

**Declaration of the Committee of Ministers
on protecting the role of the media in democracy
in the context of media concentration**

*(Adopted by the Committee of Ministers on 31 January 2007
at the 985th meeting of the Ministers' Deputies)*

The Committee of Ministers,

Reiterating that media freedoms and pluralism are vital for democracy, given their essential role in guaranteeing free expression of opinions and ideas and in contributing to peoples' effective participation in democratic processes;

Recalling the need, in the context of democratic processes, for diverse views to be expressed and presented to the public and for genuine and lively political debate on matters of general interest, helping people to be better or more fully informed in the context of their democratic participation, as well as the crucial role of the media in achieving these aims and in the functioning of a democratic and participatory public sphere;

Recalling, in this context, the Committee of Ministers' Declaration on the freedom of expression and information of April 1982, its Recommendation No. R (99) 15 on measures concerning media coverage of election campaigns and its Declaration on freedom of political debate in the media of February 2004;

Noting that globalisation and concentration leading to the growth of multinational, including European, media and communications groups are fundamentally changing the media landscape and bringing about opportunities in respect, for example, of market efficiency, diversification of offer and consumer-tailored content, but also the ability to support media outlets which do not turn a profit, finance start-up costs of new media outlets and create jobs;

Noting, however, that these changes also pose challenges in particular as regards preserving diversity of media outlets in small markets, but also in respect of the existence of a multiplicity of channels for the expression of plurality of ideas and opinions and to the existence of adequate spaces for public debate in the context of democratic processes;

Aware, in this context, that a plethora of media outlets in a situation of strong media concentration does not by itself guarantee a diversity of sources of information or that various ideas or opinions can be expressed and presented to the public;

Concerned that media concentration can place a single or a few media owners or groups in a position of considerable power to separately or jointly set the agenda of public debate and significantly influence or shape public opinion, and thus also exert influence on the government and other state bodies and agencies;

Conscious that the above-mentioned position of power could potentially be misused to the detriment of political pluralism or the overall democratic process;

Aware also that the concentration of media ownership can entail conflicts of interest, which could compromise editorial independence and the media's important role as public watchdog, and noting the importance of editorial statutes in this respect;

Concerned that policies designed to promote solely the competitiveness of media systems and market efficiency, tending to reduce ownership-related restrictions, can ultimately be detrimental to the common interest if, as a result, there are no longer sufficient independent and autonomous channels capable of presenting a plurality of ideas and opinions to the public, in order to ensure the existence of adequate space for public debate on matters of general interest;

Mindful of the necessity to preserve those channels and a pluralistic public sphere, in the interest of democracy and democratic processes;

Conscious of the opportunities offered by the development of new communication services and of phenomena such as multimedia, alternative media, community media and consumer-generated content on the Internet, but aware also that their opinion-shaping impact is often dependent upon their content being carried in or reported by mainstream media;

Recalling also the Committee of Ministers' Declaration on human rights and the rule of law in the Information Society of May 2005, which notes that information and communication technologies provide unprecedented opportunities for all to enjoy freedom of expression, but also pose many serious challenges to that freedom, such as state and private censorship;

Noting that it emerges from Article 10 of the European Convention on Human Rights and the relevant case law of the European Court of Human Rights that, as ultimate guarantors of pluralism, states should take positive measures to safeguard and promote a pluralist media landscape to serve democratic society;

Acknowledging, in this respect, that most democratic societies, which are based on the rule of law, have adopted measures to sustain, promote and protect media pluralism, including through market regulation comprising competition law and, where appropriate, sector-specific rules taking into account democratic principles and values;

Recalling also the Committee of Ministers' Recommendations No. R (94) 13 on measures to promote media transparency, No. R (99) 1 on measures to promote media pluralism, No. R (96) 10 on the guarantee of the independence of public service broadcasting and Rec(2000)23 on the independence and functions of regulatory authorities for the broadcasting sector, and its Declaration on the guarantee of the independence of public service broadcasting in member states of 27 September 2006,

Alerts member states to the risk of misuse of the power of the media in a situation of strong concentration of the media and new communication services, and its potential consequences for political pluralism and for democratic processes and, in this context:

I. Underlines the desirability for effective and manifest separation between the exercise of control of media and decision making as regards media content and the exercise of political authority or influence;

II. Draws attention to the necessity of having regulatory measures in place with a view to guaranteeing full transparency of media ownership and adopting regulatory measures, if appropriate and having regard to the characteristics of each media market, with a view to preventing such a level of media concentration as could pose a risk to democracy or the role of the media in democratic processes;

III. Highlights the usefulness of regulatory and/or co-regulatory mechanisms for monitoring media markets and media concentration which, *inter alia*, permit the competent authorities to keep abreast of developments and to assess risks, and which could permit them to identify suitable preventive or remedial action;

IV. Stresses that adequately equipped and financed public service media, in particular public service broadcasting, enjoying genuine editorial independence and institutional autonomy, can contribute to counterbalancing the risk of misuse of the power of the media in a situation of strong media concentration;

V. Stresses that policies designed to encourage the development of not-for-profit media can be another way to promote a diversity of autonomous channels for the dissemination of information and expression of opinion, especially for and by social groups on which mainstream media rarely concentrate.

Related Documents

Meetings

- [985th meeting of the Ministers' Deputies](#) / 31 January 2007

Other documents

- [CM/Del/Dec\(2007\)985/5.1abcdfE](#) / 05 February 2007 