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 (NB — your contribution will not be published, but the Commission may use it internally for statistical and analytical purposes).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

Privacy_statement._2016ac_public_consultation.pdf

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
- [x] 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

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 pay for a basic and independent news boradcasting channel on
tv, radio and the internet. Also if someone is spreading false news the state
should be able to file a lawsuit. The justice of course must be independent
from the political parties.
```

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

```
The broadcasting channels in germany have so called "Kontrollgremien" often
politicians are head or at least prominent members of those. This is at least
part of the reason why a some people turn away from the state media. The media
doesn't seem independent enough from state politics.
```

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

```
No other than filing a lawsuit.
```

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

```
They should set a good standard.
```

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

```
Get sufficient funds from the state and should be obliged to make their media
free to watch. Whenever possible also free to watch from abroad and on the
internet! (This "we are sorry but for legal reasons this program can only be
streamed within germany" is soo stupid for everything that depends on talk,
like documentaries and talk shows, I can see it is somewhat necessary for
sport events).
```

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 Germany an insane amount of youtube videos (mostly music) is banned because
of some old fashioned rules. It's embarassing.
```

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

```
I don't know for sure, but I think every other country just doesn't care about
copyright on youtube. Don't know if that is "best" practice, but everything is
better than banning videos within germany that can be seen everywhere else in
the world.
```

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.

```
If the german TV channels don't make sure their online offers are streamlined
and better accessible (seems like every channel has it's own tiny mediathek).
i think they will get a lot of pressure from amazon, netflix etc. But i don't
know if it's laws stopping them or if they are just unable to make one common
mediathek.
```

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.

```
Afaik half the TV channels and newspapers in italy used to belong to
Berlusconi, or close friends of his while he was president, I think this is
rather bad and should be forbidden.
```

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.

```
I don't know of any unless it can be proven that the media in question is
lying.
```

C. Journalists and new media players

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

```
I honestly don't know
```

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.

```
The negotiations of TTIP are secret, even though the effect basically
everybody living the the US and Europe. This is justified by the governments
as necessary because of the negotiations in progress. But I think this is
bullocks.
```

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

```
Names should not be given when concerning army or police operations.
```

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 german newspaper Taz has had a keylogger affair some time ago.
```

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

```
If there are forums under a newspaper article online sometimes the author is
personally attacked by some users.
```

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.

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.

```
Julian Assange, spokesperson of wikileakds is held hostage in the ecuadorian
Embassy in London, if he gets out he would probably turned over to the USA. I
think he must get political asylum and the guaranty not to be turned over to
the USA. Same goes for Edward Snowden. It is fucking embarassing to see that
freedom of speech is so dependent on who one is speaking out against.
```

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

```
political asylum
```

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.

people running on the pitch in football stadiums are never shown on TV.

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

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.

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.

Reading a book with your children, watching news together with the family

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)?

```
A good and easily accessible free online platform that can be accessed from
anywhere in the world with their news show along wiht maybe statements of the
political parties on current topics.
```

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)?

```
Independent news, available online.
```

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

```
End regional restrictions wherever possible. Not getting access to information
because you have the wrong IP adress is bad. it can be circumvented easily by
people that know computers and VPN, but older people or people that are not
well versed in technical aspects can't.
```

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.

```
I don't know if the make things better or worse.
```

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.

```
pre-judgement is probably the most common problem, but I don't know if and how
it could be prevented. Probably it is just one negative thing that can't be
prevented when all the good things of these platforms should remain.
```

Contact

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