Committee of Ministers: Declaration and Recommendations in the Field of Media

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On 31 January 2007, the Committee of Ministers adopted a series of important texts pertaining to the media. These are: a Declaration on protecting the role of the media in democracy in the context of media concentration, a Recommendation on media pluralism and diversity of media content, and a Recommendation on the remit of public service media in the information society.

The Declaration opens with a statement reiterating the vital importance of media freedoms and pluralism for democracy. It notes the media landscape is changing as a result of globalisation and concentration. Though this phenomenon carries positive consequences such as market efficiency, consumer-tailored content and job creation, it also poses a challenge as it can undermine the diversity of media outlets in small markets, the multiplicity of channels and the existence of spaces for public debate. In particular, due to the concern that media concentration can place a handful of media owners or groups in a position to control the agenda of public debate, the Declaration alerts Member States to the risk of abuse of the power of the media where strong concentration exists and its potential consequences for democratic processes. Thus: it underlines the desirability to separate the control of media and the exercise of political authority; draws attention to the necessity of guaranteeing full transparency of media ownership through appropriate regulatory measures; highlights the usefulness of regulatory and/or co-regulatory mechanisms for monitoring media markets and media concentration; stressesthat adequately equipped and financed public service broadcasting can contribute to counterbalancing the negative consequences of strong media concentration; and stresses that policies encouraging the development of not-for-profit media can be another way to promote a diversity of autonomous channels for the dissemination of information.

The two other texts are Recommendations, the first of which concerns media pluralism and diversity of media content. It re-affirms that media are essential for the functioning of a democratic society as they foster public debate, political pluralism and awareness of diverse opinions. It recommends that Member States consider including in national law or practice a number of measures that are detailed in the body of the text of the Recommendation. These measures vary from rules concerning ownership regulation to rules relating to the allocation of broadcasting licences and must carry/must offer obligations. It further

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recommends Member States evaluate at national level, on a regular basis, the effectiveness of existing measures to promote media pluralism and content diversity, examining the possible need to revise them in the light of economic, technological and social developments. Lastly, it recommends that Member States exchange information about the structure of the media system, domestic law and studies regarding concentration and media diversity.

The second Recommendation, on the remit of public service media in the information society, focuses on the implications of the new digital environment and the specific role of public service broadcasting in the information society. It notes that younger generations favour the new communication services over traditional ones and states the public service remit is all the more relevant in the digital era and can be offered via diverse platforms resulting in the emergence of public service media (which exclude print media for the purposes of the Recommendation). The text recommends that Member States; guarantee the fundamental role of the public service media in the new digital environment; include provisions in their legislation/regulations specific to the remit of public service media, covering in particular the new communication services; guarantee public service media the financial and organisational conditions required to carry out the function entrusted to them in the new digital environment, in a transparent and accountable manner; enable public service media to respond fully and effectively to the challenges of the information society, respecting the public/private dual structure of the European electronic media landscape and paying attention to market and competition questions; and ensure that universal access to public service media is offered to all individuals and social groups. Member States should also widely disseminate the Recommendation, and the guiding principles for implementation included in the text.

Declaration of the Committee of Ministers on protecting the role of the media in democracy in the context of media concentration, 31 January 2007

http://wcd.coe.int/ViewDoc.jsp?id=1089615&BackColorInternet=9999CC&BackColorIntranet=FFBB55&BackColorLogged=FFAC75

Recommendation Rec(2007)2 of the Committee of Ministers to member states on media pluralism and diversity of media content, 31 January 2007

https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec%282007%292&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864

Recommendation Rec(2007)3 of the Committee of Ministers to member states on the remit of public service media in the information society, 31 January 2007

https://wcd.coe.int/ViewDoc.jsp?Ref=CM/Rec%282007%293&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&

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