

# CSCE and Information: Mass Media in the 1990s

The participants in the Seminar of Experts on **CSCE and Information: Mass Media in the 1990s**, organized by the International Association for Mass Communication Research (IAMCR) held at Tampere and Helsinki, April 24-27, 1992,

**RECOGNIZING** the important function of the mass media, both nationally and transnationally, in the daily lives of millions of European citizens;

**RECOGNIZING** the important and far-reaching changes that are presently taking place in the European media landscape;

**RECOGNIZING** the need to protect in these changes the fundamental rights and freedoms of individuals and the process towards a genuine democracy;

**RECOGNIZING** the importance of the media in the area of the CSCE mandate on security and conflict resolution;

**RECOGNIZING** the request of the Second Meeting of the CSCE Council (Prague document on Further Development of CSCE Institutions and Structures; section VIII, para 42) that the Follow-up Meeting develops *opportunities and procedures for meaningful non-governmental organization involvement in the CSCE and possibilities for non-governmental organizations to communicate with CSCE structures and institutions;*

**RECOMMEND** that the CSCE - before adopting formal policy instruments in the field of information - engages in a process of consultation with the pertinent non-governmental organizations representing working journalists, employers in media enterprises, the academic community in communication research and education, as well as civic associations involved in cultural environment issues;

**RECOMMEND** that the CSCE notes the readiness of the International Association for Mass Communication Research, an international non-governmental organization (with status A relationship with Unesco) to offer substantial input into the CSCE process in the information field;

**RECOMMEND** that these consultations be conducted in close cooperation with the CSCE Office of Democratic Institutions and Human Rights.

# CSCE and Information Mass Media in the 1990's

A seminar of experts was held in Tampere on 25 and 26 April 1992, organised by the University of Tampere, in cooperation with the International Association for Mass Communication Research (IAMCR) and the Finnish Association for Mass Communication Research. The seminar was sponsored by the University of Tampere, the Finnish Ministry of Education and Culture, YLE (the Finnish Broadcasting Company) and Tampere City Council. 37 people were present, 14 of them from outside Finland. A list of participants and the programme details are appended. The Rector of the University of Tampere welcomed the delegates and opened the proceedings.

## Session One

Professor Kaarle Nordenstreng, in the chair, began the seminar by stressing the importance of information to the CSCE process. All participants recognised the right to communicate. It was now necessary to discuss: 1) the independence of the media in East-Central Europe; 2) the communication infrastructure; 3) problems of commercialization of the media and the question of foreign control; 4) attempts to use the media for the purposes of extreme nationalism.

Professor Cees Hamelink gave a keynote address in which he proposed to discuss 'Utopian thinking', by which he meant taking human rights seriously as the starting point of the discussion of communication. He gave three reasons for applying a moral and legal framework to the mass media: 1) they are pervasive in the daily lives of citizens and are the chief means of information about the world; 2) media structures are being commercialised and audiences are being made into commodities for advertisers; 3) citizens are excluded from the policy-making processes, which are dominated by states and large corporate forces. In this context there is a discrepancy between the idea of human rights and the actual performance. The basic norms of human rights need to be rethought: 1) Freedom. This is today restricted to a negative interpretation. It needs to be developed in a positive direction; 2) Equality. Equal treatment of unequals is itself unequal and always injurious to the poor. Perhaps inequality of treatment needs to be reconsidered. Freedom and equality need to be thought about together as the freedom of everyone to enjoy equal self-development. These extended notions of rights are under threat from states and large corporations. They need to be defended by a development and extension of 'civil society' -- voluntary organisations of citizens etc.. Strong human rights need a media based in civil society for their realization and this civil society needs to be defended against both the state and economic forces.

Ms Halliki Harro spoke of the problems faced in the Baltic countries, stressing the lack of knowledge amongst citizens. She said that the media should deliver unbiased information but that, for example, there was still no legal public access to official documents in Estonia. Alongside such a law, citizens needed to start actively

exercising their rights. The new democracies were also particularly vulnerable to the diffusion of Western mass culture. Because citizens were so long denied access to this culture, they have an 'immuno-deficiency' against it and are in danger of a kind of cultural AIDS.

During the ensuing discussion, there was a debate about the question of mass culture. One view was that it was rubbish against which citizens should be protected. Another held that it was not so easy to be sure what was rubbish and that any 'protection' carried dangers of paternalism. All were agreed that it was important to ensure that there was an adequate supply of high quality information and entertainment for those citizens who wished to enjoy it. The need for a plurality of media was also stressed.

## Session Two

Mr Christian Constantinescu illustrated the problems faced by journalists in Romania since 1989. He identified the continued existence of old power structures, inexperience of journalists, lack of resources and an unresolved legal framework for television as important obstacles to the development of responsible journalism.

Dr Colin Sparks discussed the 'Wende' in the former DDR. Many journalists felt that they had been very restricted in the days of SED domination. They had then experienced a period of great freedom when they could for the first time exercise free and responsible journalism. Now that the press was largely owned by big business, there was a sense that many of the new freedoms had been lost and that journalists were once again subordinate to the powerful. The shift from state control to market control was not simply a passage from unfreedom to freedom. There were many pressures on journalists in all commercial systems which in various ways prevented them from acting responsibly towards their audiences. In order to defend themselves, journalists need to have a sense of professional ethics. He argued that journalism is not a true profession like medicine. To implement such codes against the power of employers, journalists needed independent trade unions to negotiate collectively.

During the discussion it was agreed that journalists in commercial systems experienced pressures but different views were expressed on the best way to defend their freedom. One view was that the legal framework expressed in the European Convention on Human Rights was adequate from the point of view of state interference. Another was that the funding of alternative free media by the state was the best method. Dr Sparks argued that states were primarily interested in political control, employers were primarily interested in profits, only journalists were primarily interested in press freedom and only they had identical interests with the citizens.

## Session Three

Professor Dr Wolfgang Kleinwächter discussed the emergence of a dual system of broadcasting from the Atlantic to the Urals, comprising both commercial and public service elements. In Central-East Europe the old state broadcasting organizations were trying to evolve towards public service ideals. The new broadcasting laws were

often the source of sharp debates, over for example who controlled nominations to the governing boards. There were also everywhere great financial problems. Compared with the West, there was comparatively greater diversity amongst commercial media, particularly radio, where there had been between 5 and 600 initiatives. In the case of commercial TV, local and regional companies are seeking sources of capital and foreign companies are seeking access to frequencies. Decisions as to who controlled frequency allocation were very important and contentious.

Professor Yassen Zassoursky said that in Russia there was still state regulation and market regulation. A free press was established in 1917 and suspended 'until the time was right' in 1918. The time was right in 1990, when the new press law was passed. Since 1985 there has been de facto press freedom but now it had a legal basis. There is a wide range of papers from monarchist to anarchist. There are many new radio stations, for example one run by Moscow University School of Journalism which played an important role in the defeat of the August 1991 coup. There have been very great economic problems and the circulations of many papers have fallen as prices -- both of paper etc. and to the consumer -- have risen sharply. There are still government pressures and the state still controls the majority of printing concerns and the distributor. The main pressure has been that of bankruptcy, for example Pravda had to suspend publication for some time for economic reasons. There is a great lack of competence in economic management of newspapers. There is an urgent need to resolve the economic problems of the press. The law on the audio-visual industries is still under discussion and it is proving very difficult to separate the media from the state.

Professor Dirk Voorhoof said that all are agreed on the need for press freedom. This meant a different thing today than when it was formulated. It developed as a negative freedom from government control and was applied to small-scale media production. The classical theory no longer works. The free market does not, in reality, provide the variety that theory prescribes and there was always some state regulation. The modern state now has a welfare role and has the duty to correct the shortcomings of the market. Human rights now depended upon state intervention. Press freedom is a social, collective right. The right to free expression has also expanded to include the right to information. Today state regulation is not identical with censorship. There are, under the European Convention on Human Rights, many kinds of recognised intervention: restrictions on advertising, merger legislation, various kinds of state aid and self-regulation. Article 10 has a double character. There is the need for states to abstain and the need to take positive action. Case law under this Convention tends to support positive intervention.

In the discussion the relationship between the EC and the Council of Europe was raised in the context of the difference between a purely economic approach to the mass media and one which began from considerations of human rights and culture.

## Session Four

Dr Zoltan Jakab questioned whether a dual system of broadcasting was emerging across Europe, or whether there would be a new division. He asked whether it was realistic to think that the old state systems were evolving towards public service models and, if so, could they survive in the new competitive environment. Secondly, he

asked whether it was realistic to assume that there will be a strong commercial system and if so, what would be its capital base and what kinds of programmes would it carry. Thirdly asked whether some countries might follow a quite different path. He was sceptical as to a dual system. It was possible that the old state systems might evolve into mouthpieces for autocratic political regimes not subject to regular governmental change.

Viable commercial radio and TV might not be possible and there was certainly strong pressure to license foreign companies who did have the capital. Public services broadcasting was really an 'ideal typical' model which depended upon unrepeatable political and economic conditions. In the case of the new Hungarian broadcasting bill which is now before Parliament, broadcasters will have full responsibility for the programme services except in instances of national emergency and some restrictions on advertising. The national PSB stations will become 'public foundations'. They will be governed by a body of experts delegated by parliamentary factions but numerically balanced between government and opposition. This will deal with economic matters. There will be a separate supervisory board on programming issues, based partly on the German ZDF model, which will have no right to intervene in daily matters. The President will be nominated by the Prime Minister but appointed by the President of the Republic (who constitutionally is appointed by the Opposition). The system has been designed to keep the government well away from direct control. The commercial sector will be regulated by a body similar to the former British IBA.

Professor George Wedell was also sceptical as to whether a dual system was emerging. He thought that a 'messy system' involving lots of different delivery systems - cable, transmitters, satellites, VCR's etc. was much more likely. It was not certain what this would mean for programming but low budgets make for cheap imported programmes and thus the final situation might not mean much more real choice than there was at present. One of the problems faced by the new broadcasters was how to gain public legitimacy. In the new democracies, parliamentary legitimation might not be ideal, but it was better than no legitimation. There needed to be a regulatory framework which laid down standards for programmes. There was a need to work towards economic viability in order to meet standards as well as a need for professional competence in production, and for television which had a commitment to its audiences.

In the discussion the view was expressed that broadcasting legislation should be short and enabling. It was questioned as to whether there was any real problem with inviting in foreign capital. One of the crucial questions in any regulatory framework was who owned the transmitters? One possible perspective on the future could be that transnational media corporations would cover the whole continent by having 'national windows' for the Eastern European countries and the republics of the former Soviet Union.

## Session Five

Mr Lawrence Early explained the possible future relationship of the Council of Europe (CE) to the CSCE in the case of the media. He thought that the two organisations could be seen as complementary. For the CE, which was growing in membership all the time, the questions of human rights and pluralistic democracy are central, as they are for the CSCE process. The CE would continue to admit the newly emerging democracies provided they met the standards of democracy, respect for human

rights and the rule of law which characterise the policies of all the existing members and which are laid down by statute. The CE has specific programmes designed to foster the mass media in Central East Europe, for example that labelled 'Demosthenes'. The CE has helped draft media legislation in many countries. It has launched an ambitious programme to train people to run the new media. Many of the more general programmes of the CE, for example on human rights education, equality between men and women, promotion of mutual understanding and defence of the rights of minorities, had implications for issues of media freedom, and which could possibly lend themselves to cooperative projects with the CSCE.

Dr Yuri Baturin said that Russia was not a member of the CE. It needs help in preparing media legislation and needed to be aware of the fact that democratic laws can be used undemocratically. High officials still try to pressure the media. The CE should call for civilised standards throughout Europe.

Professor Bernard Blin argued that it was necessary to try to control a situation of fast development in the media without disturbing freedom of content. In dealing with such a situation international associations needed to do preparatory work but decisions must be taken by government, European institutions and, best of all, by professionals. Only when the latter could not solve problems should the government step in. The CE tries to set up a framework and makes recommendations. This was pursued on many questions, for example: the concentration of ownership; rights of public access to information; questions of copyright, ensuring that citizens get better TV. The CE offers a structure which allows for the expression of views and experience, as well as the elaboration of political coordination and contacts with professionals. It provides project groups, for example that on equality of opportunity which is designed ensure, through production, distribution and training policies, that small nations are not helpless in a new media situation. We need to make sure that there is one Europe, not two. TV should be of citizens and for citizens. It is time to act, not wait and see.

Mr Jukka Liedes explained the AV-Eureka project and outlined the possibility that it might set up an 'Audio-Visual Observatory'.

Ms Kirsi Jansa from the Forum for European Journalism Students outlined the aims of that organisation and made a plea that the CSCE would make sure that students were not prevented from participating in these important international exchanges because of problems of nationality or finance.

In the discussion there was some debate over whether European or international NGO's should be recognised by the CE for the purposes of giving advice. Professor Blin clarified his view that 'professionals' meant employers as well as working journalists. Possible functions of the CSCE Office for fundamental freedoms and democratic institutions were discussed. Professor Kleinwächter proposed that the Centre could serve, *inter alia*, as a clearing house to identify areas for discussion and action in the media field as well as an early warning system to avoid conflicts between 'information rich' and 'information poor' countries in the CSCE.

The relation of the CE and the EC was again discussed and it was argued that there was no real contradiction between the approaches of the two organisations.

In summary, it was stressed that the CE and the CSCE process were complimentary and there was considerable scope for collaboration between their respective organs in order to develop freedom of communication and the human rights of the citizens throughout Europe. In the context of the current situation, it might be valuable to launch a research programme on the role of the media in the prevention of crises.

(This Report was prepared by Dr Colin Sparks and approved by participants on 26 April 1992)

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## Participants from outside Finland

Professor **Cees J. Hamelink**, University of Amsterdam,  
President of the International Association  
for Mass Communication Research (IAMCR) (The Netherlands)

Ms. **Hallikki Harro**, Lecturer of Journalism, University of Tartu (Estonia)

Mr. **Cristian Constantinescu**, Deputy Editor-in-Chief, Romanian Television

Dr. **Colin Sparks**, The Polytechnic of Central London (UK)

Professor **Yassen Zassoursky**, University of Moscow (Russia)

Professor **Dirk Voorhoof**, University of Ghent  
and University of Antwerp (Belgium)

Dr. **Zoltan Jakab**, Hungarian Radio & Television

Professor **George Wedell**, The European Institute for the Media (UK)

Dr. **Yuri Baturin**, Gorbachev Foundation (Russia)

Professor **Bernard Blin**, University of Paris (France)

Mr. **Enn Kopli**, Legal Adviser, Estonian Television

Mr. **Alexander Surikov**  
Head of the ITAR-TASS Helsinki Office (Russia)

Professor **John van Zyl**, Head of Television Studies,  
Witwatersrand University (South Africa/The Netherlands)

## Invited Expert

Mr. **T. Lawrence Early**, Head of Media Section,  
Directorate of Human Rights, Council of Europe



# Finnish Participants

## Ministry of Education and Culture

Mr. Jukka Liedes, Special Government Adviser

Mr. Kimmo Aulake, Project Manager, AV EUREKA Center

Ms. Marja Heinonen, Project Manager, National Commission for Audiovisual EUREKA

## Ministry of Communications

Ms. Liisa Holamo, Counselor

## Union of Journalists in Finland

Mr. Antero Laine, President

## Finnish Broadcasting Company YLE

Mr. Martti Soramäki, Head of Media Development Group

## University of Tampere, Department of Journalism and Mass Communication

Dr. Kaarle Nordenstreng, Professor and Chairperson

Dr. Wolfgang Kleinwächter, President of the IAMCR Law Section  
(Visiting Professor from Germany)

Mr. Jyrki Jyrkiäinen, Acting Associate Professor

Dr. Taisto Hujanen, Acting Associate Professor

Ms. Kaarina Melakoski, Senior Lecturer

Mr. Hannu Nieminen, Research Fellow

Dr. Robert Angelusz, Professor of the Eötvös Lorand University of  
Arts Sciences (Visiting Scholar from Hungary)

Mr. Francis P. Kasoma, Associate Professor of the University of  
Zambia (Visiting Scholar)

Mr. Mutale Kasoma, Student

Mr. Nathan Markin, Student

Mr. Evaristo Mwatse, Student

Mr. Jukka Pietiläinen, Student

Mr. Ari Viuhko, Student

## Forum for European Journalism Students (FEJS)

Ms. Kirsi Jansa, Student, University of Tampere

## **Additional Resource Persons on Monday in Helsinki**

- Dr. Heinrich Wilhelm Beuth, CSCE Delegation of Germany
- Ms. Päivi Blinnikka, CSCE Delegation of Finland
- Dr. Thomas M. Buchsbaum, CSCE Delegation of Austria
- Mr. Jan-Anders Ekström, Union of Journalists in Finland
- Ms. P.H. Kushlis, CSCE Delegation of the USA
- Dr. Marju Lauristin, Parliament of Estonia
- Ms. Leena Paukku, Union of Journalists in Finland

### **Seminar Secretariat**

- Mr. Ari Hakahuhta, Graduate Student, University of Tampere
- Mr. Matti Heikkilä, Graduate Student, University of Tampere
- Mr. Petteri Numminen, Graduate Student, University of Tampere

# CSCE and Information: Mass Media in the 1990s

Seminar of experts, organized by the University of Tampere in cooperation with the International Association for Mass Communication Research (IAMCR) and the Finnish Association for Mass Communication Research in Tampere and Helsinki,  
April 24 - 27, 1992

## Friday, 24 April

Arrival in Tampere, accommodation in Hotel Villa

19.00 Concert in Tampere Hall (Tampere Philharmonic Orchestra)

21.00 Dinner in Hotel Villa

## Saturday, 25 April

University of Tampere, main building, meeting room 1

9.15 Opening by professor Tarmo Pukkila, Rector of the University of Tampere

9.20 Background, objectives and arrangements  
by professors Wolfgang Kleinwächter & Kaarle Nordenstreng

### TOPIC I: THE HUMAN RIGHT TO COMMUNICATE IN A CIVIL SOCIETY

Chair: Kaarle Nordenstreng, University of Tampere (Finland)

9.30 - 11.15 From Object to Subject? The Role of Citizens

Prof. Cees Hamelink, University of Amsterdam; President of the IAMCR (The Netherlands)

Ms. Hallikki Harro, University of Tartu (Estonia)

11.15 - 11.45 Coffee break

11.45 - 13.30 New Freedoms - Old Problems? The Role of Journalists

Mr. Cristian Constantinescu, Deputy Editor-in-Chief, Romanian Television (Romania)

Dr. Colin Sparks, Polytechnic of Central London (UK)

13.30 - 14.30 Lunch

TOPIC II: INSTITUTIONAL FRAMEWORKS FOR PRESS AND BROADCASTING IN A NEW EUROPE

Chair: Wolfgang Kleinwächter, University of Tampere/Leipzig (Germany)

14.30 - 16.15 From Government Regulation to Market Regulation? The Press in a New Environment

Prof. Yassen Zassoursky, University of Moscow (Russia)

Prof. Dirk Voorhoof, University of Ghent (Belgium)

16.15 - 16.45 Coffee break

16.45 - 18.30 Public and Private Broadcasting: A Dual System from the Atlantic to the Urals?

Dr. Zoltan Jakab, Hungarian Radio & Television (Hungary)

Prof. George Wedell, The European Institute for the Media (UK)

19.00 - 20.00 Reception at the City Hall of Tampere  
Host: Mr. Jari Seppälä, Head of Information, City of Tampere

Sunday, 26 April

TOPIC III: THE ROLE OF MULTILATERAL EUROPEAN INSTITUTIONS IN THE PROMOTION OF COOPERATION IN THE FIELD OF INFORMATION

Chair: Jukka Liedes, Special Government Adviser at the Ministry of Education and Culture; Chairman of the CDMM of the Council of Europe (Finland)

9.30 - 10.45 Information Questions in the Council of Europe and Other Bodies; Alternative or Complementary Institutions?

Mr. Lawrence Early, Media Section, Directorate of Human Rights (Council of Europe)

Dr. Yuri Baturin, Gorbachev Foundation (Russia)

Prof. Bernard Blin, University of Paris (France)

10.45 - 11.15 Coffee break

11.15 - 13.00 General discussion

13.00 - 14.00 Lunch

14.00 - 16.00 Working groups

16.00 - 16.30 Coffee Break

16.30 - 17.00 Closing session

18.00 - 23.00 Sauna and buffet in suburb Hangaslahti  
Host: Mr. Timo Tuovinen, Head of Acquisitions, YLE/TV-2

**Monday 27, April**

7.45 Departure by bus to Helsinki

10.30 - 12.30 DISCUSSION WITH DELEGATES OF THE CSCE HELSINKI  
FOLLOW-UP MEETING  
(Hotel Grand Marina, Meeting room K-12)

12.30 - 14.00 Lunch in Hotel Grand Marina  
Host: Mr. Jukka Liedes, Ministry of Education and Culture

14.00 - 15.30 Final discussion