



Testing the Media Monitor

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Overview

- 1. Testing the Media Monitor**
- 2. Features of the Media Monitor**
- 3. Concrete application and critical aspects**
- 4. Room for possible improvements?**

1. The aim of the test

▶ **A methodological approach**

▶ **Agcom volunteered to conduct a test of the Monitor**

- ▶ The aim of the test has not been to verify if the Italian media sector is pluralistic or not, but to check the consistency of the tool when theory has to be turned into practice

▶ **Time and team**

- ▶ Agcom volunteered at the stakeholder's workshop in June 2009 and the test was carried out by a team of nine Agcom civil servants working not exclusively on the Monitor during a three months period (July-September)
- ▶ The team involved internal Agcom experts in media law and media economy, ownership and market analysis, spectrum and infrastructures, content analysis and public service broadcasting.

2. The features of the Monitor

- ▶ **According to the User's guide, the Monitor is:**
 - ▶ Neutral
 - ▶ Holistic
 - ▶ Risk-based
 - ▶ Objective
 - ▶ Evolving
 - ▶ EU-standardised
 - ▶ Practical and user-friendly
- ▶ **This is all true, but it during the test it appeared clear that it is not tailor made for all EU countries**

Concrete application and critical aspects

▶ 3.1. Qualitative questions and answers

- ▶ Basic domain
- ▶ Pluralism of media ownership

▶ 3.2. Absence of hierarchy among questions

- ▶ Cultural pluralism
- ▶ Political pluralism

▶ 3.3. Criteria for the scores

- ▶ Basic domain
- ▶ Pluralism of media ownership
- ▶ Cultural pluralism

▶ 3.1. Qualitative questions and answers

- ▶ **Indicator B.1.3. Regulatory safeguard for media pluralism**
 - ▶ I.1. Is there evidence – in case law, decision practice, press reports, reports of independent bodies or NGOs... – of systematic non respect of media pluralism as policy goal by the legislator/regulator when adopting legislation respective issuing regulatory decisions?
 - ▶ NRAs are asked to evaluate themselves.
- ▶ **Indicator O.1.3. Regulatory safeguards against high ownership concentration**
 - ▶ I.3. Is there evidence (for instance case law, positive evaluations in independent reports) of these powers being effectively and appropriately exercised? Is there pro-active and effective policy making and implementation?
 - ▶ The concept of appropriateness gives room for interpretation.

▶ **3.2. Absence of hierarchy among questions**

▶ **Indicator P.1.9. Regulatory safeguard for media councils**

- ▶ **E.1. Does media law contain provisions guaranteeing the representation of the various political groups in media councils and/or other advisory bodies in the media sector (if these media include political representatives)?**

- ▶ **Red flag appears without considering equivalents to the media councils.**

▶ **Indicator C.9.5. Regulatory safeguards for cultural groups**

- ▶ **E.1. Does media law contain provisions guaranteeing the representation of the various cultural and social groups in media councils and/or other advisory bodies in the media sector?**

- ▶ **Red flag appears even if cultural minorities are not an issue.**

▶ 3.3. Criteria for the scores

▶ Indicator O.1.1. Measurement of ownership concentration

- ▶ If within one country the major 4 owners (Top4) have a market share above 50%, then the risk of high concentration of ownership is considered as very high. This situation is scored with a “>50%”.

▶ Method of measurement:

- ▶ - Data: the market share – that is the share of the total revenue in a market – per each owner of the total terrestrial television market.
- ▶ - Measurement: The Top4 and Top8 measures are obtained by summing the market shares of the major 4 or major 8 owners within the market. The HHI is obtained by squaring the market share of each owner competing in the terrestrial television market, and then summing the resulting numbers.
- ▶ In the case of the press market, differently from the television sector, revenues are seldom an appropriate concentration threshold

▶ Indicator C.2.3. Regulatory safeguards for national works

- ▶ E.1. Does media legislation guarantee the reservation by TV broadcasters of a minimum proportion of their qualifying transmission time for national works, or alternatively to invest a certain amount/percentage in (funds for) national works?
- ▶ To get a green flag, legislation must be against AVMSD.

4. Possible improvements

- ▶ **How can we integrate theory and practice?**
 - ▶ Notwithstanding the excellence of the work of the team behind the Monitor, the practical test highlighted some discrepancies between the theoretical approach of researchers and the real life of regulators monitoring the market.
 - ▶ An integration between theory and practice with the contribution of regulators could possibly help to the fine-tuning of the Monitor.
 - ▶ Could Epra be a suitable context for this purpose?



Thank you for your attention!

For any questions, please contact
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