuals calling spade a spade than any career journalist who has to answer
to their editor who has to answer to their chief executive officer who has to
answer to their owner(s) regardless if it's a government or private run
organization
```

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.

```
we either have media freedom and free speech or we have censorship; I would
rather have less security and no censorship if the question is meant to imply
that freedom entails less security
```

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.

```
whenever there's a leak of sensitive information I don't tune into censored or
redacted narratives in traditional media but try to discover whatever
interests me in unredacted sources (if I am able to find them) and form my own
opinions; if there's an injunction preventing access to some information
within the EU, I source it from jurisdictions that have no such measures in
place in case I'm that curious about the matter
```

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

```
hate speech is free speech; we have the right to free speech but we do not
have the right to not be offended; everything else is already covered by the
criminal code
```

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.

```
publishing anonymously would be the most suitable avenue, let facts speak for
themselves for it does not matter who is breaking the news but the news
themselves
```

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 most blatant case I'm aware of is that of Julian Assange - propostrous
charges completely unrelated to his work but potentially very effective in
deterring anyone else from coming out the way he did; his treatment by his own
Australian government is another telltale sign that the attack on him is a
concerted effort by certain actors
```

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

```
same as #23
```

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

```
same as #23
```

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

- (●) Yes
- ( ) No

If yes, please give specific examples.

```
most recent example is the German and Swedish media self-censorship and
underreporting on the horrifying impact that mass illegal immigration of
predominately fighting-age males had on general security in the nation; on
social networks individuals don't dare voice their opinions going against
whatever the mainstream is perpetuating for fear of losing their livelihoods,
being labeled whatever -ism is popular for character assassination at the
moment; there is a very heavy bias in favour of globalist agendas instead on
national interests; I've come across claims that some search engines even
alter results for cetrain controversial queries thus suppressing or
"shadowbanning" sites that would be more visible and gain more traffic
otherwise; this is hard to prove, of course, since the sites employ
proprietary software and have no obligations other than what is outlined in
terms of service; yet another example of censorship are certain YouTube videos
that aren't available to Germans while I am able to view them without
difficulty
```

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 am not familiar with any cases of investigative journalists being unable to
publish their findings one way or another; truth has a tendency to eventually
surface, after all two people can share a secret only if one of them is dead,
as the saying goes
```

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.

```
this has to do with proliferation of digital media and networked devices used
to capture content, they've become ubiquitous, digital storage is cheap, hence
there is much more controversial information discovery, even moreso for
stories and affairs formerly unseen by the public
```

30. Please indicate any best practice facilitating investigative journalism

```
total transparency as policy would be both in investigation subjects' and
general public's best interests, an outcome I expect to become the norm in the
long run because of a change in culture and behaviour, not legislation
```

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?

```
we can have either censorship or freedom of speech, there is nothing in
between; if any such sentiments exist, they will not disappear by
administering authoritarian measures; keep in mind that there are other
jurisdictions that will never enact such legislation (USA), making local
attempts at moderation moot if users can opt to participate on a number of
freely accessible foreign platforms that aren't legally present in the EU
```

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.

```
when in Rome do as Romans do; tolerance is nothing but fashionable virtue
signalling and evolutionarily a losing strategy for any society that wants to
keep existing; all societies discern between an in-group (natives-cultural
and/or ethnic) and an out-group (aliens-cultural and/or ethnic), so no amount
of legislation would change that fact unless we had a forced global
monoculture devoid of any diversity and identity; I should add that generosity
and tolerance towards groups that don't practice the same in their native
homelands comes across to them as weak and exploitable, as seen all over
Europe in the recent illegal immigration wave, as well as within the existing
ghettos completely separated from the native society, becoming no-go zones and
essentially a transplant of the failed societies they or their ancestors fled
in the first place
```

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

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

```
citizens are better informed through less filtered or moderated messages and
thus able to come to their own conclusions
the media landscape is shifting considerably from that of broadcasting to
serving on-demand content or subscription push notifications
```

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

```
clever and engaging online/mobile applications could help the youth make a
step towards what is mentioned under #35
```

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

```
I don't know how it'd be in practice but definitely something akin to what is
taught at universities: critical thinking, ability to fact-check and
cross-check, credible sources discovery, questioning of the narrative
regardless of who is pushing it
```

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)?

```
decentralization will always beat centralization; the more voices there are,
the more likely we are to hear the best and most honest of them; times of
rigid hierarchical organizations keeping siloed information and conforming to
excessive regulations are coming to an end; I don't trust political parties,
unions or NGOs at this point; I don't even approve of my domestic election
system for representatives, let alone for the EU level
```

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)?

```
nowadays they all have more or less a level playing field and a vast freedom
of choice, the technology has matured enough but the only questions are have
the participating users matured along with it, and which direction will the
platforms take (their decision, not the state's)
```

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

```
I do not see the importance of this; citizens are mostly concerned with their
own political information, not that of others; if some have a need to inform
themselves on foreign circumstances they already have the means to do so
```

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.

```
the only aspect of social media/platforms I dislike is that they are mostly
for-profit private companies that set their own terms of service and
consequent rules; I always keep in mind that if I'm not paying for some
service then I'm the actual product; campaigns are free to buy the visibility
for their messages so there is no connection between user participation and
the content they are presented.
I expect we shall see brand new peer-to-peer social media/platforms that do
not rely on any company but are based on the networks, storage and processing
power of participating individuals to provide a totally free and unbiased
venue - if that were the case already, I'd tick the above answer as Yes
```

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.

```
uncritical, naive users will always have difficulties in discerning
advertisments, user-submitted content and truth from falsehood or even satire
but this is addressed already in #34
I stated the possible solution for this problem in #39
```

Contact

JUST-COLLOQUIUM@ec.europa.eu