[NL] Report on Media Concentrations and Ownership Relations

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As from 2001, the Commissariaat voor de Media (Dutch Media Authority) has been analysing the media concentrations and financial and economic developments in the press, television and radio sectors in the Netherlands. On 27 November 2005, a fourth annual Mediamonitor report entitled “ Concentratie en Pluriformiteit van de Nederlandse Media 2004 ” (Concentration and Pluralism of the Dutch Media 2004) saw the light.

The report sets out new recommendations for the development of rules regarding media concentrations and ownership relations. Specific attention has been paid to the internet and regional markets. Inspired by a recently published report Focus op functies (Focus on functions) of the Wetenschappelijke Raad voor Regeringsbeleid (Scientific Council for Government Policy), the Media Authorityhas focused on publishers' and broadcasters' evolution as content providers and the genesis of content markets, instead of focusing on the somewhat classical division into the segments of press, television, radio and Internet. According to the Media Authority, especially the news contentshould be safeguarded from influences having an eroding effect on the independence, pluralism or quality of information. The Media Authorityagrees with the Scientific Council for Government Policy that this content is essential to a democratic society.

The Media Authorityobserves that the sales of commercial daily newspapers has decreased considerably. In order to compensate for the negative consequences for the readership of the newspapers, some publishers have decided to distribute newspapers free of charge. Advertisement revenues are nevertheless still decreasing in this sector, not least because of the Internet. Publishers of daily newspapers should therefore be able to develop cross media activities, without being subjected to unreasonable thresholds within the Dutch Mediawet (Media Act). Under current national legislation, concentrations in the media sector are regulated by the general rules for concentrations in the Mededingingswet (Competition Act). More specific rules, regarding the regulation of cross-ownership, are regulated by the Mediawet (Media Act). A publisher with a market share of 25% or more in the daily newspaper sector is not allowed to control more than a third of a broadcasting association (Article 71 b sub d Media Act). In order to keep a relatively strong position in the internal market, the Media

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Authorityrecommends liberalizing the rules concerning cross-ownership. This means that relatively large publishers should be able to apply for a broadcasting licence as well. However, to prevent power to influence public opinion from concentrating in a single entity, a new instrument is needed.

Similar recommendations in earlier reports have so far not led to new regulatory rules. It is therefore hardly surprising that the Media Authorityunderlines the pressing need for new national and international rules. Besides liberalization of Dutch legislation, harmonisation of European Media law should also be encouraged. According to the Media Authority s pecial attention should be drawn to the creation of equal chances for all the parties who want to participate in the Dutch market.

"Concentratie en Pluriformiteit van de Nederlandse Media 2004", Commissariaat voor de Media

http://mediamonitor.nl/dsresource?objectid=87&type=org

Report on Concentration and Pluralism of the Dutch Media 2004, Dutch Media Authority

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