

THE EUROPEAN UNION'S RIGHTS-BASED SUPPORT TO THE MEDIA IN THE ENLARGEMENT COUNTRIES: WITH SPECIAL ATTENTION TO TURKEY

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Abstract

Freedom of expression is a fundamental human right secured by international law, including Charter of Fundamental Rights and European Convention for the Protection of Human Rights and Fundamental Freedoms and an indispensable element of a functioning democracy. Freedom of expression also one of the primary values on which the European Union is founded. Furthermore, it is one of the main criteria for accession to the European Union. However, freedom of expression could be possible through only a democratic and pluralistic media environment. Thus, the European Union's dedication to freedom the media is articulated in different parts of its acquis and the European Union supports media freedom by funding member counties and enlargement countries. This study underlines the freedom of expression as a fundamental human right before the European Union and will reveals the close relationship between freedom of expression and free media. In addition, the challenges against freedom of expression in media throughout enlargement countries of the European Union will be outlined and also the European Union supports to media freedom as an instrument to solve problems in front of freedom of expression will be analyzed. Throughout this study, Turkey among the enlargement countries will be attached particular attention.

Keywords: Freedom of Expression, Media Freedom, the EU, Enlargement Countries, Turkey

THE EUROPEAN UNION'S RIGHTS-BASED SUPPORT TO THE MEDIA IN THE ENLARGEMENT COUNTRIES: WITH SPECIAL ATTENTION TO TURKEY

Freedom of expression which is recognized as the keystone of a democratic system is essentially important in terms of social participation and public decision making. If people do not have the right of expressing their views freely and are not able to access information and others' ideas liberally, it is not possible to enable democracy to work and to undertake public participation in decision making. Since freedom of expression is indispensable in respect of not only individual esteem but also social participation, any violations against freedom of expression results in other violations. That is why the accomplishment of freedom of expression is the precondition for realization of other rights and freedoms. Freedom of opinion and expression are crucial for peoples' enjoyment of other human rights, including freedom of association and assembly, freedom of thought, religion or belief, the right to education, the right to take part in cultural life, the right to vote and all other political rights related to participation in public affairs (Council of the European Union, 2014). Like many other areas of freedom a democratic and pluralistic media environment in some extent depends on the existence of freedom of expression.

While being a fundamental human right, freedom of expression is also recognized as one of the essential values on which the European Union is founded. The European Union's commitment to freedom and pluralism of the media, as well as the right of free access to information is enshrined in its legislative system. In addition, the respect for the freedom of expression and commitment to promote the principle of free expression of ideas are some of the main criteria to measure the endeavor of a country to become member of the Union and also in the context of the European enlargement policy, the candidate country is obliged by the Copenhagen political criteria to make a full commitment to encouraging freedom of expression (European Commission, 2014a, 1). Furthermore, the European Commission evaluates annually the situation concerning freedom of expression and media in each enlargement countries through regular progress reports and specifies the weaknesses which should be corrected by the enlargement countries in order to achieve full membership.

As it is understood from the annual assessment by the Commission that ensuring freedom of expression and media freedom is one of the major challenges facing enlargement countries. There are various reasons making the implementation of the freedom of expression and of the media difficult. To illustrate; political interference in the media, problems arising from media ownership, media concentration and different kinds of abuse including threats and violence against journalists are issues of concern in the Western Balkans and Turkey (European Commission, 2014b). In order to be able to improve the situation, evidently there is need for a mental and cultural change in politics, the judiciary and the media itself and also an increasing effort to deal with freedom of expression issues is necessitated. On the other hand, the European Commission is entrusted with supporting enlargement countries both politically and technically in their work for ensuring freedom of expression and of media (European Commission, 2014c).

In addition to the challenges against freedom of expression and of the media in the enlargement countries, the guidelines of the EU enlargement agenda and media assistance for media freedom are also needed to be outlined. However, it is necessary to reveal the role of freedom of expression and of the media in the EU legislation.

Freedom of Expression and Media in the European Union Acquis

It is the fact that without freedom of expression in a society an active citizenry is not possible (Council of the European Union, 2014, 1). Correspondingly the right of freedom of expression can only function effectively if there is a free and pluralistic media environment. Freedom of expression which is described as a fundamental right in Article 19 of the Universal Declaration of Human Rights is one of the key aspects

arise when we look at public communication and the media from a human rights perspective (Lublinski and others, 2013, 1) . The Article 19 recognizes receiving and conveying information and ideas through media intermediaries as a fundamental human right (United Nations, 2011). Undoubtedly, any kind of political or other forms of interference particularly from the governments endanger this fundamental right.

In line with many democratic governments; the EU, which is a supranational organization, commits itself to protecting the freedom of opinion and expression within its own borders, its enlargement zone and worldwide (Council of the European Union, 2014, 6) and also it assumes media freedom as a fundamental part of the rights, freedoms and principles enshrined in its *acquis* (Parcu and others, 2013, 10). The European Union adapted the principles for freedom of expression into its fundamental legislations including the founding treaties. The Article 6 of “The Treaty on European Union” indicates us the Union’s recognition of the rights, freedoms and principles specified in the Charter of Fundamental Rights of the European Union of 7 December 2000 and adapted on 12 December 2007, having the same legal status as the Treaties (Eurofound, 2011). Declaration concerning the Charter of Fundamental Rights of the European Union was annexed to the Final Act of the Intergovernmental Conference, which adopted the Treaty of Lisbon.

The Treaty (European Union Publication Office, 2012, 19) also recognizes basic rights guaranteed by the European Convention for the Protection of Human Rights and Fundamental Rights among the essential sources, which constitute general principles of the Union's law. Hence; the European Union's accession to both the Charter of Fundamental Rights and also the European Convention for the Protection of Human Rights and Fundamental Freedoms confirms its commitment to freedom of expression and of the media, as well as the right of free access to information all of which enshrined in both the Convention and the Charter. It is not surprising that the Treaty in its 218th article (European Union Publication Office, 2012, 145) determines fundamental freedoms, as a prerequisite should be followed during the negotiation and conclusion of an agreement between the Union and third countries. This article stipulates the consent of the European Parliament to agreement on Union accession to the European Convention for the Protection of Human Rights and Fundamental Freedoms.

2009 EU Council Conclusions on EU’s external relations is another document claiming further strengthening of the support to democracy and human rights, including an emphasis on independent media (European Commission, 2013a, 15). More recently the EU Strategic Framework and Action Plan on Human Rights and Democracy attaches high priority to freedom of expression (Council of the European Union, 2012, 15).

Moreover, General Provisions on the Union's External Action and Specific Provisions on the Common Foreign and Security Policy in its Article 21 acknowledge respect for the principles of the United Nations Charter regarding fundamental freedoms as the principals to be promoted in the wider world by the Union (Official Journal of the European Union, 2000, 28).

Albeit of both the EU’s itself and its member states’ commitment to freedom of media and media pluralism, there is little *acquis* at the EU level; as the media and their markets are basically national in scale (European Commission, 2014a, 1). Even if there is little number of explicit EU regulations regarding media freedom and pluralism, these are fundamental principles that can be employed at various levels of EU order. So, it would be necessary to introduce related legislation in different levels to promote media freedom and pluralism.

The EU’s highest respect to media freedom and pluralism of the media, together with the right to freedom of expression is enshrined in Article 11 of the Charter of Fundamental Rights. The Charter of Fundamental Rights which supports the fortification of fundamental rights by making those more visible for citizens was initially proclaimed at the Nice European Council on 7 December 2000. Although, the Charter did not have any binding legal effect at that time, it became legally binding on the EU institutions and national

governments of member states when the Treaty of Lisbon entry into force on 1 December 2009 (European Commission, 2013b). Article 11 of the Charter, which dedicated to freedom of expression and information, defines the freedom of expression as a right that includes freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. The Article also demanded freedom and pluralism of the media to be respected (Official Journal of the European Union, 2000, 11).

There are also council conclusions on media freedom and pluralism. On 26 November 2013, the Council of the European Union and the representatives of the Governments of the Member States, meeting within the Council, adopted conclusions on media freedom and pluralism in the digital environment. In those conclusions, the Council invites the Commission to continue to support projects that aim at enhancing the protection of journalists and media practitioners and also to establish an independent monitoring tool for assessing risks to media pluralism in the EU (Council of the European Union, 2013, 3).

The Enlargement Agenda for Freedom Expression and Media

In the context of the European enlargement policy, the Copenhagen political criteria assigns the European Commission the duty of making a full assessment of aspiring country and concluding its position in terms of its respect and commitment to promoting freedom of expression. The given enlargement country, on the other hand, undertakes the duty of correcting the shortcomings addressed by the European Commission. The annual assessments of the Commission in terms of freedom of expression and media are visible in regular progress reports (Council of the European Union, 2013).

Enlargement of the European Union has noticeably affected both the candidate and potential candidate countries' evolution to democracy and a democratic environment with respect for human rights, as the Treaty of Amsterdam remarked respect for human rights as a condition of accession to the EU. In addition, the Copenhagen criteria in 1997 introduced human and minority rights protection as one of the criteria for admission to the EU (Harris, 2013). Most recently, the Council of the European Union (2014, 14) in its meeting (Foreign Affairs Council Meeting) held in Brussels employs European External Action Service (EEAS) and the Commission in liaison with Member States in monitoring and offering guidance on media freedom issues both offline and online. The EEAS and the Commission carry out this function through pre-accession political dialogue and annual progress reports. The European Union supports these countries willing to be a member by means of IPA, which is a comprehensive technical and financial support.

Freedom of expression and media is of primary significance before the Commission in terms of the EU accession process and in its financial and technical support. The enlargement countries are characterized by relatively young media markets and active media reform processes. However, the Speak-Up!2 conference revealed a good deal of challenges against freedom of expression and of the media. Speak-Up!2 conference held by the Commission together with the European Parliament on 20 June 2013 which brought journalists, media analysts and decision makers from enlargement countries, as well as authorities and experts from international, regional and national organizations of which area of interest is freedom of expression and media issues (European Commission, 2013c) showed that it is essential for the Western Balkan countries and Turkey to take some more steps in dealing with issues regarding freedom of expression and the conference call the European Commission to supporting the efforts of these countries both politically and technically.

Speak-Up! and Speak-Up!2 conferences and their conclusions both have become strong references in handling freedom of expression and media freedom within the context of the enlargement policy (European Commission, 2014c). Speak-Up!2 conference underlines the violence and threats against journalists, formal and informal pressure against media by political and business circles, censorship, lack of regulatory agencies

and functional media self-regulation, lack of transparency of media ownership and restrictions on freedom of expression and on access to information. 2013 Enlargement Strategy of the European Union enlisted the Commissions future works to support efforts by the enlargement countries on these challenges; to encourage freedom of expression and media and put emphasis on its importance for EU membership by establishing regular political dialogues with the enlargement countries, to guarantee freedom of expression and media and also to award a prize for excellence in investigative journalism starting in 2014 (European Commission, 2013d, 9-10).

The enlargement strategy papers and progress reports both issued annually are the principal policy instruments at the Commissions works. Not only Chapter 23 (Judiciary and Fundamental Rights) but also Chapter 10 (Information Society and Media) and other chapters referring the subjects related with the media sector are used to highlight relevant issues, to remark necessary steps should be taken and to report the progress made in terms of freedom of expression and of the media. Both annual enlargement strategy papers and regular progress reports are the documents giving the guidelines for the enlargement agenda of the European Union towards candidate countries with regard to freedom of expression and media freedom.

The strategic approach of the Union towards enlargement countries evidently is not limited with the annual assessments of the Commission. As sustainable results on the issues of freedom of expression and media freedom necessitate a longer time period, the Commission committed itself to develop a long term, 2014-2020, assistance approach in order to fulfill political goals in the fields of freedom of expression and free media (European Commission, 2014, 2). The political goals in the fields of freedom of expression and of the media are followed also by financial and technical assistance by the Instrument for Pre-accession Assistance (IPA).

Enlargement strategy instrument either political or financial are all to support enlargement countries in their works to promote freedom of expression and free media and also tackle with the restrictions and abuses violating the freedom of expression and infringing democratic media environment. Thus, in order to be able to truly understand the functions of enlargement policy tools especially the ones concerning financial and technical assistance, it is necessary to look over the challenges against media freedom in the European Union enlargement area.

Challenges against Freedom of Expression and of Media in the EU Enlargement Countries: A Special Attention to Turkey

According to the guidelines adopted by the Council of the European Union, freedom of expression can only be restricted by law in certain ways and under specific circumstances and any such restrictions must be provided for by law, which is clear and accessible to everyone. Also, these restrictions must be introduced in order to fulfill the aims to protect the rights of others; to safeguard national security, public order or public health or morals. Lastly, they must be proven as indispensable and as the least restrictive means required (Council of the European Union, 2014, 4-5).

Apart from these exceptional situations, every state is obliged to respect the right to freedom of opinion and expression as well as media freedom by many international human rights conventions. Hence, any formal and informal action restricting the right to freedom of opinion and expression apart from the exceptional cases should be questioned and corrected. Speak-up!2 conclusions and some reports indicate that securing freedom of expression and of the media is one of the major challenges the enlargement countries of the EU facing and the restrictions and abuses in the issues of media and freedom of expression are not very rare within the EU enlargement area. Interferences in the media both by political and business circles, economic cases like media concentration, threats and violence against journalist and other media workers, malfunctioning or insufficient regulatory bodies in the media are some of the issues of concern in terms of

media and right to freedom of expression. These cases are widespread over the enlargement countries especially in the Western Balkans and Turkey. The enlargement strategy papers of the European Union evidently indicate the challenging issues in the fields of both media and freedom of expression within the EU candidate and potential candidate countries.

The Problems Regarding Freedom of Expression and of the Media Specified in the EU Enlargement Strategy Paper 2013

Most recently the Enlargement strategy Paper 2013 of the European Union which explains its policy on EU enlargement and reports on progress accomplished by each candidate country and potential candidates evaluates these countries also with regard to their performance to develop capacity in the fields of freedom of expression and of the media. In 2013, as it does every year, the strategy paper which sets out the way forward for the coming year and rendering the progress made over the last year explicates the situation in Montenegro, Serbia, the Former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Kosovo, Iceland as well as Turkey in terms of media freedom and freedom of expression.

The enlargement strategy paper of 2013 underlines all the countries of the Western Balkans and Turkey need's to undertake further reforms to ensure the principles of freedom of expression and the protection of the rights of persons (European Commission, 2013d, 2). As it is correspondingly reported in the enlargement strategy paper 2012, strengthening freedom of expression and independence of the media is a major challenge in all the countries within the EU enlargement area.

2013 enlargement strategy paper affirms a number of important challenges need to be urgently addressed. According to the strategy paper, cases of violence and threats against journalists are a continuing problem and these threats lead to self-censorship. Consequently the strategy paper recommends authorities intensify their efforts in investigating new and past cases and establish deterrent measurements against violators. Although a major step towards protecting free and critical journalism was taken in south east Europe, there are still a number of journalists prosecuted. Hence, there is a need to develop and guide the judiciary to prevent abuse of state authority.

In addition; since political interference with media freedom is still a serious concern, more efforts should make in order to guarantee the political and financial independence of public service broadcasters in the Western Balkans. Both establishing a sustainable funding system and also setting up the rules for appointing board member are the key steps claimed by the strategy paper to be taken for struggling with these problems.

Regulatory agencies are another issue of concern. Regulatory agencies in most enlargement countries are not functioning adequately. Additionally, lack of functional media self-regulation in use and need to improve internal governance of media outlets are another problems that would be tackled with. Furthermore, the strategy paper recommends the enlargement countries to contend with informal economic pressure on the media, to prevent its excessive concentration, to ensure transparency of media ownership and to establish transparent rules on supply of government advertising.

Apart from the assessments addressing the enlargement countries in general, each enlargement country is individually evaluated within the enlargement strategy paper. Turkey as the country attached particular attention in this paper is one of these countries reported.

Turkey in Enlargement Strategy Paper 2013 and Regular Progress Report 2013 in terms of Media and Right to Freedom of Expression

The Enlargement Strategy Paper 2013 of the EU refers Turkey as a country need to undertake further reforms to ensure the principles of freedom of expression and the protection of the rights of persons together

with all countries of the Western Balkans. However, it also confirms that important progress on reforms has been made in 2012-2013 period. The fourth judicial reform package reinforces the protection of fundamental rights, including freedom of expression.

The strategy paper proposes further changes in the Turkish legal system, especially in order to fortify freedom of expression and of the media, and freedom of assembly and of association. Besides, the strategy paper demands judicial practice in Turkey systematically reflecting European standards (European Commission, 2013d, 21-22).

Additionally, the strategy paper underlines the problems arising from the treatment of the judiciary in Turkey on freedom of expression. According to the enlargement strategy paper, key provisions of the Turkish legal system and their interpretation by court members still pose risks of harm to freedom of expression, including freedom of the media.

Economic concerns including media ownership are also reported by the strategy paper. It is highlighted that the ownership structure of the Turkish media, dominated by large industrial groups, combined with threatening statements by high-level officials and warnings by the authorities, lead way to self-censorship. Dismissals and resignations of journalists upon the interventions by both political and economic circles are also widespread in Turkish media sector.

As regards from the Regular Progress Report 2013, the situation in Turkey in terms of media and freedom of expression is not totally different from what stated in enlargement strategy paper. As it is already stated before the assessments in the chapters 23 (Judiciary and Fundamental Rights) and 10 (Information Society and Media) are the basic parameters in the annual report let us to evaluate Turkey's most recent situation with regard to media and freedom of expression. The observations stated in other parts of the report are also analyzed.

What inferred from the 2013 Report is that despite of many progresses especially in judiciary; freedom of expression and of the media in Turkey was restricted in practice. Also, the ownership structure of the Turkish media is a bit problematic. The political intervention, statements by politicians and the restrictive legal provisions in force are other issues of concern. Furthermore, these restrictive provisions' interpretation by members of the judiciary give rise to self-censorship by media owners and journalists and it also lead firing of journalists. So, key provisions of the Turkish legal framework continue to obstruct freedom of expression, including freedom of the media.

On the other hand, the report mentions the existence of many progresses in Turkey, which should have a positive impact on freedom of expression, if implemented in line with European standards. One of these changes is the 4th Judicial Reform Package, which finds solutions to many issues on which Turkey had been condemned by the European Court of Human Rights. The package narrowed down the scope of terror-related crimes and exclude publishing, printing or producing propaganda on behalf of a terrorist organization without any element of coercion, violence or threats from the definitions of the terror-related crimes (TRT Haber, 2013). Hence, the 4th Judicial Reform Package improved the legal framework on freedom of expression.

The report often underlines statements of state officials as of a restrictive effect on media freedom. According to the Report, statements by high state officials has been triggering investigations by public prosecutors and also state officials themselves has brought suits against critical journalists and writers. This, together with high-level officials' steady criticism to the social media as a threat to society and website bans continued to lead a widespread hindrance of freedom of expression and media freedom. So, the Report recommends Turkey to revise the Law on the Internet, which limits freedom of expression.

The Report sees the approach taken by the audio-visual regulator and the judiciary together with the high concentration of media ownership in the hands of industrial conglomerates as other major issues give way to

widespread self-censorship by media owners and journalists and also emergence of obstacles in front of free circulation of information. The report illustrates this situation with the approach of mainstream media which hardly reported on the Gezi Park protests in early June.

The progress in terms of the opening-up of space for free debate on topics perceived as knife-edge by Turkish public opinion is stated by the Report as a positive change in terms of free expression. Many subjects recognized as overwhelmingly sensitive, such as the Kurdish and Armenian issues, are among popular topics outspoken in many different branches of media today.

The Chapter 10 of the Report on the other hand emphasized on some problems affecting the circumstances with regard to freedom of expression indirectly and this chapter hands the discussion over the issues regarding the freedom of expression in media over to the Chapter 23. However, some problems addressed by the Report in its 10th chapter such as lack of clarity on concepts of general morality, protection of the family and moral values of the society, contentious implementation of the law and lack of independence on the part of RTÜK might be evaluated sources of some problems regarding freedom of expression and of the media.

All above-mentioned problems regarding the right to freedom of expression and of the media are issues of concern before many national governments, international organizations, intergovernmental structures and supranational bodies. They use financial tools in addition to the political ones to tackle with the violations against freedom of expression and of the media and to improve the democratic capacity of media intermediaries. The EU, which is the single largest source of funding for media assistance outside the USA (Myers, 2009, 39) is one of the leading one among these bodies.

The European Union Assistance to Freedom of Expression and Free Media over the World and in the Enlargement Countries

How donors who provide assistance to media perceive media development depends on their perspectives and the basic motivations when they aid. To illustrate; when China is funding a radio station in Africa, it has a very different motives and perspectives from the Netherlands. While China is helping mostly for influence, commercial interest and probably propaganda, the Netherlands is probably aiding for some would say “enlightened” goals like more liberalism. However some surveys found that most of the Western European donors including EU have rights-based motivations for supporting media development (Myers, 2009, 9). In addition, the Commission is also to address deficiencies in the regulatory framework and capacity constraints of media actors, the economic viability of media, capacity building measures, improvement of technical resources and skills and also ethical standards.

The European Commission media support has a wide range of spectrum and it takes different forms, from a restricted number of larger individual and comprehensive media support programs to incorporation of media support aspects within other governance programs such as electoral assistance and the issue of media monitoring. The European Commission also is very active in training and capacity building of journalists’ (European Commission, 2013a, 29). However, the European Commission puts down increasing emphasis on democracy support in the EU’s external relations. And also the new development policy – Agenda for Change – states that EU should continue to support democratization and media freedom and access to Internet (European Commission, 2011) and also to provide EU staff with practical guidance.

In order to support freedom of expression globally, the European Union runs two mechanisms of financial support. The first one is the European Instrument for Democracy and Human Rights and the second is the European Endowment for Democracy. The European Union, on the other hand, has various instruments and institutions to promote freedom of expression throughout the world: the European External Action Service and geographic policies and instruments including the European Neighborhood Policy and the European

Neighboring and Partnership Instrument. The EU also supplies financial assistance to freedom of expression through the European Development Fund and the Development Co-operation Instrument (Harris, 2014).

A report titled as “Mapping of EU Media Support 2000-2010”¹ refers right-based characteristics of the EU support to freedom of expression and media freedom. The report analyzed 437 EU media support projects asserts that support to freedom of expression and opinion and free, independent and plural media are considered as key elements in the European Commission’s democracy support programs and the increase in the amounts allocated to media development and freedom of expression projects is very explicit in the period of 2000-2010 (European Commission, 2012).

According to the data provided by this report, European Instrument for Democracy and Human Rights (EIDHR) which aims to provide support for the promotion of democracy and human rights, including freedom of expression and of the media, in non-EU countries is the single biggest source which accounts for 41% of the total financial media support supplied by the EU between 2000-2010. Approximately 70% of the projects supported by EIDHR within this period were directly or indirectly addressing freedom of expression and opinion and also free, independent and pluralistic media. Most of the projects supported by EIDHR are to removing legal and technical obstacles to the freedom of the press, promoting pluralism in and through media and also providing security of journalists when exercising their right to freedom of opinion and expression. On the other hand, the projects out of 70% were mainly implemented for capacity building for journalists essentially on increasing professionalism and professional standards, media monitoring or media and elections.

In addition to its efforts for the global development of media, the European Union puts a special emphasis on its enlargement countries in terms of media assistance. Because, providing the stability of democratic environment by eliminating the obstacles in front of freedom of expression and of the media is one of the main challenges in front of enlargement countries. That is why the European Commission includes freedom of expression and media among four cross-cutting policy issues are of concern to most countries preparing join the EU while explaining the enlargement policy highlights (European Commission, 2013e).

As explained in the previous chapters of this study, political interference in the media, media concentration, and violence against journalists are some of the issues of concern in Western Balkans and Turkey. Improving this situation inevitably necessitates political, financial and technical support. The EU supports this process by providing legal assistance and guidance in establishing democratic media legislation or reforming this, by observing and reporting the policies of candidate and potential candidates in this field and also by providing financial support through IPA programs (European Commission, 2014b).

Being a support to the European Union’s enlargement strategy, the Instrument for Pre-accession Assistance (IPA) provides assistance to freedom of the media (European Commission, 2013a, 29). In the period 2007-2013, over €27 million pre-accession assistance has been granted countries to help them in struggling against the challenges related to freedom of expression (European Commission, 2013d, 10). Examples of continuing assistance within the framework of IPA include: a project joint managed with UNESCO to improve ethical and professional standards in journalism; a partnership agreement with media organizations from all enlargement countries and some EU countries on the South-East European Media Observatory in order to establish capacity and cooperation for monitoring media integrity and to support media reform; direct support to the European Broadcasting Union for ensuring the democratic role of public service media in the enlargement countries and also setting up an enlargement strategy to support media (European Commission, 2014b).

¹ This report was prepared by Office for Economic Policy and Regional Development and financed by the European Commission on December 2012.

In addition; through IPA II, the Commission is building up a long term EU financial assistance approach special for freedom of expression issues for the period of 2014-2020 in the enlargement countries by working together with leading partners like Council of Europe, OSCE, OECD). Being conscious that to struggle with the problems with regard to freedom of expression is necessitated a commitment over a longer time period; the Commission will assist professional organizations of journalists and media to increase their capacities by using the Civil Society Facility, work together with partners (e.g. Council of Europe, OSCE) to promote long-term judiciary training as initiated by the countries in the region, encourage and financially support contacts between journalist communities in the enlargement countries and the EU and also maintain dialogue with media communities and their organizations in the enlargement zone (European Commission, 2014c).

This strategic approach is followed by financial and technical assistance through the Instrument for Pre-accession Assistance-IPA II that target three embracing areas: Enabling environment for free expression and media, encouraging media outlets assuming responsibility for an improved internal governance in order to make them more resistant to external pressures and increase audience's confidence in them and lastly increasing capacity and representativeness of journalist professional organizations as the key drivers of the needed change (European Commission, 2014a, 2-5).

One of the Most Recent Examples of EU Assistance to Media Freedom: Establishing a Transnational Support Network for Media Freedom in Italy and South-east Europe including Turkey

In 2013, the European Commission issued a call inviting proposals focusing on violations of media freedom and pluralism and following the call the Commission selected four projects aiming to supply practical solutions and guidance to journalists in Europe in order to improve and protect media freedom. Among these four projects, the one titled as "Safety Net for European Journalists: A Transnational Support Network for Media Freedom in Italy and Southeast Europe" is an interesting one addressing both the member states and the states in the enlargement zone. Osservatorio Balcani e Caucaso (OBC - Fondazione Opera Campana dei Caduti) in cooperation with the South East Europe Media Organization (International Press Institute), Ossigeno per l'Informazione and Evgenia Siapera conducts the project².

Safety Net for European Journalists is a project devoted to media freedom in Italy, South East Europe and Turkey. As a result of numerous actions and a broad network of media partners in 11 European countries, the project is set to promote a transnational debate as well as an active participation of the EU in media support around 11 European countries (Croatia, Greece, Montenegro, Bulgaria, Romania, Slovenia, Serbia, Turkey, Macedonia and Italy).

Safety Net for European Journalists will report the journalist at risk while doing their work. OBC and its partners will observe and record violations to media freedom in Italy, South East Europe and Turkey; establish a multi-source platform in 9 languages collecting online data about the needs of journalists at risk or threatened; publish a cross-country report on their needs; encourage the exchange of good practices for the protection of media freedom in Europe; raise the awareness of the European public on the role of media freedom in democracy; and lastly provide the dissemination and exchange of information among media intermediaries in 11 European countries (European Commission, 2013f). Additionally, news and investigations will be published and a manual offering concrete ways to support the journalists at risk will be issued (Osservatorio Balcani e Caucaso, 2014).

² For other three projects please see: European Commission, *Media Policies: European Centre for Press and Media Freedom – Results of the 2013 Call for Proposals*, <http://ec.europa.eu/digital-agenda/en/news/european-centre-press-and-media-freedom-results-2013-call-proposals>, accessed on 22 June 2014.

Safety Net for European Journalist is a significant project in terms of including a multinational effort to solve problems in front of media freedom. This project including partners also from the enlargement countries address one of the most important challenges to media freedom which was specified by Speak-Up!2 conferences and the enlargement strategy papers; threat, violence and interventions from different sources to journalists when exercising their right to freedom of opinion and expression.

Conclusion

It is out of question that the challenges media facing are not limited with the ones related with democratic environment and fundamental rights. There are many other problems regarding media and information society stated also in enlargement strategy papers and the annual progress reports (Chapter 10 Media and Information Society) such as the ones regarding alignment of the electronic communications and information society services, cyber security policy, licensing, economic issues including market regulations, media regulation institutions, audiovisual policy, frequency planning and digital broadcasting. However, for purposes of this study, media assistance was broadly defined as any kind of support that helps to promote free and independent media outside the European Union borders including the EU enlargement countries and with special attention to Turkey. This study mainly approached media freedom and media support from a human rights perspective while it was analyzing the conditions in the enlargement countries in terms of freedom of expression.

Obviously this was not an arbitrary choice of the author. Firstly, the commitment of the EU to the promotion of freedom of expression and media which enshrined in its acquis, including even the founding treaties. It is the fact that freedom of expression is one of the essential values on which the European Union founded and all the sources reviewed for this study shows that, from the viewpoint of the EU, freedom of expression can only be exercised in a free and independent media environment.

Secondly, as this study shows, the EU itself has a liberal and rights-based approach to media support and its media programs appear in mainly “human rights and democracy” budget lines. According to the data provided by the report analyzed within this study, European Instrument for Democracy and Human Rights (EIDHR) which aims to provide support for the promotion of democracy and human rights, including freedom of expression and of media, in non-EU countries is the single biggest source of media support by the EU between 2000 and 2010. Also, most of the projects supported by EIDHR within this period were mostly addressing freedom of expression and free media. Furthermore, the EU has comprehensive mechanisms and many other instruments to the support of freedom of expression and media freedom.

Lastly, enlargement one of the most important phenomenon that the EU have to deal with in the last decade and the difficulties in ensuring freedom of expression and of the media is regarded by the Union itself as one of the main challenges facing enlargement countries. That’s why the EU identifies freedom of expression and media as one of the most important crosscutting policy issues within its enlargement policy. The commitment of the Commission to develop a new long term, 2014-2020, assistance approach in order to fulfill political goals in the fields of freedom of expression and media and also the Commission’s effort to reshape its financial tools, including IPA II, for the development of the enlargement countries in accordance with this new strategy confirms the significance of human rights perspective towards media support and indicates key role of the right-based approach to media support in the EU policies.

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