Community Media in EU Communication Policies
(2004-2008)

Núria Reguero Jiménez, Institut de la Comunicació InCom-UAB, Spain

Julián Sanmartín Navarro, Institut de la Comunicació InCom-UAB, Spain

Abstract

Community Media in the European Union is a thriving, diverse sector that goes some way to meeting the main regional policy objectives for communication and culture: the promotion of media diversity and active citizenship, or the endorsement of freedom of expression and access to information. Although there are no specific regulations governing Community Media, interest among EU institutions is increasing, as shown by the study *The State of Community Media in the European Union* (2007), commissioned by the European Parliament. This study defines Community Media as non-profit organisations owned by or accountable to the community they serve, and it emphasises the importance of the sector's legal recognition – especially in the context of the transition towards digital broadcasting – to enable them to fulfil their societal contribution.

This article examines EU communication policies directly or indirectly touching on Community Media. The analysis is based on European communication policy guidelines (the regulatory framework, the support mechanisms at European level to complement national systems, the MEDIA programme, the distribution of audiovisual content on electronic networks and media pluralism, and external measures protecting European cultural interests) and is supplemented by information obtained through direct contact with European Commission and European Parliament members.

Introduction

The first attempts to shape a European Union (EU) audiovisual policy began with the expansion of satellite broadcasting and the idea of creating a common market for broadcasting[1]. The audiovisual industry is also a key EU issue since it provides significant opportunities for financial investment and employment. Furthermore, the EU is committed to protecting media pluralism as an essential pillar of the right to freedom of expression and information enshrined in Article 11 of its Charter of Fundamental Rights[2]. Media pluralism has been a subject of debate since the early 1990s, and discussion within EU institutions on this issue has increased in recent years. For the very first time, Community Media (CM) activity is taken into account in that debate. CM can be distinguished from commercial media by the fact that they are not profit-making but purely social, linked with the community they serve.

---

[1] European Comisión: http://ec.europa.eu/avpolicy/reg/history/index_en.htm

[2] Commission Staff Working Document on Media Pluralism in the Member States of the European Union (SEC(2007) 32), from http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/media_pluralism_swp_en.pdf [Accessed: 26/08/2008]

In particular, the European Parliament has adopted the *Resolution of 25th September 2008 on protecting Community Media in Europe*[3], the first dealing specifically with this issue at EU level. It considers their activity as a bottom-up solution to promote pluralism and other democratic rights, such as the participation of citizens in the public sphere. Despite the Parliament's resolution is not binding regulation it could represent a watershed on CM's legal status, specifically within the Member States where the sector is not regulated -as Austria or Portugal (European Parliament, 2006:16)- and where the access to the radio spectrum is almost impossible (Spain). Indeed, the *The State of Community Media in the European Union* study (2007), enhanced also by the EP, states that CM goals coincide with a range of different EU policy objectives which, at the same time, could have an influence on that sector.

This article aims to analyse EU policies directly or indirectly relating to CM over a period spanning the 6th European Parliament legislature (from 2004 to September 2008[4]). Specifically, the research focuses on the activities of the European Commission (EC) (Audiovisual and Media; Culture) and the European Parliament (EP) (Committee on Culture and Education). Questions put to EP and EC policy-makers complete the results. Finally, since EU policies are highly related to those of other pan-European organisations like the Council of Europe (CoE), the World Association of Community Broadcasters (AMARC), the Community Media Forum Europe (CMFE) or the UNESCO, this article refers briefly to them.

As a final point, it is important to bear in mind the application of the subsidiarity principle to audiovisual policy, meaning that each national government enacts its own laws, while the EU sets rules and guidelines on common interests.

1. Why Community Media Matters

Senecal (1986:17) defined not-for-profit media as spaces where it is possible to directly exercise the right of expression and seek alternatives to the dominant logic of communication systems. The not-for-profit media sector is very diverse depending on the historical context where it operates and can involve students, women and minority or rural media initiatives among many others. Some authors have theorised on specific concepts like, for example, "alternative" media (Aton), "radical" media (Downing), "citizens' media" (Rodriguez) (Council of Europe, 2008:12) or "ethnic minority media" (Riggins, 1992). Others have

---

[3] European Parliament resolution of 25 September 2008 on Community Media in Europe (2008/2011(INI)) from
    http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0456+0+DOC+XML+V0//EN&language=EN [Accessed: 03/10/2008]
[4] When finishing this article.

focused on the definition of "Community Media". At the same time, CM and the range of initiatives mentioned before can be grouped under the concept "Third Sector Media"[5].

According to Jankowsky (2002), CM are not-for-profit organisations characterised by accomplishing not one but several functions, such as offering useful information to community members and promoting their participation in public communication. These media's ownership and control is shared by residents, local government and community organisations, the content is produced by volunteers and non-professional people, and financing is mainly non-commercial, even though they can have sponsors, advertising revenue and institutional funding. Many CM activities as we know them today first appeared in Latin America in the 1940s, through press initiatives run by non-professionals addressing specific target communities. Activities such as these began in Europe between the 1960s and 1970s. In the 1980s, along with the liberalisation of the EU public broadcasting sector, Community Media were granted a legal status in some countries, the prerequisite for gaining a licence.

Nowadays, Community Media activity, regulation and financial support all vary greatly throughout the European Union. The sector is more dynamic in central Europe than it is in Eastern Europe. According to the Council of Europe report *Promoting Social Cohesion. The Role of Community Media* (2008), the European countries where Community Media are most developed are the Netherlands, Germany, France, Ireland, Denmark, the United Kingdom and Hungary. In opposition to this, Community Media activity is either limited or non-existent in Slovenia, the Czech Republic, Romania, Slovakia, Finland, Greece, Malta and Estonia. This distribution clearly underscores the influence of the historic and political context of the sector's development. In order to get a better understanding of the features of Community Media activity and to put the focus of related policies into context, we shall analyse the policies and describe the most developed cases: the Netherlands, Germany and France (European Parliament, 2007).

With regard to the Netherlands, in 2008, there were more than 260 radio stations and 120 television stations in the Community Media sector. These media are recognised by the authorities as part of local public service media. Cable television operators must carry community television channels. This country has one of the densest networks of this type of medium, with an average of one per 60,000 inhabitants. This is the reason why very few new licences are granted (Peissl; Tremetzberger, 2008). Local authorities receive a percentage of tax revenue allocated to public media from central government, although some community stations claim that they have not benefitted from it. The Dutch association for local broadcasting OLON offers services to the country-wide Community Media sector thanks to support from the government, member fees (there are around 300 members) and income from services provided. In

---

[5] Some organizations as the Social Communication Assembly (ACS) (http://okupemlesones.org/joomla/index.php/intro.html) or the Spanish State Network of Community Media (REMC) (http://www.medioscomunitarios.net), use the concept Third Sector Media to refer to the wide range of "free-independent-community media"(Clua, A.; Fernández, M.; García, J., 2006:5).

2003, there were 304 Community Media and open channel[6] initiatives in Germany. Political regulation varies depending on the decisions taken by each federal state, which grant public subsidies to projects applying for them. In Lower Saxony, for example, the conditions for obtaining licences have become much stricter in recent years (Peissl; Tremetzberger, 2008: 4). Despite that, this federal state is one of the European regions that allocates the most public subsidies to these media. Germany does not, however, have a national association for the sector; these associations are organised at federal state level. With regard to France, Community Media have been legally recognised since 1982. Public subsidies allocated to these projects through funds to support radio expression (FSER) come from a percentage of the profits that generalist media make from advertising. As far as associations are concerned, French Community Media have a national free radio organisation (SNRL) and an associative radio national council (CNRA).

Up to now, the main EU act concerning this sector is the Parliament's *Resolution of 25th September 2008 on protecting Community Media in Europe*[7], which defines CM as "media that are non-profit and accountable to the community that they seek to serve", opened to participation in content. The text distinguishes this group within the media sector from commercial and public media (Art. 15). It also explains that the societal contributions of CM are:

- To strengthen cultural and linguistic diversity, social inclusion and local identity. CM can promote identities and at the same time engage different social groups; for instance, they contribute towards the integration of migrants
- To act as a catalyst for local creativity and improving citizens' media literacy
- To help to bring the EU closer to its citizens by addressing specially targeted audiences
- To contribute to attainment of the core objectives of the EU. For instance, CM can contribute to policies relating to Equality and Non-Discrimination as they serve disadvantaged ethnic minorities
- Possibly to provide the only source of local news in the light of the tendency by commercial media to reduce local content, and to help to strengthen media pluralism given that they provide additional perspectives

In conclusion, the European Parliament is banking on CM as a bottom-up solution to protect media pluralism and social cohesion which complements the public and the commercial broadcasting societal contributions. Next, the policies on CM by EU institutions and other organizations are analyzed.

---

[6] German open channels are public authority structures aimed at encouraging free speech among citizens. In many cases, the only difference between open channels and Community Media is their ownership.

[7] See note 3.

2. EU regulation on Community Media

2.1. European Parliament (EP)

From 2007, the Committee on Culture and Education (COMM CULT) – responsible for audiovisual, information and media policy, and the cultural and educational aspects of the Information Society – has featured as a crucial EU body supporting CM. Through the COMM CULT, the Member of the European Parliament (MEP) Karin Resetarits (Alliance for Liberal and Democrats in Europe, Austria), commissioned the *The State of Community Media in the European Union* (2007) study. It is relevant not only for being the first of its type within the main EU institutions but also for preceding the *Parliament's Resolution of 25th September 2008 on protecting Community Media in Europe*. At the same meeting, the EP also adopted the *Resolution on Concentration and Pluralism in the Media in the European Union*[8], which recommends state aid to CM so that they can fulfil their function in a dynamic environment.

2.1.1. The State of Community Media in the European Union Study

The study, presented on December 2007, stresses the appropriateness of CM for EU policy implementation. It is important to note that it was commissioned after the negative results of voting on the European Constitution, which gave to rise some complaints about the detachment of EU institutions from its citizens and insufficient transparency[9]. As a result, the EP is now banking on CM to act as a significant element of the EU's communication strategy and of the attainment of the Lisbon objectives (basically, a knowledge-based economy, boosting research and development, investing in human resources and combating social exclusion, adapting to changes in the information society, making the radio spectrum available to boost innovation in ICT and achieving a flexible and more efficient use of it)[10].

Based on 36 surveys of European States, the document shows that there is a high degree of CM heterogeneity depending on each Member State's history and media regulation. It describes CM contributions of public interest (media pluralism, social inclusion and local empowerment, cross-cultural dialogue, etc.) and examines how the sector meets EU policy objectives. It also stresses the opportunity of the switch-over from analogue to digital media broadcasting to cater for diverse audiovisual needs by

---

[8] European Parliament Resolution of 25 September 2008 on Concentration and Pluralism in the Media in the European Union, from
http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2008-0459+0+DOC+XML+V0//EN [Accessed: 12/10/2008]
[9] Question put to the member of the **Socialist Group in the European Parliament**, Maria Badia. 18/04/2008
[10] See: Lisbon Strategy, from http://europa.eu/scadplus/glossary/lisbon_strategy_en.htm [Accessed: 19/09/2008]

using the radio spectrum more efficiently: it states the "need to take account of the specificities of community media" (European Parliament, 2007: 28), in addition to asking for more transparent and accountable regulation.

As a result of this study, the Parliament invited the Commission to propose specific measures. In particular, the rapporteur Resetarits wanted the EC and Member States to recognise the societal contributions of CM: "Alternative media does not result in isolating people, on the contrary, they allow a community to integrate, informing them on their rights, especially in the area of education and access to public services but also promotes citizens to take part in active life and listens to their problems and concerns. This type of media is a community tool and serves as a cultural and social integration project"[11].

2.1.2. European Parliament Resolution on Protecting Community Media

The European Parliament adopted the *Resolution of 25 September 2008 on Community Media in Europe* responding to the COMM-CULT *Report on protecting Community Media in Europe* of 24/06/2008[12]. Stressing that none of the relevant EU legal texts addresses the CM issue, the Parliament requests to the Commission and to the Member States to consider this Resolution when defining CM in their regulation as a not-for-profit sector, accountable to the community they serve and opened to participation on the content production. The text calls for spectrum availability, both analogue and digital (bearing in mind that the Community Media service is not to be assessed in terms of the justification of the cost of spectrum allocation, but rather in terms of the social value it represents), and for EU funding.

Despite the Commission's collaboration, the MEP K. Resetarits does not imagine this body recognising CM as a third sector media pillar at this time (September 2008)[13]. Meanwhile, the promoter of the EP study and report on CM, encouraged the sector to constitute a network to lobby within the EC. However, Resetarits hopes that CM will be recognised as a means of promoting pluralism in the Commission's *Communication on the Indicators of Pluralism in the Media* (to be published in 2009).

---

[11] Press Release, CULT: Culture and Education. 03/06/2008, from http://www.alde.eu [Accessed: 19/06/2008]
[12] European Parliament's Report of 24/06/2008 on protecting Community Media in Europe (2008/2011(INI)), from
http://www.europarl.europa.eu/sides/getDoc.do?type=REPORT&reference=A6-2008-0263&language=EN&mode=XML [Accessed: 06/2008]
[13] Question put to the Member **of the Group of the Alliance of Liberals and Democrats for Europe's** Bureau, K. Resetarits' [21/08/2008]

2.2. European Commission (EC)

During the 6th legislature, the European Commission has enhanced the debate on the need for EU action in the field of media pluralism[14]. As the third part of the institutional triangle that manages and runs the EU, the Commission has to ensure that regulations and directives adopted by the European Council and the European Parliament are being implemented in Member States. Four types of action are used to implement audiovisual and media policies: the regulatory framework, consisting of the *Audiovisual Media Services Directive* (AVMSD); the recommendations on the *Protection of Minors in an On-line Environment* and *European Film Heritage*; support mechanisms (the *MEDIA programme)*; and other actions regarding the distribution of audiovisual content over electronic networks (*Content On-line* and *Media Literacy*) and *Media Pluralism* (Media Task Force)*.*

According to the Legal Officer of the DG Information Society and Media, Pierre-Yves Andrau, the Commission shares the Parliament's concern to provide better visibility for CM as a means of achieving social cohesion in EU democracies: "We totally support the elements of the definition which are provided and welcome the effort to set out the key elements of Community Media in an objective way. This will help the Member States to refine their own conceptions of Community Media according to their respective culture and political situations"[15]. Nevertheless, CM issue is not in the Commission's agenda, a reason why Andrau strongly believes that the introduction of a code of practice and self-regulation would be an asset.

Furthermore, at the beginning of the 6th European Parliament legislature, the EC established a Task Force for Coordination of Media Affairs (2004) within the new Directorate-General for Information Society and Media. The "Media Task Force" is committed to supporting the key objectives of the revised Lisbon strategy – specifically in the media industry – and to observing and protecting diversity and pluralism in the media as an essential pillar of the rights to information and freedom of press. The Task Force could be a route of entry to get CM on the Commission's agenda.

---

[14] Further documents about media pluralism were published during the 1999-2003 legislature and the previous one. Such as the European Parliament resolution on the risks of violation, in the EU and especially in Italy, of freedom of expression and information (Article 11(2) of the Charter of Fundamental Rights) (2003/2237(INI)) or the Green paper on services of General Interest COM (2003) 270, 21.5.2003.

[15] Question put to the Legal Officer of the Directorate-General for Information Society and Media (European Commission), Yves Pierre-Yves Andrau, 17/0/10/2008.

2.2.1. Task Force for Coordination of Media Affairs. Media Pluralism

The Media Task Force, set up by commissioner Viviane Reding, responds to the Liverpool Audiovisual Conference (2005) agreement relating to continuing political concerns about media concentration and its possible effects on pluralism and freedom of expression[16]. Departing from the consideration that the media are not just a sector of the economy like any other, in January 2007 a three-step plan was launched:

1) The publication of the *Commission Staff Working Paper on Media Pluralism in the Member States of the EU* (2007)[17], which outlines efforts to promote pluralism by third parties and organisations – notably the essential work undertaken by the Council of Europe. The paper uses a notion of media pluralism much broader than media ownership, implying all measures that ensure citizens' access to a variety of information sources "in order to form their opinion without the undue influence of one dominant opinion-forming power" (p.5). It refers, for instance, to the extended use of news agencies, which implies content homogenisation of different media. Even though it refers to internal pluralism, CM are not taken into account in the document: "Both public service and commercial broadcasters contribute to media pluralism and this dualism itself further strengthens pluralism" (p.12). On the other hand, despite confirming the political and/or economic actors' influence on media coverage in all Member States (p.6), the paper considers that few players in a small market may not in itself threaten media pluralism and it underlines the paradox that a market share (concentration) may be helpful for funding certain types of programming considered important for pluralism (such as investigative journalism). Confronting these statements with the absence of alternative and/or grassroot-produced communication channels – as CM-, it can be considered that the paper maintains the imbalance created by the predominance of financial interests over participatory ones.

2) An independent study on media pluralism to define and test specific indicators for media pluralism in EU Member States (published when closing this article)[18].

3) A Commission *Communication on the Indicators for Media Pluralism in the EU Member States* (to be published in early 2009), based on a broad public consultation[19].

---

[16] For further information visit Media Pluralism. Task Force for Co-ordination of Media Affairs
http://ec.europa.eu/information_society/media_taskforce/pluralism/index_en.htm [Accessed: 26/08/2008]

[17] Commission Staff Working Paper on Media Pluralism in the Member States of the EU (SEC(2007)32), from
http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/media_pluralism_swp_en.pdf [Consulted: 26/08/2008]

[18] The study *Indicators for Media Pluralism in the Member States – Towards a Risk-Based Approach* (European Commission, 2009), published in April 2009, recognizes the important role in fostering cultural media pluralism played by minority and community media.

2.2.2. The Media Literacy Expert Group

One of the main pillars of the Audiovisual and Media division is Media Literacy. Even though CM are not in the Media Literacy Expert Group's spot light, they are taken into account by the Commission's Communication *A European approach to media literacy in the digital environment* (European Commission, 2007)[20]. Although the Internet is the main focus, the Communication states that the approach to media literacy should relate to all media, from newspapers to virtual communities. Indeed, two of the main objectives address CM, one directly and the other indirectly:

- The objective of promoting the acquisition of audiovisual media production and creativity skills is exemplified by the Community Media Network[21] (Ireland) as a promoter of community development and empowerment, using video, radio, photography, print and the Internet as resource tools. It is also exemplified by FILM-X[22], the Danish Film Institute's computer-based, interactive film studio that gives people a chance to experience different ways of communicating through film (p.7).
- The other goal is to actively use media to better exploit their potential for entertainment, access to culture, intercultural dialogue, learning and daily-life applications (p.4).

CM are mentioned also as an example of good practices of media literacy activity on the study *Current Trends and Approaches to Media Literacy in Europe* (2007).

Other legislative acts from 2004 to 2008 referring tangentially CM are the *Communication on accelerating the transition from analogue to digital broadcasting (COM(2005) 204 final)*[23] and the *White paper on a European communication policy (COM(2006) 35 final)*[24] along with the *Report on the White Paper on a European communication policy (2006/2087(INI)*[25]. Before analysing them it is worthwhile mentioning the

---

[19] This is the Communication that K. Resetarits expects to refer to Community Media.

[20] Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions of 20 December 2007 - A European approach to media literacy in the digital environment (COM(2007) 833), from http://ec.europa.eu/avpolicy/media_literacy/docs/com/en.pdf [Accessed:09/09/2008]

[21] http://www.cmn.ie

[22] http://www.dfi.dk/filmx/film-x.htm

[23] Communication of 24 May 2005 from the Commission to the Council, the European Parliament, the European Economic and Social committee and the Committee of the Regions on accelerating the transition from analogue to digital broadcasting (COM(2005) 204 final), from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2005:0461:FIN:EN:PDF [Accessed: 02/5/2008]

[24] White paper on a European communication policy (COM (2006) 35 final COM(2006) 35 final, from http://europa.eu/documents/comm/white_papers/pdf/com2006_35_en.pdf [Accessed: 03/07/2008]

[25] Report on the White paper on European communication policy with citizens from http://www.europarl.europa.eu/oeil/file.jsp?id=5329222 (Accessed: 19/09/2008)

main EU act regulating the media sector, which is the Audiovisual Media Services Directive (2007/65/EC)[26]. Approved in December 2007 as amending the former "Television without Frontiers" Directive (1989), the new law does not deal with CM despite reaffirming media pluralism and "the objective of cultural diversity"[27], as well as the fight against racial and religious hatred, and the protection of minors as the pillars of Europe's audiovisual model. Finally, it is pertinent to recall the second cornerstone of EU audiovisual policy, the MEDIA Programmes, jointly run by the DG Information Society and Media and the Education, Audiovisual and Culture Executive Agency[28]. Even though some CM initiatives have applied for these funds, they actually focus on training professionals in the film and audiovisual industry:

1) Communication on Accelerating the Transition from Analogue to Digital Broadcasting **-** This Communication aims at presenting EU priorities concerning radio spectrum availability in the context of the digital switch-over, an issue which is equally as political as it is technical[29]. The usage of the "spectrum dividend", the one available at the end of the switch-over process (2012), should be decided over the next four years. In practical terms, the market demand should determine the best usage of the spectrum dividend according to this text. Nevertheless, to avoid that the switchover creates distortions in markets underpinned by spectrum availability, the text calls the Commission to foster a debate in the Radio Spectrum Policy Group and the European Regulators Group to analyze the regulatory implications of the re-farming of the spectrum dividend. This debate is crucial for the continuity of CM activity in some Member States where their access to the spectrum is almost impossible, for instance Spain.

2) White paper on a European communication policy and Report on the White Paper on a European communication policy - CM could be a new key actor on the new EU political communication's strategy as it is shown on the EP's *Report on the White paper on European communication policy with citizens (2006/2087 (INI))*, which recommends "considering alternative media as a means of communication" (p8). Indeed, the Report responds the sector's absence on the previous EC's *White Paper on a European Communication Policy (COM(2006) 35 final)*, aiming at closing the gap between the EU and its citizens. Besides the right to information and freedom of expression,

---

[26] 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, from http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2007:332:0027:0045:EN:PDF [Accessed: 07/09/2008]

[27] In the Preamble of the Directive 2007/65/EC, paragraph (5) states that AVMSD respects principles of Protection and Promotion of the Diversity of Cultural Expressions (2006/515/EC)]. It also considers the equity of economic and cultural aspect of audiovisual media services (Preamble, paragraph (1))

[28] For further information visit European Commission, MEDIA Programe. http://ec.europa.eu/information_society/media/overview/2007/index_en.htm

[29] Commission Staff Working Paper. Media Pluralism in the Member Status of the European Union. p.13.

the White Paper states that the new EU communication strategy will be based on the on the principles of inclusiveness, diversity on the public debate and citizens' participation.

3. World and pan-European Organisations

Those European policies are also consequence of the organizations' work on CM. Over the last years, the most active European body supporting CM has been the Council of Europe (CoE)[30]. In 2004 the CoE adopted the text *Integration and Diversity: The New Frontiers of European Media and Communications Policy*[31], which in its second Resolution resolved to promote linguistic and cultural diversity in the media paying attention to minority groups and "minority community media" (art. 6), and transnational media concentrations in Europe[32]. In January 2007 its Committee of Ministers adopted the *Declaration of the Committee of Ministers on Protecting the Role of the Media in Democracy in the Context of Media Concentration*[33], which stresses that policies designed to encourage the development of not-for-profit media can help to promote pluralism (art.V), and the *Recommendation CM/Rec (2007)2 of the Committee of Ministers to member states on media pluralism and diversity of media content*[34], recommending to the Member States encourage the development of other media as "community, local, minority or social media" (art. 4th). It also states that these media can serve as a factor of social cohesion and integration. In 2008 the CoE published the studies *Promoting Social Cohesion. The Role of Community Media* (by Peter Lewis), which describes existing measures to support third sector media -highlighting the role it plays in social cohesion, especially for minority ethnic, migrant and refugee communities[35].

CM is one of the projects – within the promotion of freedom of expression and media pluralism, and human resource development areas[36] – of the UNESCO[37] International Programme for the Development of

[30] Constituted in 1949, the Council of Europe (CoE), represents 47 States with the aim of enhancing Human Rights, democracy and Individual protection and development. Its political action addressed to the EU is not binding.

[31] Integration and Diversity: The New Frontiers of European Media and Communications Policy. Adopted by the CoE at the 7th European Ministerial Conference on Mass Media Policy (Kyiv, Ukraine, 10-11 March 2005). [On-line:] http://www.coe.int/T/E/Com/Files/Ministerial-Conferences/2005-kiev/texte_adopte.asp [Accessed: 26/08/2008]

[32] Transnational Media Concentrations in Europe (AP-MD(2004)007). [On-line:] http://www.mainzer-medieninstitut.de/PDF_AP-MD(2004)007.pdf [Accessed: 10/09/2008]

[33] Declaration of the Committee of Ministers on Protecting the Role of the Media in Democracy in the Context of Media Concentration. [On-line:] https://wcd.coe.int/ViewDoc.jsp?id=1089615 [Accessed: 20/02/2008]

[34] *Recommendation C;/Rec (2007)2 of the Committee of Ministers to member states on media pluralism and diversity of media content,* from https://wcd.coe.int/ViewDoc.jsp?id=1089699 [Accessed: 26/08/2008]

[35] The *Declaration of the Committee of Ministers on the role of community media in promoting social cohesion and intercultural dialogue* (Council of Europe, 2009) recommends the recognition of community media in national legislations and the granting of funding and frequencies, besides recalling the importance of a wide variety of free and independent media as a ways of improving democratic societies.

[36] UNESCO web site. International Programme for the Development of Communication. http://portal.unesco.org/ci/en/ev.php-URL_ID=13270&URL_DO=DO_TOPIC&URL_SECTION=201.html

Communication (IPDC), committed to improving the free flow of information in developing countries. UNESCO is also working on the publication *101 Ways to do Community Media* and *Community Multimedia Centres around the World: A Global Directory*[38]. Another significant document, signed by the UN Special Rapporteur on Freedom of Opinion and Expression with other international organisations, is the *Joint Declaration on Diversity in Broadcasting*[39], stating that CM should be explicitly recognised by law as a distinct form of broadcasting from public and commercial broadcasting, which should benefit from simple licensing procedures, concessionary license fees and access to advertising.

Furthermore, the UNESCO *Convention on Cultural Diversity* (2005) can act as the legal basis for lobbying in favour of CM. Even though media is not among its main features, one of the duties for the Convention's implementation is to compile best practices to enhance their recognition and exchange[40].

CM also counts with a well organized civil society. In operation since 1983, the international non-governmental organisation World Association of Community Broadcasters (AMARC)[41] serves community radios in more than 100 countries. At the World Press Freedom Day 2008, AMARC published the *Principles for a Democratic Legislation on Community Broadcasting*, aimed at establishing a reference framework for the elaboration and implementation of community broadcasting regulation. In September, in conjunction with UNESCO and the Swiss Agency for Development and Cooperation, it published *Fighting Poverty: Utilising Community Media in a Digital Age* based on contributions to a round table held during the World Conference on Communications for Development. At present, the association is working on the publication *Women Empowerment and Good Governance through Community Radio*.

Since November 2007, the Community Media Forum Europe (CMFE)[42] has been working as a platform for dialogue and discussions with EU institutions and the Council of Europe as a way to obtain recognition of CM as a third media sector alongside public service and private commercial broadcasters.

---

[37] From its creation in 1945, the United Nation Educational, Scientific and Cultural Organisation (UNESCO) mission has been the protection and promotion of Justice, Human Rights and fundamental freedoms recognised by the Charter of the United Nations. Although its policy is not binding, the *Convention for the protection and promotion of cultural expressions* (UNESCO, 2005) has been the first international treaty adopted by the EU as a political entity.

[38] Report of the Moderator of the Sub-Group on Community Media WSIS Action Line C9 Media (Geneva, 21 May 2008). P.4 from, http://portal.unesco.org/ci/en/files/26811/12113578163C9-2008-SGCM-final.pdf/C9-2008-SGCM-final.pdf [Accessed: 02/09/2008]

[39] UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media, the OAS Special Rapporteur on Freedom of Expression and the ACHPR (African Commission on Human and Peoples' Rights) Special Rapporteur on Freedom of Expression and Access to Information. *Joint Declaration on Diversity in Broadcasting*. Adopted during the *Global Campaign for Free Expression* on 7-8 December, Amsterdam, from http://www.osce.org/documents/rfm/2007/12/28855_en.pdf [Accessed: 03/01/2008]

[40] Valérie Panis-Cendrowicz, European Commission. Cultural Policy and Intercultural Dialogue Unit. Videoconference held on the "Cultural Diversity 2030" seminar. Barcelona: U40 Capacity Building, 19-20/09/2008. see: http://unesco.de/2648.html?&L=1

[41] AMARC: http://www.amarc.org

[42] CMFE: http://www.cmfe.eu/

4. Final reflections

Even though it is finally a Member State's own responsibility to develop a legal status for CM and to take them into account as a bottom-up solution for increasing media pluralism, regulation at a European level could act as a precedent in order to improve the situation. The acts analysed in this article, specially the European Parliament's *Resolution on Protecting Community Media* – which should now become law – signify a watershed as regards the legal status of CM. Moreover, the ongoing debate on media pluralism is shaping both a context and a legal framework to ensure that CM are taken into account. According the acts' analysis, the activities of these media can be justified on the basis of pluralism and freedom of expression, a broader field than the communication policies. Furthermore, the UNESCO *Convention on the Diversity of Cultural Expressions* can also act as a legal basis for CM recognition, because -despite being a national issue- recognising and exchanging best practices on culture and communication are the core processes stemming from the text's application and CM respond to that demands (acting as a platform for enhancing pluralism and diversity in the public sphere or promoting citizen participation, etc.). At this point it is crucial for organisations like AMARC and the CMFE to keep lobbying in order to turn the current debate on media pluralism into CM legislation.

Finally, the negative results of last European Constitution elections seem provide EU institutions with food for thought in relation to CM. Indeed, the inclusion of CM in the European Union's political communication strategy may be the bargaining chip of these media to gain EU support.

References

Clua, A.; Fernández, M.; García, J. (2006), "Medios sin ánimo de lucro en la regulación del audiovisual – El caso de España: del vacío legal al espacio marginal", ULEPICC - I Congreso Nacional de Pensamiento Crítico, Comunicación y Cultura, Sevilla, 17 de November 2006

Council of Europe (2008), "Promoting social cohesion. The role of community media", http://www.coe.int/t/dghl/standardsetting/media/Doc/H-Inf(2008)013_en.pdf , accessed: 03/10/2008

Council of Europe (2009), "Declaration of the Committee of Ministers on the role of community media in promoting social cohesion and intercultural dialogue", https://wcd.coe.int/ViewDoc.jsp?id=1409919&Site=COE&BackColorInternet=DBDCF2&BackColorIntranet=FDC864&BackColorLogged=FDC864, accessed: 05/2009

European Commission Media Literaly Expert Group (2007), "Current Trends and Approaches to Media Literacy in Europe", Barcelona, Autonomous University of Barcelona, http://ec.europa.eu/avpolicy/media_literacy/docs/studies/study.pdf , accessed: 04/2008

European Commission (2009), "Indicators for Media Pluralism in the Member States – Towards a Risk-Based Approach", Leuven Katholieke Universiteit, http://ec.europa.eu/information_society/media_taskforce/doc/pluralism/pfr_report.pdf , accessed: 05/2009

European Parliament (2007), *The state of community media in the European Union*, Brussels, European Parliament, http://www.europarl.europa.eu/activities/expert/eStudies.do?language=EN , accessed: 12/2007

Fuller, L. (ed.) (2007), *Community media: international perspectives*, New York, Palgrave

Jankowsky, N. (ed.) (2002), *Community media in the information age*. *Perspectives and prospects,* New Jersey, Hampton Press

Peissl, H., Tremetzberger, O. (2008), "Community media in Europe: the legal and economic framework of the third audiovisual sector in UK, Netherlands, Switzerland, Niedersachsen (Germany) and Ireland", http://www.cbonline.org.au/media/2008EuropeanComparative.pdf , accessed: 04/2009

Riggins, S. (ed.) (1992), *Ethnic minority media: an international perspective***,** Newbury Park, Sage

Senecal, M. (1986), *Televisiones y radios comunitarias. Teoría y práctica de una experimentación social*, Barcelona, Mitre

People and organisations questioned

Group of the Alliance of Liberals and Democrats for Europe. Member of the Bureau, Karin Resetarits (21/08/2008)

Legal Officer of the DG Information Society & Media (European Commission), Pierre-Yves Andrau (17/10/2008)

Socialist Group in the European Parliament, Maria Badia. (18/04/2008)

Legislation

Europe's thematic portal. Information Society:
http://ec.europa.eu/information_society/newsroom/cf/itemdetail.cfm?item_id=2343

Information Society & Media Directorate General:
http://ec.europa.eu/information_society/media/overview/who/commission/index_en.htm

Commissioner Viviane Reding:
http://ec.europa.eu/commission_barroso/reding/index_en.htm

Education, Audiovisual & Culture Executive Agency:
http://ec.europa.eu/information_society/media/overview/who/agency/index_en.htm

EU Portal. Audiovisual and Media:
http://europa.eu/pol/av/overview_en.htm