

## **P5\_TA(2002)0554**

### **Media**

#### **European Parliament resolution on media concentration**

**Wednesday 20 November 2002**

*The European Parliament,*

- having regard to Articles 43 and 49 of the EC Treaty,
- having regard to Council Directive 89/552/EEC<sup>1</sup> of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, as amended by Directive 97/36/EC<sup>2</sup>, and, in particular, Article 4 thereof which concerns the promotion of the distribution and the production of television programmes,
- having regard to its previous resolutions on this subject of 20 January<sup>3</sup> and 27 October 1994<sup>4</sup>,
- having regard to its resolution of 22 October 1998 on the communication from the Commission: Green Paper on the convergence of the telecommunications, media and information technology sectors, and the implications for regulation<sup>5</sup>,
- having regard to its resolution of 26 September 2002 on an EU action plan for the successful introduction of digital television in Europe<sup>6</sup>,
- having regard to Article 11 of the Charter of Fundamental Rights of the European Union,
- having regard to Protocol 32 of the Treaty of Amsterdam on the system of public broadcasting in the Member States,
- having regard to the forthcoming enlargement of the European Union,

A. whereas the European Union is bound by its treaties to a general and absolute obligation to protect human and civil rights as well as freedom of expression as a fundamental right across the democratic world,

B. whereas the principle of the free flow of information, opinions and ideas, as well as media pluralism, is an indispensable basis for any policy in the media field,

C. whereas the European Union has confirmed its commitment to media pluralism and freedom of information in the Treaty on European Union, the Charter of Fundamental Rights of the European Union (Article 11(2)) and the European Convention,

D. whereas the most recent overview of the internal market in relation to the media and, more specifically, to media pluralism, was presented by the Commission in its 1994 communication on the 'Follow-up to the consultation process relating to the Green Paper on 'Pluralism and media concentration in the internal market – an assessment of the need for Community action' (COM (1994) 353),

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<sup>1</sup> OJ L 298, 17.10.1989, p. 23.

<sup>2</sup> OJ L 202, 30.7.1997, p. 60.

<sup>3</sup> OJ C 44, 14.2.1994, p. 177.

<sup>4</sup> OJ C 323, 21.11.1994, p. 157.

<sup>5</sup> OJ C 341, 9.11.1998, p. 136.

<sup>6</sup> P5\_TA(2002)0454.

E. whereas the use of new technologies and their application (Internet, mobile phone services, digital TV, etc.) and continued growth in advertising have developed considerably over the last ten years,

F. whereas, in the commercial media sector, market and technological evolution, where unregulated, might lead to dangerous concentrations and jeopardise pluralism, democracy and cultural diversity,

G. whereas, with enlargement imminent, a European regulation in this domain appears particularly necessary in order to place democratic principles at the basis of an enlarged Europe,

H. whereas the development of new technology and of new communications and information services should respect and guarantee the maintenance of media pluralism, cultural diversity and democratic values,

1. Calls on the Commission and the Member States to safeguard media pluralism and to ensure that the media in all the Member States are free and diversified;

2. Insists that a European media market should be established to counteract a growing disparity in national anti-concentration rules and stresses the need to secure a level playing field in order to allow for freedom of establishment and freedom to provide services;

3. Calls on the Commission to launch a broad and comprehensive consultation process, in order to assess the development of new technology and new communications, and notably the impact of mergers, alliances and joint ventures on the internal market and media pluralism, as well as the right to freedom of expression and access by all citizens to the services of the information society, especially through the promotion of interoperability, and to examine the coherence of national and European legislation in this field;

4. Calls on the Commission to draw up an updated Green Paper by the end of 2003, setting out those issues, together with the current legal position in the Member States and applicant countries, and likely future developments;

5. Calls on the Commission to complete the examination within this parliamentary term of the political, economic and legal implications of a European-level regulatory framework, or other regulatory options, such as a directive, to safeguard freedom of expression and pluralism in the media and to preserve and encourage cultural diversity and to ensure fair competition in the advertising market;

6. Calls on the Commission to submit to the European Convention an appropriate proposal so that the principle of freedom of the media may be given a stronger basis in the Treaty;

7. Instructs its President to forward this resolution to the Council, the Commission, the Economic and Social Committee, the Council of Europe and the governments and parliaments of the Member States and the applicant countries.