

Speech by Commissioner Jourová on media and democracy in Europe at the Media Symposium – Vienna

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1. MAIN MESSAGES

On the recent journalist murders and media freedom in Europe:

If journalists risk their lives when doing their jobs, **it is an alarm signal.**

I am deeply concerned about these developments because independent media play a crucial supervisory role in any democracy. Journalists are a key partner for justice and for upholding the rule of law.

On the risk of manipulated elections in Europe:

The allegations [in the Facebook Scandal] are extremely serious because we have to understand if these practices might have had an impact on elections or referenda in Europe. **If only one country's elections are at risk of being manipulated, this has an impact on our whole Union.** And this is a big concern, in particular ahead of the upcoming European Parliament elections.

On the role of public broadcasters:

I would advocate for a **European approach based on quality and smart regulation, if needed.**

In Europe, we have a “dual” system in the area of broadcasting – combining the presence of **public broadcasters** with commercial broadcasters. We need to keep up our support for public broadcasters and independent media more broadly and not follow the laws of the markets only.

The way forward:

1) My basic guiding principle is that **rules we have offline should in principle also apply online.** I have more than once said that the internet cannot be the Wild Wild West and the law must also apply there.

2) Having said that, there is **no one-size-fits-all solution.** We always need to balance our freedoms and our security.

3) We should by no means have a **ministry of truth, but ensure the right**

environment for a pluralistic debate. We need to guarantee fair access to information and equal chances for political parties, candidates and opinions.

4) There is a **real risk for voters to be manipulated in elections** in Europe in new ways. The EU and EU governments must take this seriously. A key issue we need to look at is **Political Advertising**. We need more transparency for online political advertising and **rules that are up to date with modern political campaigns** in the digital era.

5) Speaking of long-term solutions: **education** in using media and the internet will be key to equip the next generations to be users of technology and not be abused by technology.

6) Finally, I would advocate for a **European approach based on quality and smart regulation, if needed.**

I am deeply convinced that we do good in Europe if we don't follow a "market only" model like in certain other places in the world.

2. FULL SPEECH

I am very glad to be in Vienna today. This city has a special status for me but also for many Czechs. Vienna is a short two hour drive from my home town of Trebic, yet until the fall of the Iron Curtain it felt as if this city was in a different galaxy. For me, meeting with you in Vienna today to discuss the way ahead of our common European challenges is a telling symbol of the great achievements of a united Europe. Separated by geopolitics, now we have a chance to learn from each other and decide together the best way forward for Europe.

But Vienna also has a special place in my family history. It's here where my grandfather, serving to the Austrian-Hungarian rulers, met my granny. So, I can safely say that without Vienna, I wouldn't be standing here in front of you. So, dear Vienna, I owe you.

Now I would like to talk to you about challenges facing the media and why I think these challenges are crucial for our democracy, and ultimately for our future. Then, I would like to discuss with you some ideas for solutions.

Time of challenges for media

This media symposium comes at the right time. Our free and independent media in Europe are **facing major challenges**, ranging from economic pressure, through declining readership to technological revolutions. And the impact of these challenges is going beyond the media themselves, to very basic questions of the **rule of law and democratic freedoms** in Europe.

This afternoon I will travel on to **Slovakia**. I will visit the former home of Jan Kuciak to pay tribute to a brave young journalist who was killed, together with his fiancée. Next week I will visit **Malta** where I will enquire about the state of play of the investigation of the murder of Daphne Caruana

Galizia. These killings are a scar on our collective democratic conscience of Europe.

I sometimes wonder: Do we actually realise what is happening in Europe, right before our eyes, at our doorsteps? If journalists risk their lives when doing their jobs, **it is an alarm signal.**

I am deeply concerned about these developments because independent media play a crucial supervisory role in any democracy. Journalists are a key partner for justice and for upholding the rule of law.

Corruption scandals, fraud, political hypocrisy and other crimes came to see the light of day, because journalists took risks, worked hard with their sources and whistle-blowers.

That's why there can be no healthy democracy without a free, independent and pluralistic media. Media and journalists need the protection offered by the rule of law and by fundamental rights so that they can fulfil their crucial function in full independence. And media and journalists have to play their role in a responsible way too.

Over the past years we often see a shrinking space for independent media going hand in hand with a shrinking space for an independent judiciary and the rule of law, and even a shrinking space for civil society.

Changing media landscape in digital economy

A philosopher and politician, Edmund Burke is credited with calling the press the fourth estate in XVIII century. Today, I have no doubt that this is still true; and we need the media to play that role.

But since these words were first uttered on the floor of the British Parliament the media landscape has undergone unrecognisable changes.

The digital era has brought about huge changes. I suppose I don't need to tell you much about the challenges the online world created for classical media from an economic point of view. But I want to take a step back today and look at the bigger picture of what the new digital developments mean for media, for the rule of law and for democracy as such.

We have today, broadly speaking, **three sorts of media**: public media, privately owned media and what I would call "spontaneous media", meaning the social media sphere where everybody can be a journalist. When we talk about media today all of them are relevant, because all of them inform citizens and form their opinion.

But the relevance is shifting. In my youth, there was not much choice. The news and entertainment were provided by the public broadcaster. Then, we had an opening up to competition and a vast choice of private media appeared in Europe. They took over the entertainment side but often also the news segment. Today, as the so called traditional or mainstream media suffer from the crisis of credibility, people, especially younger ones, turn to social media to learn about the world and look for news.

Call me outdated, but I still believe that both the public and private media have a huge role to play.

The public broadcasters, if they don't have significant safeguards, often are the first victims of regimes that want to control the information. This is a clearly authoritarian tendency, and these sorts of temptations are not strange to politicians also in the EU.

That's why we should work together to ensure an independent financing and significant safeguards to public media, so the journalists are not afraid to criticize the government and are as free from political pressure as possible.

Both, public and private media have to deal with a mounting pressure from digital. Of course this differs from country to country.

And in Austria I envy you because you are the nation wedded to printed newspapers.

But this doesn't change the global picture. I think many of us, Internet surfers, are so used to free content that we simply don't want to pay, because we don't believe there is a better service behind the paywall. In fact, only around 10% of people globally pay for online content. This is one of the reasons why many people, especially in the younger generations, turn to social media to find news.

Around 65% of young people between 18 and 24 year olds use online news channels, including social media, as their main source of information.

Challenges and opportunities of the digital era – fallout of Facebook scandal

This brings me to the **third type of media – the social and online media**. Allow me to focus on this issue for a bit longer, as this is a largely unregulated sphere, but the regulators, including the European Commission, are turning their attention to it.

I am sure you all heard about the Facebook / Cambridge Analytica scandal. In my view this was a wake-up call and it has **highlighted some of the core challenges that we face** in a digitally connected society today. It is a data protection issue, but it also goes far beyond that. In fact, it raises serious concerns about our collective freedom as voters and politicians.

As we are awaiting the results of the investigation by the supervisory authorities, some things are becoming clearer. Some companies have collected huge amount of data on us and they use these data to offer us products, services and news they think we will like. Or, to be more precise, their algorithms calculate what we will like.

They use and share these data in a way that very few of us can understand and they are not very transparent about it.

Finally, they may share this data with researchers, political campaigners and political parties and those can try to use these data to influence our political decision without our knowledge, consent, and often without any

supervision or rules.

The allegations are extremely serious because we have to understand if these practices might have had relevance for elections or referenda in Europe. If only one country's elections are at risk of being manipulated, this has an impact on our whole Union. And this is a big concern, in particular ahead of the upcoming European Parliament elections.

The role of algorithms in forming opinions

This scandal, ladies and gentlemen, also highlights **the role of algorithms** that social media platforms use to micro-target citizens. Powerful algorithms are part of our daily lives. We cannot see them, but they are influencing us. And sometimes the bad actors try to use them too.

They filter our information, recommend news we should read, places we should visit, people we should be friends with, posts we should like, goods we should buy and maybe even candidates for whom we should vote.

The Facebook algorithms, for example, may have **amplified the spread of fake news and lies**. And they may have boosted the 'filter bubbles' to dictate what we see online. This way of targeting information, even correct information, **can isolate parts of the electorate and fragment the debate**. It amplifies the echo chambers that reinforce some views and exclude others – provoking further hostility within society.

Of course this phenomenon is not new. It is a well-documented fact that we prefer reading information that supports our views rather than those that challenge them. But with social media, this reached a new height. It is so much easier to cover ourselves in the souse of our own prejudice and stereotypes without being exposed to any critical views.

I welcome that the European's Data Protection Authorities have set up a working group on social media and the British one is also looking at the electoral aspects in their investigation of the Facebook/Cambridge Analytica case. I have also met with representatives of electoral authorities form the EU countries.

The time is ripe for a discussion on what rules should apply to the online world when it comes to elections. Traditional media are heavily regulated with spending limits, fair time allocation, electoral silences, and other things.

But when it comes to online world the landscape is very fragmented in the EU. I would like to bring that debate further, exchange practices and follow up on this issue before the European elections next year.

Shift of hate from social media to media

Another challenge that has developed over the past years is **illegal hate speech and incitement to hatred**. In the online world, without any filters and editors, we have seen a huge rise of this type of abuse. And this is also moving on to "real" media.

Recent data from the Fundamental Rights Agency show that cases or complaints relating to incitement to hatred against Muslim, Jewish and Christian communities are present in a number of Member States, including in Austria, Belgium, Bulgaria, Croatia, Denmark, Finland, Germany, Hungary, Italy, Lithuania, the Netherlands or Slovakia. We must not turn a blind eye on this.

Freedom of expression and the media in Europe based on the rule of law

But I do not want to only list problems; I am convinced that we, in Europe, have **already laid the groundwork for dealing with many of these challenges.**

On a global scale, Europe is rather unique when it comes to protecting freedom of expression and Media Freedom.

All EU countries have signed the European Convention of Human Rights – an instrument of the Council of Europe. And by doing so, they have submitted themselves to the **judicial review by the European Court of Human Rights** to make sure they comply with the extensive human rights commitments set out in the Convention. It includes article 10, which protects the right to freedom of expression.

Furthermore, since 2009 the EU has its own fundamental rights legal instrument – the **EU Charter of Fundamental rights.**

This is one of the most modern and sophisticated human rights instruments. EU institutions have a legal duty to respect it. And Member States must comply with it when they implement EU law.

Consequently, **independent courts in Europe** are the ultimate guarantors of the freedom of media and media pluralism. This is true offline and online.

So, we do have sound legal grounds, but we also need to act on them, and I believe politicians have a special responsibility in this respect. George Orwell defined journalism as “printing what someone else does not want printed.” Including governments of course.

And we, politicians, have to pay particular attention not to contribute to the atmosphere of hostility towards the media. Many of us, armed in social media accounts, are too quick in dismissing journalists with fake news hashtags or threats.

And I know how it feels to read nonsense about yourself. Just to give you an example, I was accused by a certain Czech paper that I want to nationalise Facebook which shows my true communist soul.

We may not like what journalists write sometimes, but **it is our obligation to defend their right to write exactly what we don't like.** If we want to be true democrats in Europe it is our duty to defend their space.

Strong EU data protection rules lead the way

The Facebook case – as much as we condemn and regret it – has also shown that **Europe got it right when it comes to privacy** and protecting our personal

data. Our new data protection rules will make companies more accountable and more responsible in how they deal with our data. Ultimately, they give people back control over their personal data. This is just what is needed for the digital economy, bringing back control and trust for citizens.

Globally, **we are leading the way in this debate** and many others begin to see the value of the way we have chosen in Europe. I just come from Japan and South Korea, with whom we are negotiating data protection arrangements. And there is also high interest from other important partners like India or Brazil.

Tackling illegal online hate speech

We also made **important progress when it comes to tackling illegal hate speech** in the online world. I worked with major online platforms to create the “Code of Conduct on countering illegal hate speech online”. Today, all major players have signed up to it: Facebook, Microsoft, Google, YouTube Twitter, Instagram and Snapchat.

When we conceived the Code of Conduct some of the critics have labelled me a ‘Big Sister’, to paraphrase Orwell again. They were concerned that the right to freedom of expression will not be fully respected.

Today, we can say that these fears have not materialised. The Code of Conduct **only addresses illegal content** – that is, public incitement to hatred and violence, racism and xenophobia that is anyway forbidden in all EU Member States. It does not concern satire; it does not concern offensive speech. This is what we need to defend – even if we don’t like it – under the right to freedom of expression.

The results show this approach is working. The companies are now **removing on average 70 % of content notified to them and in more than 80% of the cases they do it in less than 24 hours.**

Together with IT companies, civil society and Member States, we have shown that a collaborative approach can work and that it is possible to create a space where individuals can use online services **without fear of threats and intimidation** to silence their voices.

Tackling online disinformation

It is a fine line between free speech and illegal hate speech, and harmless content and illegal content. But when the courts determine something is illegal – for example, illegal hate speech, incitement to terrorism, or child pornography – we have the right to **demand its quick removal** from the online space.

But what about **content that is not illegal but still harmful?** What about **fake news and disinformation?**

In April the Commission proposed an **EU-wide voluntary Code of Practice on Disinformation**, with a number of commitments for the IT platforms. These commitments include:

- ensuring transparency about sponsored content, in particular political advertising;
- establishing clear marking systems, transparency and rules for bots;
- and ensuring that new online services include safeguards against disinformation.

We also support the establishment of an independent network of fact-checkers and tools to stimulate quality journalism. Tackling fake news requires, however, a **comprehensive approach, which involves online platforms, the media, civil society and EU governments.**

Only by acting together and with determination can we ensure that we uphold freedom of expression online and an environment where citizens can form their opinions freely, without manipulation and with access to a wide range of news sources.

At the crossroads

Ladies and Gentlemen, looking at the multiple challenges around us, with populism, fake news and manipulation on the rise, we are at a crossroads.

Will we learn to master the new digital tools for our democracies or will they become our masters? Will we find the right balance between freedom and security? While we are only beginning to understand the changes the new technologies are catalysing in our societies, the time to frame these developments and give the right answers is now. **How will we maintain a pluralistic debate and – ultimately – our democracy in a time of simplified messages, algorithms and fake news?**

It is not for me to give you all the answers to these questions – I would rather be very interested in learning a lot from your debates today and tomorrow. And we will for sure take inspiration from these discussions for our own Colloquium on Fundamental Rights in autumn which will focus on “democracy”. But before I close I want to give you a few points I consider important to find the right answers to those pertinent questions.

What next?

1. My basic guiding principle is that **rules we have offline should in principle also apply online.** I have more than once said that the internet cannot be the Wild Wild West and the law must also apply there. This is true when it comes to personal data protection, this is true when it comes to incitement to hate. It should also guide us when we think about the future of media in the digital era.
2. Having said that, there is **no one-size-fits-all solution.** We always need to balance our freedoms and our security. When it comes to illegal hate speech online, the **self-regulatory** approach we took together with the major social media platforms has proven to be very successful. At the same time, looking at terrorist content, the Commission is at the moment seriously considering to come up with **legislation.** Different kinds of content require different answers.
3. We should by no means have a **ministry of truth, but ensure the right**

environment for a pluralistic debate. This is not about banning things, but what we need to do is to ensure a favourable environment for an inclusive and pluralistic public debate, in particular in the context of elections. We need to guarantee fair access to information and equal chances for political parties, candidates and opinions.

4. There is a **real risk for voters to be manipulated in elections** in Europe in new ways. The EU and EU governments must take this seriously. A key issue we need to look at is **Political Advertising**. We need more transparency for online political advertising and **rules that are up to date with modern political campaigns** in the digital era.
5. Speaking of long-term solutions: **education** in using media and the internet will be key to equip the next generations to be users of technology and not be abused by technology
6. Finally, I would advocate for a **European approach based on quality and smart regulation, if needed**. I am deeply convinced that we do good in Europe not to follow a “market only” model like in certain other places in the world. In Europe, we have a “dual” system in the area of broadcasting – combining the presence of **public broadcasters** with commercial broadcasters. This model allows delivering to the citizens an essential public service while maintaining an open market and opportunities for new entrants. We need to keep up our support for public broadcasters and independent media more broadly and not follow the laws of the markets only. I am aware of the **ongoing debate around this in Austria**, and for sure also at this conference. So, my small advice would be to keep all those issues in mind, when you decide about the future of your public broadcaster.

Ladies and gentlemen, it took me almost 30 minutes to lay down the challenges and the map the road we should take when we deal with them. But a famous Austrian writer and journalists, Stefan Zweig, encapsulated this in one sentence: “Freedom is not possible without authority – otherwise it would turn into chaos; and authority is not possible without freedom – otherwise it would turn into tyranny.”

It remains for me now to wish you very fruitful discussions in your panels and I look forward to learn about the results.

Thank you