Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 834 (1978)[1]

Threats to the freedom of the press and television

Parliamentary Assembly

The Assembly,

1. Recalling its Recommendation 747 (1975), on press concentrations ;

2. Reiterating its conviction that freedom of the press and television, as a fundamental component of freedom of expression, is a prerequisite for a democratic political system, and that therefore the Council of Europe must contribute to safeguarding such freedom ;

3. Considering that problems of monopoly, of government interference and of abuse of proprietorial or trade union power raise such serious issues for the defence of freedom of the media that governments and parliaments in Europe should be encouraged to study and put into operation policies designed to assure the maximum freedom of comment for press and television ;

4. Considering that there is an urgent need to bring legislation up to date with technological development in the field of media, notably as far as telecommunication by satellite is concerned ;

5. Aware that press concentrations and monopolies, by reducing the number of newspapers and newspaper groups, especially in the present adverse economic juncture, reduce at the same time plurality of expression ;

6. Aware that government interference (as opposed to state intervention required to protect and promote freedom of information in a democratic society) results in unfair treatment for opposition media, and produces biased information ;

7. Considering that, in a free enterprise system, a mutually satisfactory balance must be found between trade unions' and employers' interests over the introduction of new technologies, which reduce the jobs available to printing workers ;

8. Considering that journalists' trade unions, whose primary task it is to defend their members' professional interests, should perform their duties with special regard to the safeguard of the freedom of expression of individual journalists ;

9. Drawing attention also to the possible influence of advertisers and sponsors on freedom of expression and in particular on the content of newspaper articles and broadcasts ;

10. Welcoming the fact that, in the framework of the intergovernmental programme of the Council of Europe, a committee of experts has special responsibility to deal with questions relating to the mass media ;

11. Aware, however, of the different national conditions in the field of the media, and of the consequent difficulty of elaborating comprehensive legal instruments at the European level,

12. Calls for the enactment of restrictive national legislation on press monopolies and concentrations, recognising that freedom of the press cannot be governed by the rules of free enterprise alone, and providing inter alia for publicity of ownership and balance sheets of newspapers ;

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1. Assembly debate on 27 and 28 April 1978 (7th and 8th Sittings) (see Doc. 4090, report of the Political Affairs Committee). Text adopted by the Assembly on 28 April 1978 (8th Sitting).

13. Recognises that measures of public economic aid to the press may be necessary to assure the financial viability of all newspapers and the very survival of the weaker ones, and that in this respect, without prejudice to existing legislation in certain Council of Europe member states, any form of selective aid should be attributed only by an independent body ;

14. Believes that a pluralistic approach to electronic broadcasting of information should be enhanced by establishing more independent channels, thus breaking up monopolies ;

15. Believes that programme and management independence of state television can be enhanced by the establishment of specialised parliamentary committees and consultative bodies representing various social groups, such as employers' associations and trade unions, viewers' associations, intellectual institutions, authors, artists, actors and consumers ;

16. Calls for the enactment of national legislation, where still missing, governing broadcasts by satellite and by cable, as well as by local radio and television stations ;

17. Believes that statutes for the editorial staff of both written and audio-visual media, to be drafted nationally on the basis of guidelines set by the Council of Europe, could contribute to guaranteeing freedom of expression and information, with particular regard to attempts by the ownership or the trade unions to restrict freedom of comment of the journalists ;

18. Recommends that the Committee of Ministers :

18.1. transmit the above proposals to the Committee of Experts on the Mass Media, with a request that they study them within the framework of their programme ;

18.2. keep the Assembly regularly informed of the progress and results of the work of the Committee of Experts on the Mass Media ;

18.3. until such time as statutes on the mass media have been drafted, invite those governments that supervise the media to take all necessary steps to ensure that all political, social and cultural forces have access to the media on fair and equitable terms.