

Plenary Session 2 >

Assessing Plurality in an Online World

**Introduction to the Session
EPRA Secretariat**

Final public version of 16 October 2013

1. Media Pluralism & EPRA

As is pointed out in the reference document to the session¹:

“There appears to be consensus in the political theory literature that people need information to play a role as citizens in democratic societies, and there is a consensus that media plurality is important for democracy”.

There appears to be also consensus on these two assumptions among media regulatory authorities in Europe as media plurality has been a recurrent theme at EPRA meetings. Working groups and plenary sessions in 2000 (Paris), 2002 (Ljubljana), 2004 (Istanbul) and 2007 (Prague) addressed regulatory challenges of media concentration and the role of regulators. The specific issue of monitoring (which methodology, whether it should be conducted on a national or European-wide scale, etc.) was frequently discussed on these occasions.

In October 2009, a working group convened in Dresden to look at the strengths and weaknesses of the *Media Pluralism Monitor* (MPM). This risk-based tool was developed on the occasion of the Independent Study on Indicators for Media Pluralism, which constituted the second phase of the European Commission “three-step approach” for advancing the debate on media plurality within the EU. During the working group, EPRA members were given the opportunity to discuss the general methodology as well as individual indicators and to hear about the outcome of the experience conducted by Italian regulator AGCOM who tested the MPM and applied the 166 economic, socio-demographic and legal indicators².

In parallel, political pluralism and political communication are themes EPRA has dealt with repeatedly since 2000. Early this year, the EPRA Annual working Plan launched a working group aiming at discussing recent trends and developments in the field of political communication in European countries with a particular focus on the impact of new media and the role played by regulators.

¹ Annex 7: Media Plurality and news – A summary of contextual academic literature, Annex to Ofcom’s advice to the Secretary of State for Culture, Olympics, Media and Sport: <http://stakeholders.ofcom.org.uk/binaries/consultations/measuring-plurality/statement/Annex7.pdf>

² Introduction and objectives of Working Group III: The European Media Pluralism Monitor by Peggy Valcke ICRI-IBBT K.U.Leuven; 30th EPRA Meeting, Dresden, 15 October 2009 - See more at: <http://www.epra.org/attachments/707>

2. Recent policy debates at the European level

The debate within the EU on pluralism, which had gone rather quiet after the publication of the MPM and the appointment of the new European Commission, recently came back under the policy spotlight following a quick succession of new reports. Several studies were also fuelled by the judicial enquiry into the culture, practices and ethics of the British press following the News International phone hacking scandal, chaired by Lord Justice Leveson, who was appointed in July 2011.

The most recent reports and initiatives at the European level are the following:

- On 21 January 2013, the High level Group on Media Freedom and Pluralism (HLG), which was set up in October 2011 by Neelie Kroes, European Commissioner for the Digital Agenda, delivered a report with *“recommendations for the respect, the protection, the support and the promotion of pluralism and freedom of the media in Europe.”* A public consultation on the report aimed at gathering broad feedback on the recommendations presented by the High-Level Group in order to allow for an open debate on media freedom and pluralism closed in June 2013.
Report:
<https://ec.europa.eu/digital-agenda/sites/digital-agenda/files/HLG%20Final%20Report.pdf>
Responses of participants to the consultation:
http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=11407
Responses of NRAs to the consultation:
http://ec.europa.eu/information_society/newsroom/cf/document.cfm?action=display&doc_id=2580
- On 30 January 2013, a Motion for a resolution on *“Increasing transparency of media ownership”* was tabled at the Parliamentary Assembly of the Council of Europe. Referring to the Committee of Ministers Recommendation No. R(94)13 on measures to promote media. The motion welcomes *“the recent research by Access Info Europe on the transparency of media ownership and consider that “it is necessary to adapt the existing necessary to adapt the existing standards of media transparency in Europe and the Assembly should make proposals on this matter”*.
<http://www.assembly.coe.int/ASP/Doc/XrefViewPDF.asp?FileID=19448&Language=EN>
- In February 2013, *the Centre for Media Pluralism and Media Freedom (CMPF)* at the European University Institute published a Policy Report *“European Union Competencies in Respect of Media Pluralism and Media Freedom”* highlighting that the EU has a clear responsibility to act, and at the very least to clarify its competence.
<http://cmpf.eui.eu/publications/policyreport.aspx>
- Finished in March 2013, Mediadem is an EU funded research project whose aim is to identify which policy processes, tools and instruments can best support the development of free and independent media. One of the reports *“The regulatory quest for free and independent media”* examines the different forms of media regulation currently in place in the 14 countries covered by the project with a view to identifying common patterns, best practices and emerging problems.
<http://www.mediadem.eliamep.gr/>

- On 21 May 2013, the European Parliament approved the initiative report of Romanian MEP Renate Weber (PNL, ALDE) on the EU Charter by adopting a *Resolution on standard settings for media freedom across the EU*. The Resolution calls on Member States and the Commission to take appropriate measures to ensure better monitoring and enforcement of media freedom and pluralism across the EU, given that this right has become legally binding with the entry into force of the Charter of Fundamental Rights (Article 11 (2)). The resolution calls on the Commission and Member States to act upon monitoring media freedom and pluralism in all member states and publishing the findings published in annual reports followed up by proposals for action.
<http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A7-2013-0117&language=EN>
- Launched in August 2013, the *European Citizens Initiative for media pluralism*³ is collecting signatures until 29 August 2014. The initiative demands amendments to the AVMSD or the adoption of a new directive aiming at a partial harmonisation of national rules on media ownership and transparency, and setting EU standards for the sufficient independence of the media supervisory bodies.
<http://www.mediainitiative.eu/>
- On 24 September 2013, Access Info, the Open Society Media Programme and the Sub-Committee on Media and Information Society of the Parliamentary Assembly of the Council of Europe co-organised a *conference on the transparency of media ownership in Europe* in Brussels. The goal of the conference was to exchange views with stakeholders about the recommendations developed by Access Info which are open for public consultation. These recommendations include disclosure to a national regulator and to the public of the essential basic information, transparency of influence, oversight by independent body and transnational access via a shared system.
http://www.epra.org/news_items/transparency-of-media-ownership-what-role-for-regulators
<http://www.access-info.org/en/media-transparency>

3. Structure and focus of session:

Chaired by EPRA Vice-Chair *Helena Mandic*, this session will feature two different panels to reflect the interplay between researchers and regulators, policy and regulation.

Peggy Valcke has been content producing this session and will play the role of *go-between* in her dual capacity as member of the Flemish Media Regulator VRM and University professor.

A policy/academic panel

³ A European citizens' initiative is an invitation to the European Commission to propose legislation on matters where the EU has competence to legislate. A citizens' initiative has to be backed by at least one million EU citizens, coming from at least 7 out of the 28 member states. A minimum number of signatories is required in each of those 7 member states.

Additional background information on the initiative is available at the following link:

<http://ec.europa.eu/citizens-initiative/public/documents/1658>

- *Peggy Valcke* (VRM/K.U. Leuven) will replace the discussion in its overall policy and regulatory context and report on recent policy initiatives at the European level.
<http://www.epra.org/attachments/vilnius-plenary-session-2-assessing-plurality-in-an-online-world-presentation-by-peggy-valcke-vm-ku-leuven-be>
 - *Federica Casarosa*, (EUI Florence), will then present the outcome of the recent Mediadem study and the policy recommendations, especially about media regulation.
<http://www.epra.org/attachments/vilnius-plenary-vilnius-plenary-session-2-assessing-plurality-in-an-online-environment-presentation-of-mediadem-report>
- A regulatory panel
- *Steve Gettings* will explain British Ofcom's approach to measuring plurality based on Ofcom's 2012 report⁴ and the follow-up with the recent UK government consultation on Media Ownership and Plurality⁵.
<http://www.epra.org/attachments/vilnius-plenary-vilnius-plenary-session-2-assessing-plurality-in-an-online-environment-presentation-of-mediadem-report>
 - *Edmund Lauf* will report on the Dutch Commissariaat voor de Media approach to measuring plurality, and their recent proposal for a European monitoring system for the diversity of news media exposure.
<http://www.epra.org/attachments/vilnius-plenary-session-2-assessing-plurality-in-an-online-world-presentation-of-cvdm-nl>

The role played by regulators in assessing plurality and the challenges raised new media will be the two main threads in our discussion.

Annex 7 of Ofcom's report on Media plurality and news will be used as a reference document for our session.

4. Questions for Debate:

Tools & methodology:

- What kinds of tools are most appropriate to measure plurality?
- What are the particular challenges of measuring plurality on new media?
- What are the methods to assess social media?
- Should online news be included in a plurality review? If yes, how?

EU vs. national perspective

- Is there a need for a mechanism for monitoring, measuring and analysing specific conditions of media freedom and pluralism at the EU level?
- How would such a mechanism look like?
- What role should national regulators play?

⁴ <http://stakeholders.ofcom.org.uk/binaries/consultations/measuring-plurality/statement/statement.pdf>

⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/225790/Media_Plurality_Consultation_2013.pdf