

Information society

Media pluralism: EU has “important role” to play

By Manon Malhère | Monday 21 January 2013

Although the member states are primarily responsible for media freedom and pluralism, the EU also has an “important role” to play. It should be considered as having competence to act to protect this fundamental right enshrined in the Charter of Fundamental Rights of the European Union. This is one of the recommendations featured in the report by the high-level group on media freedom and pluralism, submitted to the European Commission on 21 January ⁽¹⁾. “I am very pleased with this report,” which is “highly political,” commented Digital Agenda Commissioner Neelie Kroes. “I am certain that it will spark wide debate” in the European Union, she added.

The report is general in scope (30 recommendations to guarantee media freedom and pluralism in the EU) and does not single out any member states. “If we had named countries, there would have been others sitting back and saying ‘yippee’,” commented humorously the group’s chairwoman, Vaira Vike-Freiberga, former president of Lithuania.

However, the situation in Hungary “was my main reason for advancing” on this issue and commissioning the report from a high-level group, insisted Kroes. While Budapest has improved its situation, “I am still not happy” with the state of affairs, added the commissioner. The Hungarian case attracted a lot of attention from the Commission in early 2012. There were several problems, including the Media Council’s withdrawal of licences from certain Hungarian radio stations (including the opposition Klubrádió) and infringement of freedom of the press by the media law, as ruled by Hungary’s Constitutional Court, on 19 December 2011.

On many aspects, the Commission is unable to act to guarantee media freedom and pluralism due to its lack of competence. The only possibility would be use of Article 7 of the EU Treaty. That is a radical solution as this article states that in cases of serious and persistent breach by a member state of “the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, the Council, acting by a qualified majority, may decide to suspend certain of the rights deriving from the application of the treaties to the member state in question”.

With this report, “we are trying to describe the principles, the values [of media freedom and pluralism - Ed] and to suggest direction” for applying them, said Vike-Freiberga.

So without referring to any state in particular, the high-level group stresses the “important role” the EU has to play in parallel with member states to protect media freedom and pluralism. It notes that the Union should be considered competent to act in this area, but does not go into detail. The report shows that “the Commission has to be more than an indicator when there is a debate on media freedom,” said Ryan Heath, spokesman for Kroes.

The group also presents the following recommendations. The EU Fundamental Rights Agency or an independent centre could take charge of monitoring media freedom and pluralism in member states (drawing up reports). Member states should also have fully independent media councils that are not under government influence.

The report contains recommendations to address the problem of media concentration. It discusses the rights and responsibilities of journalists and ways of supporting media “content” (and not just distribution) and “quality journalism,” although the definition of “quality journalism” raises questions.