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Concluding remarks

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13. Concluding remarks

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It is clear from the preceding discussion that regional audiovisual media fulfil very important roles in pluralist, democratic societies. Nevertheless, they face considerable pressures that must be overcome if they are to remain viable in the ever-evolving media ecosystem.

As recognised by the Council of Europe’s Congress of Local and Regional Authorities, a first step towards ensuring the continued viability of regional audiovisual media would be formal and explicit recognition of their valuable contribution to democratic society in laws and policies.³⁵¹ It is also important for laws and policies to recognise that regional audiovisual media can take a variety of forms, particularly in the new media ecosystem.³⁵² As outlined in Chapter 4, regional audiovisual media are organised in diverse ways, including along public, private and community axes: as (distinct or associated) regional broadcasting companies, or as national broadcasters using regional channels, windows or studios. Moreover, the term ‘regional’ can have various proxies – like regional or minority languages. These differences, which are very relevant considerations for law- and policy-makers, demonstrate that in practice there is no blueprint for organising regional audiovisual media in a way that guarantees the realisation of their main aims.

A second step, as set out in the Explanatory Memorandum to the Congress’ 2014 texts, would be to create and maintain a favourable or enabling environment for regional audiovisual media. This could involve relevant regulation that not only recognises the specificity of regional audiovisual media, but also engages with that specificity in flexible and tailored ways, in order to stimulate and sustain regional audiovisual media.³⁵³ Certain obligations might transpire to be too costly (e.g., a 100% obligation to subtitle) or restrictive (e.g., excessive programming requirements). Similarly, according to the Congress, a flexible and tailored approach is also necessary when it comes to the scale of regional media:³⁵⁴ a regional television station covering millions of inhabitants is by nature different from a small scale community media station.

The proximity of regional audiovisual media to their social environment creates additional challenges for their independence. The risks of political influence and interference, and lack of transparency, are often higher than on the national level. In light of these risks, the Congress has

³⁵¹ Resolution 374 (2014) on the role of regional media as a tool for building participatory democracy, 15 October 2014, para. 7a; Recommendation 364 (2014) on the role of regional media as a tool for building participatory democracy, 15 October 2014, para. 8a.

³⁵² *Ibid.*

³⁵³ Explanatory Memorandum to *ibid.*, para. 60. See also para. 59.

³⁵⁴ *Ibid.*



invited the regional authorities of the Council of Europe's Member States to "put in place effective safeguards to prevent the risks of political influence and a lack of transparency in regional media, for example by declaring executive positions within regional media incompatible with holding a political mandate, and integrating political oversight of media financing within a system of checks and balances that guarantees editorial independence".³⁵⁵

Another goal of regulation is to foster media pluralism at the regional level. The importance of guaranteeing media pluralism and diversity is very pronounced at the regional level, due to considerations of political economy that are particular to regional audiovisual media. The communities and markets served by regional media tend to be smaller, more specific, and less lucrative than those served by media operating at the national and international levels.³⁵⁶ This has obvious implications for advertising and other sources of revenue available to regional audiovisual media. Such financial strictures can also lead to concentrations of ownership of regional audiovisual media. The production of regional content can be resource-intensive and presents a real challenge to the financial sustainability of regional media, especially in the current climate of economic cutbacks and austerity. In light of these observations and as recognised by the Congress, general measures to promote media pluralism may require specific adjustment in order to be optimally applied to regional media.³⁵⁷

Chapter 3 details how the EU's Media Pluralism Monitor (MPM) Project measures pluralism at the regional and local levels. As set out in this Chapter, MPM 2015 focused on three indicators in particular: 'Access to media of different social and cultural groups, and local communities'; 'Availability of media platforms for community media'; and 'Centralisation of the media system'. In MPM 2016, the approach will be centred on one new, consolidated indicator: 'Access to media for local/regional communities and for community media'.

Appropriate regulation is a necessary - but of itself, insufficient - feature of an enabling environment for regional audiovisual media. The far-reaching negative impact of the economic crisis and resultant cutbacks and austerity measures has been felt throughout the media sector, including at the regional level. This has given rise to a pressing need to secure adequate funding, for example through licence-fee or other fiscal revenues, subsidies, and advertising. As noted in Chapter 11, these financial challenges are exacerbated by the lack of wider appeal of certain types of specific, regional or local programming. When regional or local content is difficult to market, collaborative arrangements with national or mainstream media can ensure greater visibility and prestige and, in turn, offer wider audiences for such content.

A wide range of measures could be used to overcome the financial pressures that regional audiovisual media are facing. Chapter 11 provides a useful inventory of suggestions. These measures are not exclusively financial in nature, but include measures that aim to achieve greater visibility and findability for regional or local content, including on platforms such as electronic programme guides. Must-carry obligations to include regional audiovisual media could be one way to further these aims.³⁵⁸

³⁵⁵ Resolution 374 (2014), para. 7f.

³⁵⁶ For wide-ranging analysis of relevant issues, see generally: Gregory Ferrell Lowe and Christian S. Nissen, Eds., *Small Among Giants: Television Broadcasting in Smaller Countries* (Gothenburg, Nordicom, 2011). For analysis of the impact of market-related issues specifically on minority(-language) media, including in a changing media environment, see: Tom Moring, "Media Markets and Minority Languages in the Digital Age", *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 12, No. 4, 2013, 34-53 and Sally Broughton Micova, "Rights vs. Reality: Minority Language Broadcasting in South East Europe" *Journal on Ethnopolitics and Minority Issues in Europe* Vol. 12, No. 4, 2013, 54-79.

³⁵⁷ Resolution 374 (2014), para. 7e.

³⁵⁸ See, for example, Chapter 11 and the Explanatory Memorandum to the Congress' 2014 texts, para. 57.



Whereas the measures presented in Chapter 11 are largely dependent on state initiatives, others remain in the hands of the regional audiovisual media themselves. A certain amount of critical and creative self-reflection is called for, as well as the ability and willingness of regional audiovisual media to re-think their role and continue to play to their traditional strengths in a reconfigured media sector. Cooperative initiatives among regional audiovisual media could help to develop network effects and ensure wider dissemination of programming, as could the development of social media strategies for the promotion and distribution of content. The exploration of new inclusive forms of governance could also offer solutions, e.g., through introducing structures and processes that facilitate enhanced public participation in content production and crowd-funding. The chances of such initiatives proving successful would be improved by increasing emphasis on media literacy and digital skills training.

The introductory chapter to this publication discussed a selection of relevant Council of Europe instruments dealing (directly or indirectly) with regional audiovisual media. The final focus in that chapter was on the Congress of Local and Regional Authorities. The twin texts adopted by the Congress in 2014, dealing with the role of regional media as a tool for building participatory democracy, set out a possible pathway for enabling further engagement with relevant issues.

In its Resolution 374 (2014), the Congress instructed its Current Affairs Committee to “continue to address questions related to improving the functioning of regional media, and to ensure that the relevant good practices are disseminated to regional authorities, inter alia through their national and European associations” (para. 8). It also invited its Governance Committee to “include in its work programme, as aspects of good regional governance, the question of the good functioning of regional media, and to undertake a review of the existing legal framework and practices, leading to a new resolution and recommendation on the state and prospects of regional media in a reconfigured, new media environment” (para. 9). The journey continues.