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EPP Group **Position Paper**

# Media Freedom and Pluralism in the Digital Era



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## Table of Contents

<b>Media Freedom and Pluralism in the Digital Era</b> .....	5
<b>1. Challenges the media sector faces in the digital era</b> ....	7
<b>2. Positive measures and actions to promote media freedom and pluralism in the digital era</b> .....	11



# Media Freedom and Pluralism in the Digital Era

Civic engagement, informed citizenship and the fundamental right to freedom of expression and information can, in any democracy, only be guaranteed through media freedom and pluralism. The EPP Group recalls its commitment to the provisions of the Charter of Fundamental Rights of the EU and to those of the Treaty on the EU, which ensure the respect of these principles. The EPP Group considers both online and offline media as the most important source of information and an important factor enhancing European democracy by encouraging public opinion. Freedom of expression is also of great importance for cultural diversity, in the sense of the UNESCO Convention.

The media sector plays a key economic, social and cultural role in the EU. Europe has a strong media industry, which creates growth and jobs and has an important role in conveying the European way of life, history, culture and values around the world. Every Member State's media sector faces distinct threats, challenges and opportunities. However, recent political developments place the EU at the forefront of the debate concerning the respect, protection, support and promotion of pluralism and freedom of media in Europe.





# 1. Challenges the media sector faces in the digital era

## Impact of new technology and Internet on media pluralism

- > New technologies are driving the creation of new forms of media (dissemination and filtering mechanisms such as internet search engines), changing media consumption patterns (from going to the web to receiving tailored information directly to the citizen's social media account), the way people relate to media (instant mobile access) and how they are inter-mixing different channels of communication (TV, radio, internet, press, blogs, social media).
- > The benefits new media technologies have brought to media pluralism and freedom should not be undermined: the Internet has dramatically reduced production and distribution costs and many new forms of journalism and media services have emerged. New players are pioneering new business models. Consumers can choose from

a wider variety of new sources. Local content production is also rising rapidly because of the Internet.

- > The Internet also opens opportunities and lowers barriers of entry for new media organisations or individuals.

## Quality, access to and availability of information

- > While there is an abundance of available works, sources and opinions, the quality of the material is seen as lower than in a previous era: citizens find material from some non-traditional sources on social media less trustworthy, less rigorously checked than on traditional media.
- > The changing of funding models constitutes a significant challenge for quality journalism. The replacement of trained journalists by less expensive freelancers is one of the challenges quality journalism faces today.



- > Responsible and credible journalism is crucial. Journalists have a duty to verify the information they provide to the public; media freedom cannot be undermined by approximations or non-verified or one-sided tendentious information that undermines citizens' trust in independent media. The frontier between responsible journalism and social bloggers/anonymous actors has been blurred. In this respect, the EPP Group underlines the role of editorial responsibility and liability of both traditional and new media.
- > The development of media literacy is crucial for people to be capable of critical appraisal and analysis of information provided by media. With the increasing spread of different media models, including social media, consumers from a very young age need to be media literate. The EPP Group calls on the Commission to step up its efforts in this regard.
- > In the new digital context, access to various online services must be facilitated.
- > Journalists are increasingly using and cross-checking data through data journalism, which shows the potential of data for the public interest; but data must remain a

means to an end and therefore does not exempt journalists from their quality and verification obligations in the exploitation and necessary analysis of those data.

### **New business models in a new media landscape**

- > New technologies are transforming traditional media business models, with many media organisations struggling to survive financially. The transition between differently-structured business models should not be implemented to the detriment of pluralism, and traditional and new media players must continue to thrive and participate.
- > On the Internet, advertising is increasingly targeted and its revenues are more and more commoditised, mainly to the benefit of digital intermediaries, meaning media services need to provide new and innovative offers; the emergence of new and competitive advertising techniques should be ensured.
- > Financing news media through sales alone has become increasingly challenging, with new consumer habits, increasing competition and difficulties with the enforcement of IPR (Intellectual Property Rights).



- > The EPP Group recognises that the media sector – such as publishers or broadcasters – has invested heavily in new business models to provide citizens with a wide range of news, views and information in both print and digital formats, including paid-for offers, new advertising techniques and attractive offers via websites, smart phones and tablet applications.





## 2. **Positive measures** and actions to **promote media freedom** and **pluralism** in the **digital era**

### **Ensuring financial viability and sustainability: advertising revenue, IPR and VAT**

- > The EPP Group is strongly concerned that the growth of traditional media on the digital market is challenged by some news aggregators and search engines that develop their activities by using right-holders' content without contributing to its development and without ensuring fair remuneration of the creators. The EPP Group is in favour of a clarification of the legal status, the role and responsibility of these platforms and content providers.
- > The EPP Group calls for more flexibility in advertising rules, while fully respecting consumer and youth protection.
- > The EPP Group considers that it is essential to ensure effective enforcement

of intellectual property rights to protect content online.

- > The EPP Group wants an EU VAT system for newspapers and magazines that makes no differentiation between physical and digital forms, while ensuring that technological developments are properly taken into account.

### **Defending media freedom and pluralism through independent media governance**

- > Safeguarding independent authorities and ensuring strong independent oversight of audiovisual media against undue State and commercial intervention is crucial. The State especially should ensure its impartiality. In this regard, the EPP Group fully supports Commissioner Oettinger's initiative to set up common EU standards and calls for their speedy adoption.



- > The EPP Group welcomes a review of the Audiovisual Media Services Directive (AVMS) to better take into account technological changes in a fluid media environment, covering all audiovisual media services, regardless of the means of transmission.
- > The EPP Group stresses the irreplaceable role of public service media (public broadcasters). As it does not financially rely on private sources, it can provide a high-quality and impartial information service to the general public. It is essential to ensure and maintain its independence from political interference. The EPP Group recalls that it is incumbent upon and the duty of national authorities to ensure balance between public and private media, to respect conditions for high-quality media and to guarantee full independence of journalists and the protection of their sources.
- > The EPP Group highlights that the media landscape is extremely asymmetrical in some Member States, which presents a serious disadvantage for the public.
- > The EPP Group calls for cooperation between the EU and the Council of Europe on media freedom, and

in particular on strengthening the European Audiovisual Observatory.

### **Creating a single European market for media services**

- > The development of online/digital publications concerns all sub-sectors of the publishing industry, like books, newspapers, magazines or even databases, but interoperability, portability and cross-border availability must be improved to facilitate their consumption in Europe. If these issues are resolved, the cross-border growth of media services start-ups can enrich the media services ecosystem and generate growth and jobs.
- > Media convergence means that the rights and obligations of traditional services need to be aligned with those of new players, this must be fully incorporated in the AVMS review.
- > The EPP Group calls for a minimum set of common EU rules covering areas like advertising, the promotion of European works and the protection of minors.



### **Media concentration: promoting more transparency in media ownership**

- > The EPP Group warns against over-regulation of the media, as this has proved to be counterproductive and could jeopardise media pluralism.
- > Media ownership must, however, be transparent and national regulators must monitor this aspect particularly, given its role in guaranteeing media pluralism.
- > Particular focus should be placed on transparency and on the market dominance of technology platforms that control users' access to digital content. The EPP Group stresses the importance of EU competition law and underlines the importance of ensuring a level playing field for businesses by dissolving bottlenecks.

### **Freedom of expression and other fundamental rights: striking the right balance**

- > Hate speech: there is a worrying increase of hate speech on the Internet, notably against press freedom and freedom of expression, almost always anonymous,

and that creates a feeling of threat, or that scares and stigmatises the persons or groups targeted. This worrying trend poses paramount challenges in terms of the prosecution of certain crimes, such as incitement and provocation to terrorism, racism, or violence, including cyberbullying. Cooperation with online platforms must be increased to fight against this hate speech, without undermining in any way the fundamental right to freedom of expression.

- > Presumption of innocence: investigative journalism is an important tool in our society for providing transparent and quality information to the user. In reporting on legal proceedings, the correctness and completeness of the research and its publication is even more important and may not in any way anticipate the outcome of proceedings. The presumption of innocence is the fundamental right of the accused, who also needs protection from the media and their publications in all formats, especially on the Internet.

- > Internet trolling: with freedom of expression online comes also a new form of hybrid warfare in the shape of Internet trolling. It is a dangerous tool used to



manipulate public opinion by publishing offensive and fictional information through internet comments on topics that are very sensitive for the intended audience, and can therefore have a strong negative impact on large numbers of people.

- > Freedom of speech and expression is a fundamental right that should not be misused to cover the practices listed above.



