



19.10.2009

B7-0090/2009 }
B7-0092/2009 }
B7-0093/2009 }
B7-0094/2009 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 110(4) of the Rules of Procedure

replacing the motions by the following groups:

Verts/ALE (B7-0090/2009)

GUE/NGL (B7-0092/2009)

S&D (B7-0093/2009)

ALDE (B7-0094/2009)

on freedom of information in Italy and in the European Union

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on behalf of the S&D Group

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Jeanine Hennis-Plasschaert, Sarah Ludford, Sylvie Goulard, Renate Weber,

Ivo Vajgl, Louis Michel, Olle Schmidt, Johannes Cornelis van Baalen,

Giommaria Uggias, Gianni Vattimo, Vincenzo Iovine, Pino Arlacchi

on behalf of the ALDE Group

Daniel Cohn-Bendit, Judith Sargentini, Raül Romeva i Rueda,

Rebecca Harms

on behalf of the Verts/ALE Group

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on behalf of the GUE/NGL Group

European Parliament resolution on freedom of information in Italy and in the European Union

The European Parliament,

- having regard to the Treaty on European Union, in particular its articles relating to respect for, and the promotion and protection of fundamental rights, and to Articles 6, 22, 43, 49, 83, 87, 95 and 151 of the EC Treaty,
 - having regard to Article 11 of the Charter of Fundamental Rights of the European Union and Article 10 of the European Convention on Human Rights, concerning the freedom of expression and information and the right to media pluralism,
 - having regard to Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities,
 - having regard to the Commission's working document on media pluralism in EU Member States (SEC(2007)0032),
 - having regard to the three-step approach to media pluralism defined by the Commission and to the independent study carried out by Katholieke Universiteit Leuven – ICRI, Central European University – CMCS and Jönköping International Business School – MMTC, together with a consultancy firm, Ernst & Young Belgium, on behalf of the Commission and finalised in 2009,
 - having regard to its resolution of 25 September 2008 concentration and pluralism in the media in the European Union¹,
 - having regard to its resolution of 22 April 2004 on the risks of violation in the European Union and particularly in Italy of freedom of expression and information²,
 - having regard to the statements by the Commission and the debate held in the European Parliament on 8 October 2009,
 - having regard to Rule 110(4) of its Rules of Procedure,
- A. whereas the European Union guarantees and promotes freedom of expression and of information, as enshrined in Article 11 of the Charter of Fundamental Rights and Article 10 of the European Convention on Human Rights, for which media freedom and pluralism are an essential prerequisite, and whereas these rights include freedom to express opinions and freedom to receive and communicate information without interference or pressure from

¹ Texts Adopted, P6_TA(2008)0459.

² OJ C 104 E, 30.4.2004, p. 1026.

public authorities,

- B. whereas, despite repeated calls by Parliament for a directive on information pluralism and media concentration, the Commission did not include these issues in the scope of the revision of the 'TV without Frontiers' Directive, committing itself instead to define a specific three-step roadmap on this issue, consisting of the elaboration of a working document (issued in 2007), the definition of indicators on the level of pluralism (contained in an independent study, issued in July 2009) and a proposal for a communication on these indicators (scheduled only for 2010),
- C. whereas Parliament has repeatedly invited the Commission, through several resolutions, to promote actions to guarantee pluralism and address the problem of media concentration, to issue an urgent communication on the protection of pluralism of the media and media concentration in Member States and to urgently complete the regulatory framework with a proposal for a directive on the same issues, based on the legal basis that the Treaties clearly provide,
- D. whereas there are signs that media pluralism is under attack in several Member States; whereas Freedom House has placed Italy in 73rd place and has also mentioned the critical situation in Romania and Bulgaria in its annual Report on the Freedom of the Press; whereas the High Representative of OSCE for Media Freedom also expressed concern on the situation in Italy in a letter addressed on 20 September to Italian authorities, as well as the National Federation of the Italian Press,
- E. whereas concerns have grown in Italy over the last few months owing to the enduring conflict of interests with reference to the Prime Minister's media ownership and political control of both major private and public media, including control over how advertising resources are allocated; whereas the government has been heavily interfering in the public television broadcasting service, particularly in relation to the definition of programmes, the appointment of directors, editors and journalists, with an impact on media pluralism, as stated by the main media monitoring institute in Italy, the Monitoring Centre of Pavia; whereas, the Italian Prime Minister has been filing lawsuits against Italian and European newspapers and recently requested that the European Commission spokespersons refrain from giving any information,
1. Is convinced that the freedom to receive and communicate information without interference from public authorities is a fundamental principle upon which the European Union is based and an essential element of democracy, as is media pluralism, both being enshrined in Article 11 of the Charter of Fundamental Rights; reiterates that the European Union has a political and legal obligation to its citizens to ensure - in the areas of its competence - that these rights are respected;
 2. Considers necessary to address any anomaly represented by the conflicts of interests between political, economic and media power and by the concentration of direct or indirect control over public and private media, and underlines the need to ensure in all Member States that public operators are independent and not subject to interference by governmental authorities;
 3. Is particularly concerned about the situation in Italy, and considers that this could have consequences for Europe as a whole and that a lack of action by the EU would weaken its

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credibility in setting fundamental rights benchmarks in external relations as well as in the accession process;

4. Deplores the pressure and intimidation directed at Italian and European newspapers by Italian governmental authorities, endorses the call by the OSCE Representative upon the Italian authorities to stop this pressure, and considers undue any interference by public authorities with freedom of information aimed at controlling the public TV broadcasting service;
5. Reaffirms, in this respect, that the EU's legislative framework on media pluralism and media concentration is still inadequate and that there is therefore an urgent need for the European Union to make use of its competences referred to policies in the fields of the internal market, audiovisual policy, competition, telecommunications, State subsidies, public service obligation and fundamental rights of citizens, in order to define at least the minimum essential conditions that all Member states must respect to ensure, guarantee and promote freedom of information and an adequate level of media pluralism; in this context, asks the Commission to investigate the risk of media trusts and concentrations in the EU;
6. Urges the Commission, as a matter of urgency, to issue a proposal for a directive on media concentration and on the protection of pluralism, with the full involvement of the future Commissioner in charge of fundamental rights, after having previously defined in a communication a set of appropriate indicators for determining levels of information pluralism and independence of public service media, as requested several times by Parliament and as announced by the Commission itself;
7. Instructs its competent committees and the Fundamental Rights Agency to follow up the matter and report back to plenary on freedom of information, media concentration and media pluralism in the EU;
8. Instructs its President to forward this resolution to the Council, the Commission, the Council of Europe, the governments and national parliaments of Member States, the Fundamental Rights Agency and the OSCE.