

S W E E D

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MEDIA FREEDOM
MADE IN
SCANDINAVIA

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Six examples of best practices

MEDIA FREEDOM MADE IN SCANDINAVIA – SIX EXAMPLES OF BEST PRACTICES

Report on the December 2019 joint fact-finding mission

Content

Introduction.....	3
1. Foundations help media outlets to focus on professional journalism and media freedom.....	5
2. Subsidies stabilise the market and promote innovation.....	9
3. A high degree of trade union organisation helps to protect journalists and preserve professional journalism.....	14
4. Public Service Media and audience engagement builds trust.....	19
5. Sustainable co- and self-regulatory frameworks promoting and safeguarding ethical journalism.....	23
6. Sweden: strong constitutional safeguards secure media freedom.....	27
Conclusion.....	30
COVID19: Denmark provides a survival kit for media outlets.....	36



Members of the Delegation:

Henrik Kaufholz (Scoop)
 Lutz Kinkel (ECPMF)
 Renata Rat (ECPMF)
 Paola Rosà (OBCT)
 Renate Schroeder (EFJ)
 Dirk Voorhoof (Human Rights Centre Ghent University and Legal Human Academy)

Layout:

Andreas Lamm (ECPMF)



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Front page-picture: Wall painting in the building of the Union of Bulgarian Journalists. Photo: ECPMF

Introduction

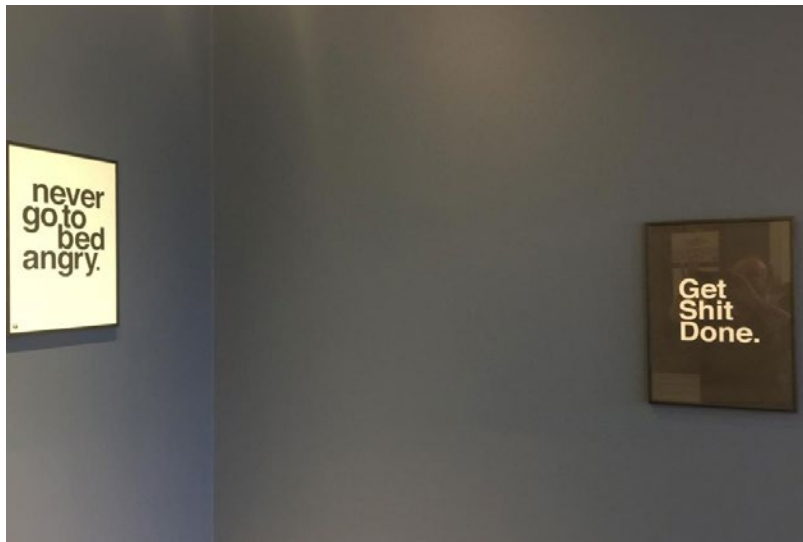
For the freedom of expression community it is part of daily business to raise alerts, to criticise and to express concern. This is the vocabulary normally used to describe the deteriorating situation of media freedom in EU Member States and Candidate Countries. And there is nothing wrong with that.

However, the permanent focus on difficulties doesn't answer the question about the other side of the coin: how do countries that are regarded as champions of media freedom manage to create the best environment for a free press? What are their legislative provisions and regulatory approaches? How do they steer the media markets? Why do they appreciate what other countries find it hard to stomach, namely free speech and access to information?

In journalism the concept of "constructive journalism" is already widely discussed.¹ This Fact Finding Mission could be understood as "constructive activism". The team searched for policies that have proved to be successful and might inspire a change for the better.

It was easy to decide where to look for this. Scandinavia always leads the rankings of citizens' rights and media freedoms in Europe. A typical example can be found in the latest edition of the Reporters without Borders World Press Freedom Index. It places Norway on top at Number 1, Finland 2, Denmark 3 and Sweden 4.²

In accordance with our mandate we had to select EU Member States, and for practical reasons we decided not to visit more than two. Naturally, the choice fell on Denmark and Sweden.



Office of the president of the Danish Union of Journalists in Copenhagen: highly pragmatic approach. Photo: ECPMF

1 <https://www.journalism.co.uk/news/constructive-journalism-a-cure-for-reader-disengagement-/s2/a724852/>

2 <https://rsf.org/en/ranking>

In preparing the Fact Finding Mission (FFM), the European Centre for Press and Media Freedom (ECPMF) tried to identify best practices by desk-based research. It turned out that there are at least six topics that are worthy of investigation: the high degree of trade union organisation in the media industry; subsidies and innovation; the role of foundations, the role of public service media, the construction of self- or co-regulatory bodies dealing with journalistic ethics and the legal provisions guaranteeing press freedom and access to public documents.

Alongside these topics, ECPMF's Renata Rat selected experts on the ground to interview and sites to visit, such as the Politiken publishing house in Copenhagen and the Swedish public broadcaster SVT.

Even before the mission started, the team was fully aware that it might not get the desired results, because

- a.) reality might look worse than desk-based research suggests and
- b.) some aspects might be so strongly linked to Scandinavian tradition and culture that they only seem to work in Scandinavia.

The team resolved that this is not a problem but an opportunity, because it would provide a reflective, realistic picture of what was to be examined.

The FFM took place between 15 and 18 December 2019, starting in Copenhagen and continuing in Stockholm. The participants were: Renate Schroeder (European Federation of Journalists, EFJ), Paola Rosa (Osservatorio Balcani e Caucasi Transeuropa, OBCT), Renata Rat (ECPMF), Prof. Dirk Voorhoof (ECPMF, Human Rights Centre Ghent University and Legal Human Academy), Lutz Kinkel (ECPMF) and Henrik Kaufholz (ECPMF, SCOOP investigative journalism centre).

1. Foundations help media outlets to focus on professional journalism and media freedom

By Lutz Kinkel

Media ownership is one of the most important topics to consider when debating media freedom. Owners have a decisive influence on how – and if! – journalism is created. Scandinavia plays a special role here because there is a surprisingly large number of foundations active in the media sector.

In general, these foundations can be divided in two categories – commercial and philanthropic foundations. The latter is more common: the Donors and Foundations Networks in Europe (DAFNE) counts more than 10,000 philanthropic entities as members.³ To some extent they also support journalism, especially investigative journalism, which results in the relatively new phenomenon of “non-profit-journalism”.⁴

What makes Scandinavia unique is the high number of commercial foundations that are running businesses, including many in the media sector. According to a 2016 report by Copenhagen Business School, the majority of the Danish newspaper market is in the hands of foundations.⁵ This seems to protect them against “oligarchisation”, a widespread trend in media ownership throughout Europe. The Centre for Media Pluralism and Freedom (CPMF) country report on Denmark states:

“Denmark has not had problems with politically-affiliated business owners who have taken control over central media outlets and used

it for direct or indirect political influence. This is due to the large public service sector and to the tradition of foundation ownership.”⁶

This tradition is also characteristic for Sweden. “A (...) typical feature of the Swedish newspaper market is the foundation-owned newspaper”, writes the European Journalism Centre.⁷ A quick look at the statutes of these foundations shows that their goals differ from those of purely commercial publishing houses: “Keeping democracy alive and active” (Gota Media); “Credible supply of journalism with a local perspective” (MittMedia), “No required rate of return for the foundation’s investments”, (Norrköping Tidningar Media).⁸

According to the desk-based research, having foundations as media owners provides a structural element that positively influences media freedom. The FFM made a reality check.

3 <https://dafne-online.eu/about-us/who-we-are/>

4 See also <https://gjin.org/investigative-journalism-organizations/>

5 <https://civilsamfundet.org/s/Foundation-Owned-News-Media-in-Denmark.pdf>

6 https://cadmus.eui.eu/bitstream/handle/1814/61136/2018_Denmark_EN.pdf?sequence=1&isAllowed=y

7 <https://medialandscapes.org/country/sweden/media/print>

8 Compare <https://www.tandfonline.com/doi/full/10.1080/14241277.2018.1482302>

1.1 Findings

1.1.1. Denmark

The JP/Politikens hus at Copenhagen's Raadhuspladsen that houses offices for the newspapers Politiken, Ekstra Bladet and Jyllands-Posten is secured like a fortress – a consequence of the

tion is chaired by Karsten Ohrt – an art historian and former director of the National Gallery of Denmark.¹¹ This type of ownership separates the publishing house from media outlets throughout Europe that are usually owned by investors or families. The latter was also common in Denmark. Now it is a historical phase for JP/Politikens hus.

All the power is in the foundations. No individuals are getting anything. The families are out of this business, says Ørskov. From his perspective the structure of the company has several implications:

- The only function of the foundations is to own the company and ensure the viability of the titles. This guarantees a maximum of independence whilst operating the publishing house. We don't have any dependency on shareholders, the state, or individual customers of the companies. We want to be free to do what we think is right to do, says Ørskov.
- The editors-in-chief enjoy a special protection. They don't have to report on editorial matters, neither to the boards nor to the CEO. Theoretically, they can be fired by the boards because of their editorial line, but according to Ørskov this never happened.
- The foundations running JP/Politikens Hus participate very modestly in the economic success of the titles. According to Ørskov, they usually claim less than five percent of the yearly profit for their purposes, 95 percent remains in the hands of the publishing house and can be reinvested.



Debate with Stig Ørskov (left), CEO of JP/Politikens hus, in Copenhagen: "We want to be able to resist"
Photo: ECPMF/Renata Rat

threats occurring since Jyllands-Posten published the Mohammed cartoons in 2005.⁹ Jyllands-Posten is regarded as a right-leaning national daily, Politiken is perceived as centre-left and Denmark's most influential quality newspaper, Ekstra Bladet is a popular tabloid. The Chief Executive Officer of JP/Politikens Hus is Stig Ørskov, 49, who says he worked as a journalist for 20 years before joining the management.

The company he runs is owned by two self-governed foundations, each controlling 50 percent.¹⁰ The governing bodies of the foundations are the boards, and the board of the Politiken founda-

⁹ Deutsche Welle provided a good overview of the controversy ten years later: <https://www.dw.com/en/free-speech-at-issue-10-years-after-muhammad-cartoons-controversy/a-18747856>

¹⁰ <https://jppol.dk/en/om-os/owners/>

¹¹ <https://www.smk.dk/en/>

- The modest profits taken by the foundations allowed the CEO to build up reserves of more than two billion Danish Kroner (DK, around 268 million euros) in order to withstand any kind of pressure we get, Ørskov explains. As an example, he told the delegation about an ongoing litigation, where the government sued Politiken for having published information about a former secret service boss. The claim is two million euros. You can see all over the world that, when the state feels threatened by the free press, they go after them with fines and penalties. And we want to be able to resist that, he added.

While he is largely satisfied with ownership by the foundations, Ørskov also points to a certain risk. In the case of a deep economic crisis and a high demand for capital, the foundations would quickly run out of funds. The problem with our foundations is: they can't go into the lending market, says Ørskov. If we get into a position where we need to have external capital, they will lose control. That's the problem here. Henrik Kaufholz, FFM participant and Politiken-employee for decades, adds that there is a saying among the editorial team illustrating this specific dilemma: "We can't be sold, we can't be bought, but we can go bankrupt."

Ørskov calls the system a fragile structure that can only be protected by healthy finances. It is a structure that forces us to run a profitable business. His credo is:

"True media freedom comes from true economic freedom."

1.1.2. Sweden

Mart Ots is Associate Professor at the Jönköping International Business School and an advisor on media politics to the Swedish government. For several years, he was a member of the committee responsible for press subsidies – and what he had to say about this topic was not exactly encouraging (see chapter on subsidies).

But: Ots also sees advantages in the Nordic media system, and one of them is the media ownership by foundations. "It's quite common in Sweden", says Ots. In July 2018, Ots and two colleagues published the essay "Upholding the 4th estate – exploring the corporate governance of the media ownership form of business foundations" in the International Journal on Media Management, Issue 2 2018¹². Even the title indicates a certain appreciation for this kind of ownership. In their conclusions the authors write:

"This type of ownership provides companies with stability and a long-term strategic intent, where strategic decisions are not restricted by the demand for quick pay-offs. This freedom has allowed firms to follow strategic visions that truly connect the companies with their local communities, resulting in strong local connections and high journalistic ambitions. Here, upholding the 4th estate is an important basis for the foundations' strategic decisions, and not profitability per se; profitability is instead seen as a means to produce journalistic content."¹³

12 <https://www.tandfonline.com/doi/full/10.1080/14241277.2018.1482302>

13 <https://www.tandfonline.com/doi/full/10.1080/14241277.2018.1482302>, p.147

According to the authors, this attitude doesn't hinder economic success. On the contrary: the foundations that they examined outperform the purely commercially-driven media outlets. The only disadvantage the authors could find is the limited financial flexibility of foundations, "since the foundations' original holdings cannot be sold, and their original capital cannot be easily diluted".

In the interview with the FFM, Ots gets back to this point when describing the case of Mittmedia.¹⁴ "Mittmedia was one of the largest groups in Sweden, but came close to bankruptcy and was acquired by Swedish "Bonnier" together with the Norwegian group "Amedia". Mittmedia was a foundation, but a foundation with no money. And as soon as such a foundation fails to make a profit for one year, they are in trouble." In this case the financial weakness of the foundation resulted in a takeover and thereby in a higher concentration of media ownership in the Swedish media market – a consequence that might have been avoided if legislation facilitated instruments to refinance foundations.

1.2 Recommendations

The positive experiences of foundations running commercial media outlets in Scandinavia suggest it would be good to expand this form of media ownership in the EU. Therefore, the delegation recommends that Member States and Candidate Countries should provide a legal framework enabling foundations to take part in their respective media markets. It seems logical to support in particular foundations which are dedicated to the goal of strengthening professional journalism, media pluralism and media freedom. The transformation of the business to this type of foundation should be made attractive to family owners. The question of how to protect foundations against the risk of a quick financial exit should be discussed by an expert group that considers the experiences of Scandinavia.

¹⁴ Background: <https://www.bonnier.com/en/news/bonnier-news-acquires-mittmedia>

2. Subsidies stabilise the market and promote innovation

By Renata Rat

In times of digitalisation when media and especially regional and local newspapers are under massive economic pressure, subsidies are needed by many media outlets to survive. Across Europe, they exist in all shapes and sizes. In general, measures to support the media can be divided into direct and indirect funding. The former refers to direct payments to media outlets, the latter to measures like tax breaks for newspapers. With the exception of very few countries, most of the EU Member States have a significantly reduced Value Added Tax (VAT) rate for newspaper sales.¹⁵

Direct state support can be found in around one third of the EU countries, among them the Nordic countries, France, and Italy. The Netherlands and Austria have also legislated for media support schemes. They focus on the market position of newspapers, their economic situation, and their aim on innovation.¹⁶ Public funding mostly originates from the state budget or licence fees; it is distributed by the government or some special authority.¹⁷ Many other countries, for example Germany or the Flemish-speaking part of Belgium, do not have any kind of direct media support scheme.

Again, Scandinavia has a special profile. Several interviewees pointed out certain societal aspects are taken for granted. Firstly, there is the long tradition of free speech and unhindered access to information. Secondly, people rely on a strong state that actively supports all kinds of businesses. Within this framework, subsidies to promote

the media and democratic debate are not controversial. In fact they have been considered a matter of course for decades. The question is: do they still serve the purpose for which they were created?

2.1 Findings

2.1.1 Denmark

In Denmark private media outlets receive state subsidies in relation to three different factors: the number of journalists they employ; the social diversity of their readership; and the amount of political and cultural content they create that is regarded as important for democracy.¹⁸ These requirements were implemented following new legislation in 2014. Before that, press subsidies were granted on the basis of circulation only, excluding non-printed media. Now, with this platform-neutral approach, digital news outlets can also receive subsidies.

The subsidies are administered by the Danish Agency for Culture and Palaces; a committee appointed by the Minister of Culture decides on the allocation of the funds. In 2019, a total amount of 392.8 million DK was granted to media outlets.¹⁹ The original aim of the public support for media was to ensure media pluralism in the countryside and to reduce commercial influence.

There is a distinction between production aid and innovation aid. In order to qualify for the for-

15 https://ec.europa.eu/taxation_customs/sites/taxation/files/resources/documents/taxation/vat/how_vat_works/rates/vat_rates_en.pdf

16 Haenens, L. d', Sousa, H., & Trappel, J. (Eds.) (2018). Comparative media policy, regulation and governance in Europe: Unpacking the policy cycle. Bristol, Chicago: Intellect LTD.

17 Künzler, M., Puppis, M., Schweizer, C. & Studer, Samuel (2013). Monitoring Report Medienförderung.

18 <http://www.digitalnewsreport.org/survey/2019/denmark-2019/>

19 https://slks.dk/fileadmin/user_upload/SLKS/Omraader/Medier/Medienaevnet/Medienaevnets_aarsrapport_2019_-_laes-evenlig.pdf

mer, at least 50% of the editorial content has to focus on politics and society; at least one third has to originate from the media outlet's own editorial office and at least three editors need to be employed. The latter is granted for journalistic start-ups, for the further development of already existing media or for researching innovations. In 2019, 20.5 million DK of innovation funds were granted to Danish media.²⁰ The objective criteria that have to be achieved in order to receive the funding are quite high and still seem to be based on the work of a print publisher and not of that of a digital start-up. "In principle, grants cannot be granted for development projects that concern exclusively or mainly audiovisual content, regardless of whether the existing media is a written internet-based media", the criteria catalogue for innovation funds says.²¹

Another way that newspapers in Denmark receive support is through indirect funding. These are funds that publishers do not have to transfer to the state because revenues from the sale of newspapers are exempted from VAT.

According to the Reuters Digital News Report²², regional and local newspapers in Denmark received subsidies worth two million euros in 2019. Many of them depend on state funding, our interview partners said. Yet, despite the subsidies, local newspapers are dying – as they are elsewhere in Europe.

The arm's-length principle ensures political independence

The arm's-length-principle is a term rooted in international taxation law. Here, it describes the relationship between companies that belong to

the same corporation or closely work together. According to the principle, they exchange goods and services based on market prices. No special discount is given.²³ In Denmark, the term is also used in culture and media politics to metaphorically describe the relationship between the state as the donor of subsidies and the beneficiary. "You hand out the money but don't intervene in the way the money is used", explains Henrik Kaufholz. "So when you support a new TV station you can demand that it broadcasts news and documentaries, but you have no influence whatsoever over the way the station produces these news and documentaries, content-wise."

The arm's length principle in this context describes the ideal of keeping editorial and political independence while receiving subsidies from the government. The fact that it works that way is linked to a consensus in Danish society that it should work that way.

"A functioning and stable political system is the basis of a functioning media system",

says our interviewee, Mark Ørsten, Professor for Communication Science at Roskilde University.

Innovation funds help to create a new media landscape

Denmark is a highly digitised and innovative country. There are some interesting, innovative projects that partly owe their existence to state support. The FFM visited two of them in order to study the effect of the subsidies and of the journalistic innovation.

20 <https://silks.dk/tilskud/stamside/tilskud/udviklingstilskud-fra-innovationspuljen-medier/>

21 <https://silks.dk/tilskud/stamside/tilskud/udviklingstilskud-fra-innovationspuljen-medier/>

22 <http://www.digitalnewsreport.org/survey/2019/denmark-2019/>

23 https://oecdobserver.org/news/archivestory.php/aid/670/Transfer_pricing:_Keeping_it_at_arms_length.html

Zetland attracts subscribers by being selective, explanatory and personal

Zetland is a digital, subscription-based website, founded in 2014 by four journalists originating from legacy media. The founders wanted to build an alternative media platform to adjust to digitalisation. Additionally, they wanted to publish well-researched content in the form of explanatory journalism. Zetland's CEO, Jakob Moll, opines that the problem with news is that you only get small scraps of knowledge about what is going on without having the whole framework around it. According to him, newsrooms tend to focus on the extreme. This makes people fearful because they get the wrong idea of how the world works.

Moll turned the principles of news production upside down.

- Instead of briefly describing incidents, Zetland produces long reads explaining the background of current topics
- Instead of sampling information from agencies and other news outlets, Moll's editorial team focuses on extensive research
- Instead of producing as much content as possible to increase the outreach, Zetland's programme is highly selective, sometimes publicising no more than six pieces a week. A survey among the audience asking whether they would like to have a broader editorial palette resulted in the clear advice to keep or even reduce the number of articles.

Another key element of Zetland's strategy is to personalise the relationship between authors and audience.

- In 2017, Zetland introduced audio to accompany their articles. The author reads and records the article him/herself, thereby adding an aura of credibility and authenticity. Today, around 65-70% of Zetland's content is consumed via audio. It serves the demand of the audience which wants to receive the article in a flexible way.
- A big effort was made to turn recipients into members of a community. Jacob Moll sees the direct communication with users and their identification with the media outlet as one key to success. In 2019, Zetland initiated a campaign asking community members to become "ambassadors" and promote the platform. According to Moll the campaign led to a growth of 25 % in just one month (August 2019).

Zetland would not exist if it were not for the innovation support scheme from the Danish state. However, Zetland is working on becoming independent of subsidies. According to Moll, in 2020,



Presentation by Zetland's CEO Jakob Moll in Copenhagen: long reads, young audience
Graphic: Zetland

only 10% of the revenues will originate from public funding. One reason to abstain from subsidies is the criteria for getting them. The further development of the audio publishing strategy does not fit into the scheme.

Altinget made itself indispensable by perfecting niche information

Altinget is another Danish digital news outlet that was made possible by public funding. The company runs 23 niche portals that cover specific themes in Denmark like environment, healthcare and transport. The portals are sold for a high price compared to a classical newspaper subscription. The subscribers are almost entirely professional customers who need this kind of information.

Altinget was one of the first media outlets to introduce a paywall in 2002. Hence, they did not face the difficulties other media outlets had with the transition from free to paid content. Advertising on Altinget is almost entirely driven by classified, targeted job ads.

Altinget's business model is based on three pillars: Firstly, the subscriptions, which are substantial; secondly, the advertising, and thirdly, the network groups. Those network groups work very well in terms of revenue and they also create loyalty. According to editor-in-chief Jakob Nielsen, network members become subscribers or the other way around,

“people want to be part of the media”.

As in the Zetland case, community is a strong factor.

Another innovative approach is that Altinget uses artificial intelligence (AI) and automated journalism. Robots use open data from the Danish parliament and distribute it to the newsletters. They create small articles from each stage in the legislative procedure and parliamentary debates and then put it into a timeline. This approach is inspired by structural journalism, where you create content around data. The results can be used by journalists who use the content as a research basis to write an article.

Altinget also receives subsidies from the Danish state. Nielsen states that the state support helps them to stay in the black.

2.1.2. Sweden

In general, there are three kinds of media subsidies in Sweden which aim to “strengthen democracy by promoting public access to independent news throughout the country via a multitude of general news media”. Firstly, there are operational subsidies that go into the editorial production – daily or weekly newspapers providing a certain percentage of editorial news are eligible. Additionally, the respective newspaper has to be a subscription-based, printed newspaper. Secondly, there are distributional subsidies, which are supposed to be an incentive to encourage newspapers to collaborate in distributing papers. Originally they were introduced to lower the entry barriers to local markets. Thirdly, since 2014 there have been innovation subsidies. Their criteria show that they don't aim to create new digital start-ups but rather to help transform legacy media into digital media. Mart Ots, media researcher at Jönköping Business School, criticises this design. He says “policy makers and society should seriously consider how we define journalistic ac-

tivity or newspaper operation that is not defined by the distribution medium".²⁴

Originally, the Swedish subsidy system was created to ensure media pluralism in the countryside. That meant that the market leader would not receive subsidies. Nowadays, that pluralism is largely gone. Often, only one newspaper remains in one local market, which makes it impossible to distinguish a market leader. Even though journalism at the local level still exists, it is in the process of vanishing. Nevertheless, there are still many weekly newspapers that are almost entirely dependent on state subsidies and that would otherwise have vanished if these were not provided.

2.2. Recommendations

The delegation had to acknowledge that subsidies don't guarantee a sustainable pluralistic media-landscape, at least not in the countryside. Nevertheless they can help to slow down the decline.

In general, subsidies seem to be very useful when based on the "arm's-length-principle", excluding any interference by governments in the editorial process. In Sweden and Denmark this is secured by a common understanding nurtured by tradition and the constitution. In other countries, the dissemination of subsidies might be delegated to an independent, non-governmental institution to create the "arm's length".

There is still room for improvement regarding the criteria required to receive state subsidies: they should not be designed to preserve the old media landscape consisting of TV, radio, newspapers and magazines. The aim should be to support professional journalism, sustainable jobs and media pluralism regardless of type of media or the means of distribution.

The larger part of state support should be invested into innovation with the aim of helping journalistic start-ups to create a sustainable business. Zetland and Altinget deliver examples of how to successfully invest in new ways to sell well-researched journalism to specific audiences.

²⁴ Sources: <https://www.mpr.se/en/applying-for-a-press-subsidy/>, Mart Ots, Jonköping Business School.

3. A high degree of trade union organisation helps to protect journalists and preserve professional journalism

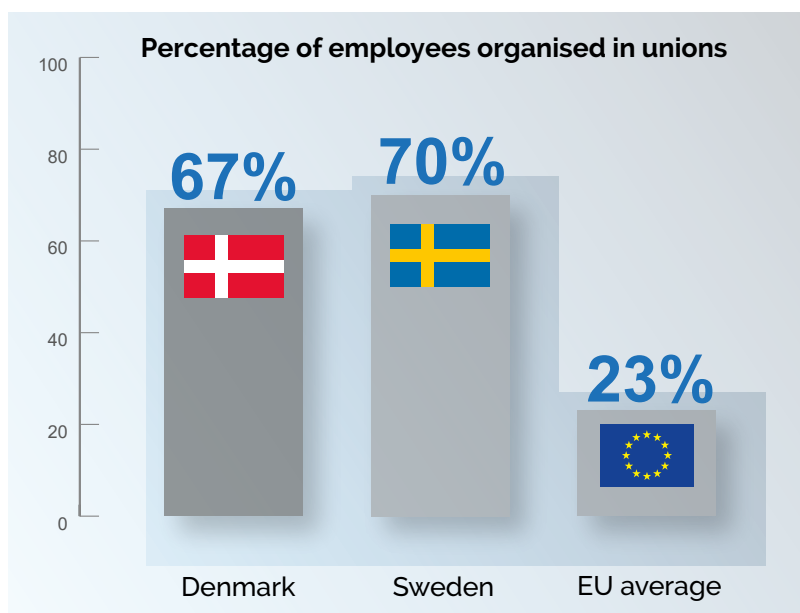
By Renate Schroeder

In well functioning democracies, trade unions can develop their full potential and become a strong and independent actor defending workers' rights, their safety and economic well being. The Nordic countries with their lively democratic tradition are role models for that. In contrast, governments leaning towards autocracy usually are suspicious of any potent organisation that is not affiliated with the ruling party – like unions and independent associations – especially if they represent journalists.

In general, the level of organisation among journalists in Europe is relatively high – in Western Europe the average is about 70 percent. One reason is that journalists usually identify very strongly with their profession. However, there are great discrepancies between North and South and the situation is certainly different in Central and Eastern Europe.

In the Nordic countries, the penetration of the labour market by the unions is high. In Denmark 80%²⁵ of the workers are members of a union and among journalists it is 90 to 95%. In Sweden, the figures are comparable. The strength of the unions in Denmark and Sweden helps to maintain the high standard of press and media freedom. The questions for the Fact Finding Mis-

sion were what kind of role do the unions play politically? And how do they manage to attract so many members? In both countries, Denmark and Sweden, membership is not mandatory in order to work as a journalist.



Source: European Trade Union Institute (<http://de.worker-participation.eu/Nationale-Arbeitsbeziehungen/Quer-durch-Europa/Gewerkschaften>)

3.1 Findings

3.1.1. Denmark

In Copenhagen, the Fact Finding Mission visited the office of the Danish Union of Journalists (DJ) to talk to its president Tine Johansen. DJ represents 18,200 journalists and media workers. The very high number of members contributes to the organisation's political weight. It is hardly possi-

²⁵ <https://www.worker-participation.eu/National-Industrial-Relations/Countries/Denmark/Trade-Unions#note2>

ble to circumvent such a union in any negotiation concerning the working conditions in the media sector.

One explanation for the large number of members lies within the specific construction of the union. It gathers a wide variety of members: full time journalists (45%), freelancers (25%), photo-journalists, graphic designers, journalism trainees and students (18%), and also media technicians, camera-men and women, communication/public relation officers (18 %) and pensioners.²⁶

DJ is the only union in Europe which has such an extended membership criteria covering all media workers, not only journalists, under one roof. Uniting them makes the organisation a strong political force that is well represented in the public sphere. The impact it achieves can be estimated by the fact that already in 2007 DJ had managed to negotiate a collective agreement for freelancers. This protection of freelancers, giving them equal rights and shielding them against economic precariousness is not a standard in Europe.

Another characteristic that distinguishes DJ is its highly pragmatic approach. According to president Tine Johanson the organisation keeps an "arm's length" distance from any ideology.

"I believe that it's a huge problem that many unions in Europe are affiliated with political parties; and they can be very aggressive. Our model is based on getting results through respectful dialogue".

says Johanson. The absence of a partisan mission also ensures the union's diverse membership is able to support the leadership.



Entrance to the Headquarter of the Danish Union of Journalists in Copenhagen: one roof for all.-approach. Photo: ECPMF/ Renata Rat

And it has led to a constructive relationship with publishers and media owners. Johansen explained to the delegation that she thinks of employers as opponents only when it comes to bargaining collective agreements, improving salaries and working conditions. Regarding the second pillar of the unions' work – advocating for the free word, openness and transparency in the society – DJ often liaises with the employers. Johansen says it is impossible for Danish politicians to ignore an issue, if the "Social Partners" (unions and employers), push for it.

Last but not least, pragmatism defines the union's relationship to its members. In Johansen's understanding, the union has to be a service provider. When asked about the most important motive to seek a membership, she replies:

"It is the security that somebody will catch you if you fall."

To avoid phases of unemployment, DJ offers a broad range of career counselling for its mem-

²⁶ More here: <https://journalistforbundet.dk/dj-english>

bers, including mid-career and digital training, and also helps in situations of burnout and stress. Training courses are financed both by the union and by the publishers. To detect and satisfy the needs of its diverse membership, DJ believes in a decentralised organisation. The organisation has several specialised groups, for instance for the cartoonists, the photographers, the visual artists and others. They conduct meetings, events and training workshops and they report back through a contact person to the union's leadership. The key is to leave enough autonomy under one roof, explains Johansen.

Another feature that makes DJ remarkable is its successful work on organisational sustainability. 18% of the members are student journalists and, all in all 35% of the members are less than 35 years old – another important achievement seldom found in Europe.²⁷

A central issue here is how DJ manages to recruit so many students and keep them in the union.

In the interview, Tine Johansen explains that DJ hires students as “ambassadors” at journalism schools and universities. They receive training to convince their colleagues of the benefits of being a member. “They offer the narrative of the union and besides that cheap insurance, unemployment fund and DJ-merchandise”, says Johansen. Most important though is the fact that students immediately receive full membership rights when they enter the union. Johansen describes them as a very lively, self-organised group within the union, conducting their own events and speaking out loudly at the union's gatherings. However, they are not treated as offspring, but as members just like everyone else.

Part of the success also seems to be the aware-

ness of the changes and challenges caused by the digital transformation. Recently, DJ initiated a group for professional bloggers. The union sees a potential for membership here and wants to organise these “publishers”. One of the first projects is to draft an ethical standard for bloggers. Another of DJ's projects is to support photographers in finding new opportunities in the digital world, for instance by focussing on visual storytelling.

“Precarious working conditions are the future challenges of our union and this goes hand in hand with the objective to be able to have collective bargaining for all workers independent of their employment relationship. Competition law prevents us from helping the self-employed”.

Tine Johansen concludes.

3.1.2. Sweden

Svenska Journalistförbundet (The Union of Swedish Journalists – SJF) is the only professional organisation for journalists in Sweden. It is both a trade union and a professional association for journalists. SJF has about 14,000 members and is considered to be strong. In contrast to the Danish Union of Journalists, SJF only organises journalists, not other media workers.

Tove Carlen, legal advisor at SJF, says that the union membership is shrinking. In recent years it had to cope with the loss of 2,000 members as a result of the massive job losses in journalism. The loss naturally affects the unions' ability to act as a protector, negotiator and watchdog of

²⁷ Sources: Tine Johansen, DJ and Mogens Blicher Bjerregård, DJ.



Debate with Tove Carlen (second from left), legal advisor of the Union of Swedish Journalists: flexible agreements with start-ups
Photo: ECPMF/Renata Rat

its members' interests. Therefore the SJF has put considerable resources into recruitment policy.

Sara Carlsson is the communication officer and responsible for recruitment and organising. She outlines the focus of their organising strategy as follows:

- Reaching out to journalism schools and universities: Many students do not know what unions are all about; the union co-operates with universities to get a space in order to explain the importance of union work for working conditions, ethics and media freedom and pluralism. Student members get a press card, better pay in their internship, help and advice as well as a subscription to the journal "Journalisten". The fee for students has been lowered to 24 euros per year. One important step is to hire students as "ambassadors" at their schools.
- New membership criteria: For decades the union only accepted full time journalists as members. Now part-time-employees or freelancers are also allowed to enter the SJF. They receive the press card, but do not have to pay the full membership fee;

- Focus on digital start-ups: The SFJ attempts to cover digital start-ups with more flexible mini-agreements and communicates to employees and freelancers in digital media that they can become a member even if they are not a "classic old school journalist".
- Services: The SJF works hard to provide a high level of services and benefits for its members. They can get advice and help from the union ombudsman and lawyers, they also have access to professional training, cheaper hotels, train tickets, insurance and other advantages. The freelance section of the SJF, Journalistförbundet Frilans, organises between 25 and 30 webinars and courses each year.

Sara Carlsson concluded that the main challenge is to be relevant to the young journalists and students. The journalistic identity is more important than ever, as the media environment is changing very fast.

3.2. Recommendations

Strong unions are vital for maintaining press and media freedom, professional journalism and media pluralism. In liberal democracies like Denmark and Sweden the existence of such unions is a matter of course. The degree of trade union organisation is impressive and helps the unions to address employers and politicians with the necessary impact.

The all embracing model of the Danish Union of Journalists which organises not only journalists but all media workers under its umbrella, is unique in Europe. It is successful in Denmark, but may not be successful or desirable in other countries, where unions wish to focus their membership on journalists. However, due to the changing media ecosystem, discussions about membership criteria are vital for Europe's unions and associations. The Union of Swedish Journalists shows how to carefully open up the organisation for new workers from the digital world.²⁸

The following suggestions may help other journalists' organisations to get stronger or at least keep their membership stable:

- Reach out to young journalists and students from journalism schools and universities; offer them full participation rights, services and space for interesting projects; use young members as ambassadors;
- Map the changing digital media landscape, look out for where journalists work and reach out to other media workers, such as professional bloggers, and to digital start ups;
- Provide coaching, broad ranges of career counselling and training – not only for employed journalists but also for freelancers, bloggers, photographers and others.
- Be professional and not political and try to embrace all journalists, if possible in one union or association.

²⁸ It is important to note that such discussions do not refer to who should be able to have a press card or not

4. Public Service Media and audience engagement builds trust

By Paola Rosà

Public service broadcasters around Europe have been facing new challenges in exercising their role. Securing the right level of independence from those holding economic and political power, securing funding, adapting to the digital age and maintaining high editorial standards in a competitive market are only some of them. Healthy democracies are intrinsically linked to public service media. If citizens also believe their public service broadcaster is politically independent, they tend to be more satisfied with their democracy.²⁹

In some European countries, like for example in Hungary, public service media cannot be seen as independent any more, since the media outlets are now supervised by a single body, under the control of the government.³⁰ Similar things have happened in Poland, where all public service media companies are one-person companies owned by the State Treasury.³¹ The Croatian public service broadcaster HRT has been continuing an internal policy of firing critical editors and reporters or putting them into back-office jobs while at the same time suing the journalists' association HND and even former editors for defamation whenever critical voices were raised against it.³² Even the Danish public service broadcaster appeared to be vulnerable. It is facing drastic job cuts, expenditure cuts and the closure of several radio stations after a decision by the government in 2018.³³

One of the few good examples when it comes to both sustainability and editorial policies of public service media, is Sweden.

4.1 Findings

The meeting with Johan Lindén, Project Manager at SVT, the Swedish public television, gave some interesting insights and suggestions that could be inspirational" for media policy in other countries, even where the political and social framework might be very different.

In 2019, for the first time in recent decades, right wing parties stopped the three-year-process of the so-called "white paper about public service media". This paper is the background document for presenting a bill to the Parliament and contains general guidelines, objectives for the licensing period and proposed changes in the law governing TV and radio. The "white paper" is addressed to the Government and contains its official viewpoint on the matter, and it has to be approved by Parliament every 3 years. The approval of the document determines subsequent decisions about financing and support for public service media.

The new situation in the Parliament while the white paper was being discussed is described as somewhat delicate.



Logo of the Swedish public television at the entrance of the headquarter in Stockholm: "No longer a total agreement"

Photo: ECPMF/Renata Rat

²⁹ <https://www.ebu.ch/news/2019/09/public-service-media-critical-to-healthy-democracies>

³⁰ <https://www.ecpmf.eu/events/newsocracy-budapest2019-psm>

³¹ <https://www.ecpmf.eu/archive/news/legal/archive/how-poland-rushed-through-the-new-media-law-and-worse-it-yet-to-come.html>

³² <https://www.ecpmf.eu/news/ecpmf/international-media-freedom-delegation-in-croatia-some-improvements-old-and-new-issues>

³³ <https://www.publicmediaalliance.org/drastic-change-ahead-for-danish-public-broadcaster/>

Johan Lindén told the delegation:

“During 2019 we saw a shift in the political attitudes towards public service. All parties were agreeing in the Parliament enquiry on public service broadcasting, or white paper, which led to a new charter for the public service companies that emphasised strong independent public broadcasters. After the decision in Parliament, three parties on the conservative side changed position for the first time.”

Despite having agreed in Parliament, these three parties started to block the process of the white paper in its later stages.

“We can see a tendency here in Sweden and elsewhere that the media, and in particular public service media, is being used as a political opposition. The media’s role as a critical auditor of politics is part of its position in a liberal democracy and is non-political. This has been an agreement in society but there is no longer a total agreement on the role of the media and its basic function in a democracy.”

In spite of threats coming from some politicians, public service media enjoy the support of the whole media and of the audience: Swedish Radio and SVT still have a high level of trust from the audience.³⁴ When SVT was under political attack, the biggest daily newspaper in Sweden, Dagens Nyheter, wrote on its front page “Don’t hit public

service!”. Even publishers are united in these cases, because they have realised that

“when you hit public service media, you attack all media”.

Having publishers, the press and public service media workers united and advocating for media freedom and strong public service media, rather than having an antagonistic relationship, is a situation that certainly contributes to creating a positive background for the general health of the media environment. In Sweden, unlike in other countries, political polarisation and ideological divisions do not corrode the common trust in public service media. The common principle that press freedom is a basic need of society is so strongly shared that other divisions (such as the different interests of publishers and workers, the competition between private outlets and public service media, and among different newspapers) simply play a secondary role.

According to Lindén, staying in touch is essential: SVT’s strategy department meets with politicians. They have discussions, keep the dialogue alive, answer questions. This constructive dialogue ensures that the needs of both sides can be expressed. However, there are no direct links between individual journalists and Members of Parliament. In order to keep the content production independent, there is a clear separation between the public affairs part of the organisation and the editorial departments that focus on journalism.

SVT was one of the first media outlets to adapt to digitisation and had already established a strong online presence 15 years ago. This approach was very successful and also helped to attract a young audience. According to Lindén, two to

³⁴ https://medieakademien.se/wp-content/uploads/2020/03/Presentation_fortroendebarmetern_2020.pdf

three million users use SVT online only and never watch it on TV. The online news clips are much shorter compared to the ones that are played on TV since online users prefer to see the news in a brief period of time.

In contrast to other media outlets such as newspapers, SVT is expanding instead of cutting jobs. They are going to double the number of regional stations in order to fill the gap left by the shrinking local press. This project will be partly financed by money that can be saved in the production departments due to technological innovation that allows more cost-efficient production. The money will go to new journalists.³⁵ Such ambitious projects can obviously only be pursued when there is enough funding through licence fees. So far, SVT has not been subject to big financial cuts. Thanks to a recent reform, what used to be a licence fee applied to every household with a radio and/or a tv, has been changed into a tax, applied to individuals who are liable for income tax.

The audience dialogue project Fikar med SVT ("coffee with SVT") developed by Christina Johansson is considered to be a very successful tool to be implemented for a standing dialogue with the audience and for an improvement of content and strategies at all levels.

Fikar med SVT was established after SVT realised that young people were becoming less and less interested in the public service broadcaster and that the digital transformation needed to be supported by a transformation of content.

It was not a marketing thing. It was a way to engage the audience, Johan Lindén said. And the journalists, one could add.

News journalists from both national and regional televisions went to 1,000 meetings across the whole country with a wide range of different groups of society and learned about the needs of their audience. SVT achieved a double goal: a better understanding of its – real and potential – audience, and a wider choice of topics to be reflected in the news.

The positive outcomes of Fikar med SVT listed by Johan Lindén are impressive: more transparency, more readiness to explain, a deeper awareness and more responsible attitude to content, a more understandable journalistic language with fewer jargon words, and a greater ability to implement new forms of debate and information. The results are a closer bond to the audience, as well as more trust and interest in the public service broadcaster.

Encouraged by the success of the "coffee table project", journalists at SVT started to reflect on several issues like polarisation, fake news, opinions to be distinguished from facts, minority language groups and the challenge of a new set of skills and jobs.

Admitting that "journalism had a role in polarisation", SVT was ready to start a follow-up of the Fikar med SVT, promoting "meetup dates" among people with opposing views and opinions: these meetings were not held for the benefit of the show. On the contrary, they had the aim of understanding the audience and engaging in a healthy debate. Only in some selected cases was the end "product" turned into a show for broadcast.

35 Source: Johan Lindén, Project Manager at SVT

4.2 Recommendations

The visit to SVT showed some interesting approaches that seem worthy of consideration by other public service media.

- The Fikar med SVT programme reconnected the apparatus with the audience. In addition to all the positive effects it had on the selection of news and the language of presentation, the massive effort to initiate and continue a dialogue with the population re-legitimises the media outlet as truly “public” service media
- The early and strong commitment to online production – and the awareness that it’s not only another channel for distribution but a medium requiring its own formats – helped SVT to stay in touch with a younger target group and provide them with professional journalism
- In Sweden PSM reacts to the disappearance of media pluralism in the countryside by filling the vacuums with new teams of local journalists. The logic is that PSM has to compensate a market failure in order to fulfill the citizens’ right to trustworthy information

What is probably not reproducible in other cultural settings is the collective defence of professional journalism and media freedom that could be observed when the Swed-

ish PSM came under attack by right-wing politicians in 2019. Usually the private sector regards PSM as an unfairly pampered competitor that absorbs user attention, advertising money and subsidies without carrying any entrepreneurial risk. Solidarity is not the most common characteristic of the relationship between the public and the private media sectors. In Sweden it seems to be different – the long tradition of media freedom has formed a common sense of the necessity to defend this right.

5. Sustainable co- and self-regulatory frameworks promoting and safeguarding ethical journalism

By Dirk Voorhoof

In Europe, and also in other regions in the world, different mechanisms of Media Accountability Systems (MAS) have been established and developed in the last few decades. The landscape of independent press councils in Europe shows a diversity of characteristics in terms of composition, competences, financing, procedures, decision-making, transparency and impact.³⁶ Most press councils are operating within a self-regulatory context, while some are functioning within a co-regulatory framework. The analysis and presentation of the Press Council in Denmark and the recently innovated Swedish Council of Media Ethics, in its relationship with the Media Ombudsman, illustrate how press councils can function independently as important vectors to stimulate responsible journalism and trust in print, audiovisual and online media.

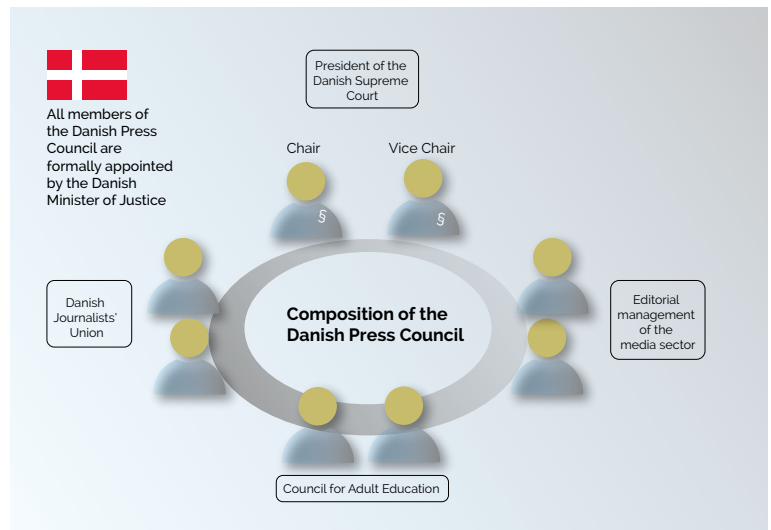
5.1 Findings

For many decades there has been a well-functioning and independent system of promoting accountable journalism and monitoring journalistic ethics in Denmark and Sweden. In both countries a national council for media ethics is operational and visible. Sweden has a national media ombudsman, while in Denmark some of the most influential media have their internal, independent ombudsman overseeing the ethical standards and dealing with remarks or complaints from the readers or members of their audience.

5.1.1. Denmark

In Denmark the Press Council (Pressenævnet)³⁷ is operational within a co-regulatory framework,

guaranteeing an independent and public forum promoting ethical journalism and dealing with complaints about alleged breaches of sound press ethics, the Press Ethical Rules. The system is applicable for all media registered in Denmark: printed, audiovisual and online media. A particular characteristic of the current Danish Press Council is that it is established (since 1992) pursuant to the Danish Media Liability Act. According to Section 34 of this Act, the content and conduct of the mass media shall be in conformity with sound press ethics, while complaints of violation of press ethics are to be lodged with the mass media or directly with the Danish Press Council.



Source: Danish Press Council, Pressenaevnet (<https://www.pressenaevnet.dk/media-liability-act/>)

The Press Council is also competent to decide whether a mass media outlet is under an obligation to publish a reply – including the content, form and location of the reply.

³⁶ See for an overview the website of the Alliance of Independent Press Councils in Europe <https://www.presscouncils.eu/>

³⁷ Sources: <https://www.pressenaevnet.dk/>, and meetings with Tine Johansen (DJ) and with Mogens Blicher Bjerregard (EFJ).

The chair and the vice-chair of the Press Council are members of the legal profession, judges or lawyers, while the other six members represent the journalists, the editors and the citizens. They are all appointed by the Minister of Justice, in application of Article 41 of the Media Liability Act. This might not be the most favourable model for countries with another political culture, but in Denmark this does not affect the autonomy of the Press Council. Indeed according to Tine Johansen of Dansk Journalistforbund (journalists' union), "practice shows that the Minister of Justice merely appoints formally as members those who have been recommended by the President of the Danish Supreme Court, the Danish Journalists' Union³⁸, the editorial managers of the media and the Danish Council for Adult Education³⁹". The Press Council acts independently, not only from the government, parliament and political parties, but also from the media owners. Tine Johansen emphasised that the Danish Press Council is "a highly respected forum, both for its professionalism and independence, and its contribution in developing good journalistic practices and media ethics".

The Danish Press Council cannot impose any sanctions. The only 'tools' are decisions as to whether or not a medium has respected the rules of ethical journalism in a concrete case, or decisions whether or not and eventually how a right of reply is to be published or broadcasted. The well-motivated decisions by the Press Council are made public by the media concerned and are published on the website of the Council. The expenses of the activities of the Danish Press Council are covered by the media sector. Tine Johansen clarified that the decisions of the Press

Councils and the Press Ethical Rules "are also promoted by the Danish Journalists' Union, within the newsrooms of the Danish media and in the educational and training programmes of journalism schools in Denmark". In order to contribute more actively to promoting the importance of ethical journalism, she also suggested that the chair or a spokesperson from the Press Council should take part in debates in society and on media platforms, about the role of journalism in society, the notion of responsible journalism and concrete issues of media ethics.

5.1.2. Sweden

The Swedish Press Council (Pressens Opinionsnämnd) founded in 1916, is reckoned to be the oldest forum of its kind in the world. From 2020 the Pressens Opinionsnämnd is being transformed into the Mediernas Etiknämnd, the Council for Media Ethics. The Council is composed of four judges, acting as chairs, 16 representatives from print media, audiovisual media and journalists' organisations and 12 representatives of the general public; the members are selected by the organising associations.⁴⁰ Its main task is to determine whether the media practices are in conformity with good journalistic ethics. The Swedish Ethical Media system is self-regulatory, voluntary and wholly financed by newspaper and magazine organisations, the Union of Journalists, the National Press Club and a series of broadcasting companies.

Complaints can be reported to the Media Ombudsman (MO, the former Press Ombudsman) who determines whether a complaint should be brought before the Council of Media Ethics. The

38 Dansk Journalistforbund, DJ.

39 Dansk Folkeoplysnings Samråd.

40 Sources: <https://www.sjf.se/about-us>; <https://medieombudsmannen.se/> and <https://sweden.se/society/20-milestones-of-swedish-press-freedom/> <https://statensmedierad.se/larommedier/juridikochmedier/faktaetiskareglerformedi-producenter389.htm>; meetings with Tove Carlén (SJF) and Mikael Ruotsi (Uppsala University) and correspondence with and documents provided by Ola Sigvardsson (Media Ombudsman) and Mikael Ruotsi.

MO is appointed by a committee consisting of the Chief Parliamentary Ombudsman, the chair of the Swedish Bar Association and the chair of the National Press Club. The MO acts as an independent self-disciplinary body, handling complaints on the editorial content of Swedish newspapers, magazines, broadcast media and their websites and other online publications or social media that have filed for membership of the Ethical Media System. The MO's task is to ascertain whether a complaint can be dealt with by a factual correction or a reply. If not, the MO acts as an investigator in the process: if the MO finds that a publication is a suitable subject for criticism, the case will be submitted to the Council for Media Ethics for review and decision.

If the Council decides that the publication should be criticised for breaching the media-ethical rules, the restitution for the plaintiff is that the media shall publish a statement of the decision in the same channels as the original publication. The action and decisions of the Media Ombudsman and the Council for Media Ethics are based on the Code of Ethics for Press, Radio and Television. According to Tove Carlén of the Swedish Union of Journalists (Journalist Förbundet, SJF) "the Code guarantees the greatest possible degree of freedom, within the framework of the Freedom of the Press Act and the constitutional right of freedom of speech, in order to enable journalists to serve as disseminators of news and as scrutinisers of public affairs". It is important that the individual is protected from unwarranted suffering or harm as a result of publicity. The preamble of the Code emphasises that ethics does not consist primarily of the application of a formal set of rules, but in the maintenance of a responsible attitude in the exercise of journalistic duties.

As one of the actors taking part in the self-regu-

latory system on journalistic ethics the Swedish Union of Journalists has also developed a set of rules of professional conduct for journalists. Tove Carlén referred to the fact that the membership of the Union of Journalists includes a provision that binds members to comply with the code of professional ethics. In its preamble the code stipulates:

"Strong journalistic integrity is crucial for maintaining credibility. Those who scrutinise society must also be able to withstand scrutiny. It is important that journalists show due respect when working in the field and that journalists while on duty strive to report correctly, in order to retain the confidence of the general public. Trust in the media and its employees is built upon following the rules of professional conduct".

5.1.3. Denmark and Sweden: common features

The systems for guaranteeing and promoting ethical journalism in Danish and Swedish media reflect some structural differences, but they share common characteristics creating a functioning and effective framework to support and stimulate trustworthy and accountable media reporting. Both systems function in a way that is independent, transparent and professional and produce well-argued opinions or decisions on journalistic ethics, based on a Code of Ethics, which are applicable to all media, including online platforms with journalistic content.

The Councils' composition guarantees due process with judges or lawyers, a representation by media and journalists' professional organisations,

and a substantial representation of the public or civil society. Filing complaints is free of charge, and the decisions are accessible online and made public, including by the media concerned. The organisational costs are entirely financed by the media sector itself. Important support comes from the Union of Journalists, through developing rules of journalistic ethics, promoting awareness about the importance and impact of codes of ethics and contributing to their application and enforcement.

The ethical media systems in Denmark and Sweden not only help to create trust in journalism and to promote accurate, reliable, responsible and public interest journalism with respect for the rights of others: they also have a positive impact in terms of fewer cases brought to court. Less fear or intimidation caused by court cases and defamation or libel lawsuits reduces the risk of chilling effects.

The codes of ethics and the impact of decisions of the Council of Media Ethics are considered to have a major impact on journalistic practices in Danish and Swedish media. This is because these rules, values or opinions are produced by the media and journalistic sector internally, in a transparent way and not externally imposed by a (criminal) court, another public authority or any politically- influenced body. In Sweden the Media Ombudsman plays an important role as a first level complaint authority, with an option to mediate or help to elaborate a satisfactory solution or to refer the complaint to the Council of Media Ethics. In Denmark some important media also have an internal ombudsman, contributing to a better awareness and implementation of good journalistic practices, and dealing directly with remarks or complaints from their readers, viewers or listeners. Other important vectors in order to promote the values of ethical journalism are the integration of these values in journalism

schools and the training of journalists, and the participation by representatives of the Press or Media Council or Media Ombudsman in public debate on issues of ethics and journalism.

5.2 Recommendations

The delegation recommends establishing and developing independent, transparent and well-functioning media accountability systems with a substantial representation of the public or civil society, inspired by the characteristics and dynamics of the Press Council in Denmark and the Council for Media Ethics and Media Ombudsman in Sweden.

6. Sweden: strong constitutional safeguards secure media freedom

By Dirk Voorhoof

All European countries guarantee the right to freedom of expression and media freedom in their Constitution or media laws and all EU Member States are bound by Article 10 of the European Convention on Human Rights, guaranteeing a high level of press and media freedom and rights for journalists on access to public documents, newsgathering and investigative and critical reporting. In reality, however, the rights of media and journalists are not sufficiently respected or safeguarded in many countries. The Council of Europe Platform to promote the protection of journalism and safety of journalists, the case law of the European Court of Human Rights and reports and recommendations by international agencies, NGOs and journalists' organisations reveal how in many countries the constitutional values on press and media freedom and journalists' rights are violated, eroding or under attack. Therefore it is interesting to take a closer look at Sweden. That country has succeeded in effectively creating an enabling environment for press freedom, transparency and robust journalists' rights, integrating and respecting the constitutional principles and international obligations regarding media freedom and journalists' rights in the political and legal culture of the country.

6.1 Findings

Sweden has a long and solid tradition dating back more than 250 years of protecting press freedom, freedom of speech, and access to public documents.⁴¹ These fundamental rights are secured by the Freedom of the Press Act (1766) and the Fundamental Law on Freedom of Expression (1991). The Constitutional and legal

framework guarantees a sustainable protection against prior censorship, a broad and effective right of access to public documents (openness), the right of newsgathering and the right to disseminate information and opinions, the protection of journalistic sources, connected to a right of anonymity, and forms of public interest disclosures, for instance by whistleblowers in the pub-



Debate with Mikael Routski (second from right), Uppsala University: only "exceptional cases"
Photo: ECPMF/Renata Rat

lic sector. The only limitations on the right to freedom of expression and press or media freedom must be those contained in the Freedom of the Press Act or the Fundamental Law on Freedom of Expression.

Charges for defamation can only be brought against an editor before a criminal court – with three judges and a jury- in very exceptional circumstances, respecting specific procedural guarantees and only insofar as a public interest is involved in the prosecution. The Freedom of the Press Act urges the judges and jury to acquit rather than convict if in doubt, while other safeguards are related to the jury system in gener-

41 Sources: Mikael Ruotsi, Public officials as news sources; constitutionally protected corruption or disclosures in the public interest?, in *Transparency in the Future. 250 years of openness*, 2017, p. 243-259; Thomas Büll, Changing Principles of Freedom of Speech in Sweden, in *European Public Law*, Vol. 8/3, 2002, p. 333-347; Sveriges Riksdag, *The Constitution of Sweden. The Fundamental Laws and the Riksdag Act*, 2016, p. 171-217 and Oluf Jørgensen, *Access to Information in the Nordic Countries*, Nordicom, 2014.

al, and particularly when dealing with press offences. According to Mikael Routsis of Uppsala University, "the legal practice shows that only in very few cases the Chancellor of Justice acting as public prosecutor in these cases has referred a defamation case to a criminal court. Another option is private prosecution, but practice shows the very exceptional application of this kind of criminal procedure against media or journalists in Sweden".

Mikael Routsis added that "civil lawsuits for libel or defamation are likewise exceptional in Sweden and very few cases have led to the court's finding of liability of editors, journalists or media. In these cases the courts can only order an award of damages if the defamatory or libellous utterances amount to a criminal offence. Furthermore in the exceptional cases that an award of damages for libel or defamation is ordered, the amounts are modest, not exceeding 5.000 euros, and are much lower than the costs for litigation, including the lawyers' fees".

With regard to libel or defamation a report by the Organisation for Security and Co-operation in Europe (OSCE) has in particular observed that "Swedish experts indicate that it is relatively unusual for persons who feel that their reputation has been injured to go to court. Offended parties are

more likely to bring a complaint to the Press Ombudsman⁴² (...). Criminal prosecutions for defamation involving the media are rare in Sweden. This may be due in part to the extensive requirements for conducting such cases under the Freedom of the Press Act and the Fundamental Law on Freedom of Expression".⁴³

In a few defamation cases, because their claims were dismissed by the Swedish courts, the plaintiff lodged an application with the European Court of Human Rights (ECtHR) for alleged breach of their right to privacy and their good name and reputation. In cases against the media (*White v. Sweden*⁴⁴) and more recently in a case concerning the liability of an online platform for defamatory comments (*Pihl v. Sweden*⁴⁵) the ECtHR agreed with the Swedish courts' approach, letting the right to critical journalistic reporting and online freedom of expression prevail. On the other hand, in *Diamant Salihu a.o. v. Sweden*⁴⁶, the conviction of two Swedish journalists who committed offences during their news gathering activities, was not considered as a violation of their rights under Article 10 ECHR, taking into consideration the duties and responsibilities of journalists in society.

The few judgments by the ECtHR in which media and journalists are involved in cases against

42 now: Media Ombudsman

43 OSCE-report Defamation and Insult Laws in the OSCE Region: A Comparative Study, 2017, p. 224, at <https://www.osce.org/fom/303181?download=true>.

44 This case concerns a series of articles published in the two main evening newspapers in Sweden, *Expressen* and *Aftonbladet*, in which various criminal offences were ascribed to Mr. White. The articles also included an assertion that he had murdered Olof Palme, the Swedish Prime Minister, in 1986. The ECtHR found that the Swedish courts were justified in finding that the public interest in publishing the information in question outweighed Mr White's right to the protection of his reputation.

45 The decision in *Rolf Anders Daniel Pihl v. Sweden* deals with a complaint about an alleged breach of the applicant's right to privacy and reputation under Article 8 ECHR, because the Swedish authorities had refused to hold the operator of a website liable for a defamatory blog post and an anonymous online comment, a conclusion that was based on the right to freedom of expression. The ECtHR found that the domestic courts struck a fair balance between Pihl's rights under Article 8 and the association's opposing right to freedom of expression under Article 10 ECHR. Therefore the ECtHR found the application based on Article 8 ECHR to be manifestly ill-founded.

46 The Swedish courts were of the opinion that the editor and the journalists of the newspaper *Expressen* could not be exempted from criminal liability as they had willfully breached the Swedish Weapons Act, by illegally purchasing a firearm. The weight of the journalistic interest did not justify the purchasing of the firearm, as the editor and the journalists could have illustrated the easy availability of firearms in other ways.

Sweden demonstrate how the Swedish courts are acting in conformity with the right to freedom of expression and information as guaranteed by Article 10 ECHR, without neglecting individuals' rights to privacy and right to reputation as protected by Article 8 ECHR. The ECtHR has never convicted Sweden for breach of Article 10 ECHR in a case of defamation, while many countries in Europe have frequently violated the ECHR precisely on this issue – some countries even at multiple occasions. In such cases the ECtHR referred to the risk of a chilling effect on public interest journalism.⁴⁷ The fact that criminal prosecution for defamation against journalists is very rare, and also that civil litigation against journalists for libel or defamation is unpopular in Sweden for the reasons mentioned, has contributed to a climate in which journalists, and in particular investigative journalists do not feel intimidated or threatened by criminal prosecution or civil lawsuits or other strategies against public interest journalism, such as SLAPP (Strategic Lawsuits Against Public Participation). Another relevant indication for the respect for media freedom and journalists' rights in Sweden can be found on the Council of Europe's 'Platform to promote the protection of journalism and safety of journalists.' Since the start of the Platform, six years ago, not even one alert from Sweden has been received or registered by the Platform.⁴⁸

In Sweden the basic values and principles regarding the right to freedom of expression, ac-

cess to public documents, protection of journalistic sources and media freedom are not only enshrined in the texts of the constitution and the laws. According to Mikael Ruotsi they are also effectively secured by the judiciary, are integrated in the political and legal culture of the country and are part of the fundamental values of society as a whole.⁴⁹

6.2 Recommendations

The delegation recommends the effective implementation of constitutional provisions and the legal framework guaranteeing freedom of expression and media freedom, including a broad and effectively enforceable right of access to public documents, rights of newsgathering, a solid protection of journalistic sources and whistleblower protection. This policy at national level shall be in conformity with the protection of press and media freedom and the rights of journalists as guaranteed by Article 10 ECHR.

ECPMF also endorses decriminalisation of defamation, or as an alternative the practice developed in Sweden where public interest journalism is not intimidated or threatened by criminal prosecution, abusive civil lawsuits or other strategies of SLAPP.

47 See Tarlach McGonagle, Freedom of Expression and Defamation, A study of the case law of the European Court of Human Rights, Council of Europe Publ., 2016, at <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806ac95b>

48 <https://www.coe.int/en/web/media-freedom/sweden>

49 See also Sveriges Riksdag, Press Freedom 250 Years – Freedom of the Press and Public Access to Official Documents in Sweden and Finland – a living heritage from 1766, 2018, <https://www.riksdagen.se/globalassets/15.-bestall-och-laddadned/andra-sprak/tf-250-ar-eng-2018.pdf> In some documents and articles analyzing the developments in Sweden, a series of problems and challenges have been reported, both with regard to additional limitations on access to public documents as with regard to the protection of journalistic sources and whistleblowers. In the case of Arlewin v Sweden the ECtHR found that requiring a Swedish national to bring defamation proceedings in the UK courts following an alleged defamatory TV programme broadcasted by the London-based company Viasat Broadcasting UK, but targeting mostly, if not exclusively, a Swedish audience, was not reasonable and violated Article 6 § 1 ECHR guaranteeing access to court. It is interesting however to notice that the ECtHR confirms the principle of a strong connection between the tortious situation and the forum state, which reduces the risk of forum shopping and 'libel tourism'.

Conclusion

The Fact Finding Mission to Denmark and Sweden visited the media landscape before the COVID-19 crisis. There are strong indicators that the world will look different afterwards. The process in between shows the full range of media politics in the EU. In his article on the Danish "survival kit" (see Appendix) Henrik Kaufholz describes how the state tries to safeguard media pluralism regardless of the size or stance of the respective media outlet. This is a remarkable move compared to other EU countries which are doing the exact opposite: They are misusing the crisis as a pretext to restrict media freedom and hamstring professional journalism.

Will media freedom help Europe to survive the Corona crisis? In the Nordic countries this doesn't seem to be a question. Media freedom is taken for granted. This attitude can only be explained by a long legal and societal tradition. The Swedes implemented their Freedom of the Press Act in 1766.

The historical and cultural context cannot be copy/pasted into other geographical areas. However, its impact cannot be overestimated. The societal esteem for media freedom seems to enable contacts, collaborations and proceedings across interest groups. The Danish journalists union does not hesitate to join forces with the employers if its for the sake of the media sector, writes Renate Schroeder. In the name of media pluralism, a Swedish newspaper defended public service media on its frontpage, Paola Rosà points out. The Danish Minister for Justice who formally appoints the members of the Press Council doesn't nominate his political friends but follows the proposals of independent organisations, Dirk Voorhoof observes. These few examples sketch a societal consensus that can not be codified but empowers the existing law. It hopefully also helps to build resilience against current

challenges confronting media freedom such as populism, disinformation and hate speech. Denmark and Sweden are not free from these phenomena.

So is there nothing here that we can transfer to other countries? Oh wait.

The Fact Finding Mission identified a series of structural elements that can be politically influenced and adapted by governments and organisations in other countries in Europe. Here are the condensed learnings:

- self-governed foundations with the express aim of supporting media freedom, media pluralism and professional journalism provide a productive form of media ownership. Governments can support the existence of such foundations by passing the relevant laws. The question of how they can refinance themselves in a crisis remains to be tackled.
- the extraordinary strength of trade union membership helps to protect journalists from the downturns in the market, popularises media ethics and influences politics in favour of media pluralism. The Danish Journalist Union in particular demonstrates how to win and keep members.
- subsidies based on the "arm's length principle" are an instrument to back media pluralism, especially in the countryside, but obviously they cannot counter overriding trends like digital transformation and changes in the ways the audiences use the media. The Fact Finding Mission recommends that subsidies should be shifted in favour of innovation that incorporates these trends.

- trust in public service media derives from editorial independence and a strong dialogue with the audience in each age-group and milieu. SVT delivers blueprints on how to organise this.
- self- and co-regulatory frameworks in the media sector are the key to fostering ethical journalism. The Nordic media councils are exemplary because of their composition (including a representation of the public), their political independence and the transparency of their operations. They are respected institutions precisely because they are not imposed from the outside but developed and financed by the market actors.
- the constitutional, civil and criminal law regarding media freedom and access to public documents channels the decisions of the judiciary in one way or the other. In Sweden defamation cases are rarely seen and usually they lead to acquittal or a manageable civil award of damages. This practice encourages and protects investigative journalists, who can rely on a solid right of access to public documents, holding the elites and those in power accountable.

These are the answers to the initial question "How do countries that are regarded as champions of media freedom manage to create the best environment?" that had prompted the fact-finding mission.

During the time spent in Denmark and Sweden the experts consulted often also mentioned the difficulties and challenges for media freedom that they recognise in Denmark or Sweden, for instance the cuts in the budget of the Danish public service media, the misallocation of subsidies, the growing right-wing-populism and the hate speech targeted against female journalists.

Scandinavia is not paradise. Media freedom is not a law of nature. Politics can change.

However, for the time being Denmark and Sweden (together with Finland) provide comparatively speaking the best environment for media freedom in the EU. The approach of this mission was to focus on best practice and find out how it works.

The participants hope that the findings presented in this report will serve as an inspiration to all actors in the media sector across Europe on how to better safeguard media freedom, media pluralism and professional journalism. After the COVID-crisis, when Europe hopefully returns to a new working mode, this inspiration might be doubly valuable.

Interviewees

Mark Blach-Ørsten is Professor of Journalism and Head of Journalism Studies at the Department of Communication and Arts, Roskilde University. He holds a Master's in public administration and a PhD in journalism, both from Roskilde University. His research focuses on the role of journalism and political communication in modern democracies both nationally and internationally.

Tove Carlén, legal advisor, Swedish Union of Journalists, is a lawyer specialised in freedom of expression legislation and media law. Responsible for the union's work in this field. She also works as an international secretary and handles the union's relations with other journalist unions around the world. She has a background as a lawyer at an unemployment benefit scheme, is also a trained journalist and has worked as a business correspondent at Sweden's two largest daily papers.

Sara Carlsson is a communications officer at SFJ, responsible for recruitment and organising. Sara has a background as a journalist, and was an elected representative before starting to work full time for the union. Sara's work is often focused on a young target group. Her work for the SJF is mostly digital communication – but also includes seminars, events and after work gatherings.

Tine Johansen was elected President of the Danish Union of Journalists (DJ) in 2019. Prior to that she was Vice-president for four years. The commitment of Tine Johansen to the trade union

goes way back to the time when she was a staff representative at the Danish newspaper Ekstra Bladet. The struggle for fair working conditions and fair payment has always been at the centre of her work.

For many years Tine Johansen has played an active role in DJ's international work. The safety of journalists, the struggle for freedom of the press and freedom of speech are all topics that are very important to her.

Jakob Nielsen has been editor-in-chief at Altinget since May 2017. He is a journalist trained at the Danish School of Journalism and has previously studied international economics at Copenhagen Business School. For a number of years he worked for Politiken, among others as a political editor and correspondent in Brussels and Washington. Most recently, he was the editor of Politiken's online newspaper. He is author of a textbook on the EU and several other books.

Stig Kirk Ørskov, 49, is Chief Executive Officer of JP/Politikens Hus, Denmark's leading news publishing group with three national titles and several digital-only Business to Business (B2B) titles. He has been in his current position since 2014, following four years as Chief Operating Officer (COO) of the company. Until 2010 he was working on the editorial side. From 2006 to 2010 he was deputy editor-in-chief at Politiken, Denmark's largest newspaper. Since 1990 he has worked as a journalist at several Danish media and earlier studied history and social sciences.

Johan Lindén, Phd, MA and MBA, has been a media manager for 30 years in different positions as Head of News and Current Affairs, Commissioning Editor and Programme Director at Swedish Television. Between 2011-2016 he was the Secretary General of CIRCUM Regional, the European organisation for public broadcasters with a regional remit. He is now a strategist and senior advisor and runs the Swedish project "The Future of Journalism in a Digital Market." He has been an expert in government inquiries and is also a reviewer of the Centre for Media Pluralism and Freedom Monitoring of Media Pluralism in Europe.

Jakob Moll is a co-founder and the CEO of Zetland, a community and membership-based digital newspaper in Denmark. He began his career as a political reporter and feature writer for major Danish newspapers and spent three years in book publishing working with literary journalism before becoming a full-time entrepreneur in 2012. Zetland has received international attention for its groundbreaking results, achieved through turning members into ambassadors, live journalism and audio.

Mart Ots is Associate Professor of Business Administration at Jönköping University, Sweden. His research, published in well over 50 academic articles and book chapters, has covered the impact of new technologies on media and marketing communications and their implications for media policy. Current projects, conducted in close collaboration with the Department of Computer Science, include the development and consequences of Artificial Intelligence (AI) applications such as text robots and content personalisation services. Mart has been Director of the Me-

dia Management and Transformation Centre in Jönköping, and regularly serves as an advisor to government institutions, industry organisations, corporations and academic institutions on issues concerning media policy, marketing and communications. He has been an expert advisor to two parliamentary inquiries on media subsidies and has been a member of the Swedish Media Subsidies Council for seven years.

Mikael Ruotsi holds an LL.M. law degree from Uppsala University and a Master's in International Human Rights Law from Oxford University. His professional experience includes positions as a law clerk at the Stockholm District Court and as a Public Prosecutor in Stockholm. Mikael Ruotsi is currently employed as a Legal Officer at the Office of the Chancellor of Justice and is a Doctoral Candidate in Constitutional Law at the University of Uppsala.

Mission delegation

Henrik Kaufholz (ECPMF; Scoop)

Henrik Kaufholz has been with the Danish daily Politiken for more than 40 years. He has been Politiken's foreign correspondent in Germany and Russia, Readers' Editor and has covered different beats including environment, economy, the wars in the Balkans 1991-95 and Eastern Europe. Kaufholz has also been active in the Danish Union of Journalists as shop steward at Politiken and he served for four years as member of Politiken's board of directors representing his colleagues. In 1989 he was one of the founding members of the Danish Association for Investigative Journalism and from 2003 he was co-founder of the support structure 'Scoop', which over the years has funded approximately 1,000 journalistic investigations in the Balkans, Ukraine, Belarus, Moldova, Caucasus and Russia. Presently he is chair of the executive board of ECPMF – European Center for Press and Media Freedom.

Dr. Lutz Kinkel (ECPMF)

Lutz Kinkel completed his studies in history with a dissertation on the biography of Nazifilm director Leni Riefenstahl. Since 1989 he has been writing for newspapers and weeklies, also more recently for online portals. In 2005 he joined the magazine stern, latterly as deputy head of the Berlin office. His thematic focal points are politics, media and digital transformation. Since May 2017 he has been Managing Director of the ECPMF. Lutz teaches journalism at the Akademie für Publizistik in Hamburg and gives lectures for the Brussels-based initiative Lie Detectors about disinformation in regional schools.

Renata Rat (ECPMF)

Renata Rat holds a Bachelor's degree in Media and Communication Science and Political Science from Dresden University (2019). She studied at the University of Turin and is currently a Master Candidate for European Studies at Leipzig University. She has worked for several start-ups and has been with the ECPMF since April 2019. As a communications officer she conducts research, prepares fact-finding missions, contributes to press-related work and organises events. Renata Rat speaks German, English, Serbo-Croatian and Italian.

Paola Rosà (OBCT)

Paola Rosà holds a degree in Political Sciences, International Studies. She has also completed a 2-year degree in Translation at the SSLMIT, Secondary School of Modern Languages for Interpreters and Translators of the University of Trieste. She is a journalist and translator from German. She has worked for several media outlets in Trento, both as a freelance and as a full-time editor, and has translated books by Reinhold Messner and other social anthropologists, besides publishing her own research about German history. She has directed and edited several documentary films shot in Israel, Canada and USA, with a focus on emigration, First Nations and environmental activism. For OBCT she is the co-ordinator of the Resource Centre in the EU-funded project ECPMF since July 2019.



Paola Rosà (OBCT, front left), Lutz Kinkel (ECPMF), Henrik Kaufholz (ECPMF, Scoop), Tine Johanson (DJ, interviewee), Renata Rat (ECPMF), Dirk Voorhoof (Ghent University), Renate Schröder (EFJ)
Photo: ECPMF/Renata Rat

Renate Schroeder (EFJ)

Renate Schroeder is the Director of the European Federation of Journalists. In 1993 she joined the International Federation of Journalists (IFJ) and since 2003 she has been working for the EFJ. She is involved with advocacy at EU and Council of Europe level; presentation of EFJ at international meetings, lectures and media freedom fact-finding missions; communication and assistance in several EFJ expert groups including on freelancers, broadcasting, media literacy and digital journalism.

Renate Schroeder studied International Relations and Political Science in the United States at Boston University (Bachelor's Degree in 1988) and in Berlin at the Free University (Master's in 1992). She worked at the United Nations, New York, the research institute FAST in Berlin and the Friedrich-Ebert Foundation in Brussels before joining the IFJ and EFJ. She is of German nationality and speaks English, French, Italian, German and Spanish (passive).

Dirk Voorhoof (ECPMF; Human Rights Centre Ghent University and Legal Human Academy)

Dirk Voorhoof is a co-founder and member of ECPMF and of the Legal Human Academy. He lectured in European Media Law at Ghent University (1992-2016) and at Copenhagen University (2004-2017) and he reports on developments regarding freedom of expression, media and journalism in Europe. He is also a member of the Human Rights Centre at Ghent University, of the Global FOE&I @Columbia experts network, at Columbia University, New York, and he is a member of the JUFREX-pool of the Council of Europe. He is the co-author of the free online e-book Freedom of Expression, the Media and Journalists: Case-law of the European Court of Human Rights.

Appendix

COVID19: Denmark provides a survival kit for media outlets

This World Press Freedom Day is even more difficult than usual for media outlets and journalists. Struggling with loss of income because of the lockdown to prevent COVID-19 infection and with repressive new laws and decrees, they have little to celebrate. Or so it seems. Yet one country is leading the way to a stable future for quality journalism and media plurality – even in these circumstances. Henrik Kaufholz reports from Denmark:

Dateline: Copenhagen 24. April 2020

National TV, national newspapers and internet media have more users than ever, but revenue from advertising almost disappeared overnight. Now the state is jumping in with subsidies.

After a few days of controversial negotiations in the Ministry of Culture the deal was done: on 1. April, Danish media got a survival kit.

The support came at a point when Denmark had been closed down for three weeks due to the COVID19 crisis and the government had announced it would spend nearly 400 billions of Danish crowns (DKK) to support almost every other kind of industry. The Danish Minister of Culture, Joy Mogensen, a former mayor of Roskilde, is certainly not a political heavyweight, but it's hard to understand why it took her so long to mobilise support for the media industry. It was common knowledge that this aid is badly needed.

A basic element in the current subsidies for the economy is funding the salaries of staff who have less or nothing to do at their workplace and other costs like insurance and rent. The government with the support of all parties in parliament (Folketinget) wanted to bring Danish enterprises – large as well as small – safely through the crisis. "No upper limit", declared the Minister of Finance, Nicolai Wammen.

The situation in the media industry is somewhat different. Both the publishers (Danske Medier) and the journalists (Dansk Journalistforbund) argued that the main purpose of the media is to inform the public. This is needed very much more in a crisis than in 'normal times'. The media should not cut down their activities but continue to work at full speed. The money is needed to keep the machine running and not to finance a pause.

The survival kit

The survival kit, which includes start-ups and new, smaller, internet-based media is composed of two provisions.

One is to pay all the media subsidies already foreseen for this fiscal year at once. This means that the media got 368,1 million DKK in April and not just the usual monthly payment of 119,4 million DKK. This will give them extra cash in the crisis. But it's 'old money' which they would have received anyway and it only improves the cash-flow. So the industry was not happy at all.

The other lifebuoy came after public criticism. It gives compensation for revenue from advertising, which more or less disappeared overnight. Media outlets which have lost between 30 to 50 percent of income from advertising will get

60 percent of the amount compensated by the state. If the drop in revenue is between 50 and 100 percent they will get 80 percent compensated. This measure covers the period from 9.March till 8.June. For that period the media will get a total of 180 million DKK.

As with other state support for Danish economy the media subsidy will probably be extended even if the government starts lifting the COVID-restrictions immediately after the Easter holidays. If the support is not extended, several local media outlets will most probably have to close.

All this happens in an environment where the two national public service TV stations are watched by 71 percent of all viewers – an upwards trend – and where national newspapers are getting new subscribers in the thousands for the web-editions and new readers in the hundreds for their print-editions.

The Danes also read main news portals more often and for longer than usual. This goes for free as well as paid-for sites. They want reliable information and not fake news. However, these increases in attention and subscriptions cannot compensate for the loss of advertisement revenue.

Fundamental crisis is still there

The big question is of course what's going to happen after the COVID-19-crisis. The survival kit will preserve the old media structure for a time, but advertising in print-media – which only fell slightly in 2019 – will probably not come back.

Some estimates are that only 20-30 percent of advertising for private consumption will come back. And many regional news organisations are already in the red.

When the COVID-19-crisis surprised the world, in Denmark there was talk of drafting a new media policy. The ruling party, the Social democrats, seems less eager for a new approach to the state support for Danish media than other parties in the governing coalition, but the COVID-crisis shows that this is needed.

Danes like other West Europeans are spending more money than ever on their media consumption, but they are changing the way they use it. A new approach to state support for the media has to take that into account – and put more money into innovation and new media, rather than propping up the "dead tree" printed press.

Henrik Kaufholz is the Chair of the Executive Board of the European Centre for Press and Media Freedom and was a long-standing foreign correspondent with Politiken, Denmark's leading national newspaper.

