

EBU Contribution to the Commission's Consultation on the Annual Rule of Law Report, 8 March 2021

The European Broadcasting Union (EBU) is the world's leading alliance of public service media (PSM). We have 115 member organizations in 56 countries. Our Members operate nearly 2,000 television, radio and online channels and services, and offer a wealth of content across other platforms.

One of the EBU missions is to enhance the freedom and pluralism of the media, the free flow of information and ideas and the free formation of opinions. To the EBU, PSM play a crucial democratic role by being a trusted source of objective and impartial information; a guardian of pluralistic and minority views; and a reference point in times of national and global crisis.

During the first months of COVID-19 global crisis, news consumption studies indicated that watching television news and consulting online sources significantly increased and in some European countries, this trend was observed for EBU Members¹. COVID-19 pandemic has also exacerbated the deterioration of media freedom in Europe. Attacks and harassments online and in the real world targeting journalists and media professionals, limits to access to information and public documents are just a few examples of this worsening situation². The EBU warned against emergency measures being used to restrict freedom of expression and [called on governments to protect the independence and sustainability of PSM](#). The EBU also expressed its concerns regarding the increasing amount of hostility and even violence levelled against EBU Members' journalists and production crews and [reminded national authorities to do all in their power to protect the media](#). The EBU joined other broadcasting unions [to remind that the freedom of the media to report on unfolding events as well as the rights of citizens to have access to trusted information for understanding them –are fundamental to free speech and society and must not be compromised](#).

The following list gives some additional examples of the various forms of EBU initiatives and contributions aimed toward sustaining media freedom and pluralism, including during the global health crisis:

PSM editorial and institutional independence:

- The promotion of best practices in line with [the 2012 Declaration on the Core Values of Public Service Media](#) and recognized standards developed by the Council of Europe in the fields of PSM [governance](#), [remit](#) and [funding](#);
- The circulation of the [comprehensive set of editorial guidelines](#) derived from the Core Values of Public Service Media;
- The provision of expert legal advice to put PSM values into practice, including legal support aimed at establishing appropriate national legal frameworks;

Strengthening quality journalism:

- [The Journalism Trust Initiative \(JTI\)](#), in collaboration with AFP, GEN, and RSF to make quality news more visible online;
- The [Trusted News Initiative](#), an industry collaboration of major news and global tech organizations to tackle to spread of harmful coronavirus disinformation;

¹ See the [2020 Reuters Institute Digital News Report](#), from page 61

² See the [2020 EBU News Report](#), pages 68, 69 and 71

- The coordination of the [EBU Investigative Journalism Network](#);
- [Training programmes and workshops](#) to brief journalists on safety and security, including online;
- The [setting up of a PSM newsrooms group](#) to share the latest COVID-19 news, help with verification of stories and ensure reporting is accurate, swift and reliable;
- The [EBU Initiative](#) supported by the European Commission, where 10 public broadcasters will contribute high-quality news content to a digital hub where it will be automatically translated into multiple languages using cutting-edge technology.

Reports related to PSM contribution to democracy:

- [The value of PSM for Democracy and Citizenship](#) report;
- [Public Service Media and News](#)

While we very much appreciate and support the European Commission's activities to promote media freedom and pluralism, including the stepping up of cooperation with the Council of Europe and other international organisations such as the Organisation for Security and Cooperation in Europe, we would also like to emphasize and reiterate some basic principles which in our view should underpin any future work at EU level, whether in the context of the Rule of Law initiative or beyond:

- Independent and well-funded public service media are an essential feature of European democracies and play an important role in promoting European values, including human and fundamental rights and the Rule of Law;
- As confirmed by the Amsterdam Protocol on public service broadcasting in the Member States, it lies within the Member States' competence to adopt their own legal frameworks for the remit, funding and organization of public service media. Part of the rule of law principle is the division of competences between the EU and Member States. This means that it is legitimate to have a diversity of national approaches with regard to the concrete shaping and structuring of national systems, including the governance of PSM. There are different ways of securing independence and pluralism of the media, and the safeguards employed at national level need to be assessed on their concrete effectiveness;
- Freedom and pluralism of the media are fundamental rights within the European Union and beyond. They are protected by the right to freedom of expression and information, and are indispensable for the functioning of democracy and for upholding the Rule of Law. In this context, States also have a positive obligation to ensure the safety of journalists, so as to allow them to exercise their profession in a safe environment, free from physical or verbal threats and harassment;
- Pluralism of the media can be ensured by a combination of measures to support *external* and *internal* pluralism. Whereas a plurality of media organizations with different ownership can guarantee external pluralism, media organizations with internal pluralistic structures or similar safeguards can guarantee internal pluralism, i.e. ensure that the programme output reflects a wide range of different views and opinions in society. When assessing the level of media pluralism in Member States, it is therefore also important to take into account the contribution to media pluralism by independent and pluralistically structured PSM organizations.