

Proposal

To

The Council of Europe's Steering Committee on the Mass Media

On

The future work within the Council of Europe
in the area of media law & policy

Endorsed By

AMARC (World Association of Community Radio Broadcasters), AMISnet (Agenzia Multimediale di Informazione Sociale) Italy, Bundesverband Freier Radios (Federation of Free Radios) Germany, Cigale FM, France, Cultural Front, Serbia and Montenegro, CNRL (Confédération Nationale des Radios Libres) France, Online/ More Colour in the media - the European network on minorities and the media, O.S.R., Free Radio Station, Belgium, Radio Burundi, Slovakia, Radio FRO, Austria, Radio Jeleni, Czech Republic, Radiokampagne.de, Germany, Radio MARS, Slovenia, Radio Tandem, Italy, UNIKOM, Union nicht-kommerzorientierter Lokalradios, Switzerland, Verband Freier Radios Österreich, Austria

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Public consultation on future Council of Europe activities in the media field

The following proposal has been prepared by representatives of Community Media, the European Third Audio Visual Sector. The proposal follows the outcomes of different meetings, conferences, seminars and forums held in the last year, and in particular the Caucasus Conference on Radio Cooperation, Bakurini, Georgia 2003, the European Social Forum, Paris 2003; the meeting of European AMARC members, Bruxelles 2004 and the FM@dia Forum 04, Prague 2004.

Community Media - the Third Audio Visual Sector:

In Europe there are thousands of community media initiatives, involving tens of thousands of people. Community media are often local, sometimes regional or national initiatives. These media groups are mainly magazines, newspapers, Internet/web-based media, radio and television stations. They are non-for-profit and they all represent the Third Audio Visual Sector alongside national public service media and private commercial media.

There is a multitude of approaches to Community Media - the Third Audio Visual Sector. Nevertheless, there are shared interests and common principles:

- freedom of speech & media plurality
- public and gender balanced access
- cultural diversity
- non-for-profit
- self-determination
- transparency
- promotion of media literacy.

The Third Audio Visual sector is taking an alternative role to profit-oriented corporate, as well as national public service media. By offering an open and public access to the media, freedom and pluralism of expression are guaranteed for all to their most extent.

Community media are committed to contribute to the full participation of communities and civil society in their country of residence, aware of their potential to support their audiences and determined to develop their own media as an effective means of communication to inform the mainstream society and to increase citizens' participation in public life.

Community media empower people, foster and develop local knowledge rather than replace it with standard solutions. Community media are integral parts of community life and provide the means for cultural expression, communication among communities and the civil society, which are often ignored by corporate media and the traditional public service media.

The right to communicate requires affordable access to the means of communication for citizens and communities, that is access to both the means of content production and those of reception and distribution. In the ongoing processes of convergence and commercialisation of media, there is a need for the implementation of measures guaranteeing media equal access. And as freedom of speech nowadays especially means access to all communication platforms, this has to be legally protected and provided.

Referring:

- to the European Convention on Human Rights, 1953, Article 10, which states that everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
- to the Final Act on Security and Co-operation in Europe in Helsinki in 1975, which included the right for minorities to receive media/information in their own language.
- to the Charter of Fundamental Rights of the European Union, Article 11, Freedom of Expression and Information: Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.
- to the Communication from the European Commission on immigration, integration and employment (COM 2003, 336 final) to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions
- to the Resolution 957 (1991)¹ on the situation of local Radio in Europe, CoE
- to numerous European and national conferences, like the Conference of the Council of Europe "Migrants, Media and Cultural Diversity" in Noordwijkerhout 1988, which called upon the governments of European countries to acknowledge the right of migrants and other ethnic groups to receive through the media adequate information appropriate to their needs and to express themselves in the media and to ensure that these rights are enshrined in legislation on the media and in texts laying down the duties of the public sector media.

We therefore ask the Council of Europe to ensure:

- That Community Media, the Third Audio Visual Sector be recognised as a basic public service and that, as such, it be provided for in all European and national media legislation and be ensured 'must carry' status on all relevant communication platforms.
- There be a statutory framework for the implementation of financial support to this sector and specifically, that national governments and European institutions should create a Community Media Fund, to provide start-up and continuing funding on a structural basis.
- Support for the development of free communication flows within European countries through community media
- Support for media which provide a means for expression of minority and regional languages to ensure a plural and grass-root oriented communication
- Support for Europe wide actions, to reduce the digital and communications divide between European countries, as a precondition for a sustainable and balanced development of community media
- Support for free, independent, community media especially where freedom of speech is threatened or in countries where these media are weak or non-existent
- That the radio-frequency spectrum is recognised as a natural resource belonging to all humanity and that should be managed in the public interest as a publicly owned asset through transparent and accountable regulatory frameworks.
- That in all countries peoples should have a right on free basic access to internet services irrespective of their economic status and where they are living.

In particular, we are calling the Council of Europe STEERING COMMITTEE ON THE MASS MEDIA (CDMM) to make the following improvements:

In the draft Resolutions

- include references to the specific and crucial public service role of community media (Resolution 1 art.6, Resolution 2 art.3,4,11,18)

In the draft Plan of Action

- strengthen commitment to protect community broadcasting and existing community networks (SUB 1 , part A, art.1,6)
- strengthen commitment to spectrum allocation for community broadcasting (SUB 2, part B)
- support the principle of Community Media as a basic public service (SUB 2, part C, art.13) and the establishment of a Community Media Fund

The endorsing organisations welcome the proposal to organise an **NGO-FORUM** parallel to the Ministerial Conference on Mass Media Policy in Kyiv, Ukraine, on 10-11 March 2005.

To obtain a clear impression of the 3rd Media Sector and the associated working conditions we would suggest carrying out a **study** of the legal/technical/financial frame of the 3rd Media Sector across the members of the CoE.

As a particular activity of the European Council we would like to propose the adoption of a **Framework Convention on Community Media** enclosing the demands mentioned above.