

To: **Ministry of Culture, Media & Sports**
Kulturdepartementet
103 33 Stockholm
Sweden

Subject: **Consultation on Community Radio and Television in Sweden**¹

Our Ref: CMFE_PDW_2008003
Your Ref: Ku 2007/3216/ME
Nijmegen, 25 April 2008

Dear Sir / Madam,

Community Media Forum Europe (CMFE) is a network of policy experts, organisations and federations which aim is to support the role of Community Media on the European level. CMFE is actively participating on pan-European policy platforms involving the European Commission and the European Parliament as well as the Council of Europe (Media Diversity Group). CMFE is also cooperating with the global community radio organisation AMARC.

CMFE is a NGO registered in Brussels and with its administrative office in Nijmegen, The Netherlands. CMFE started 2006 and its membership base covers national organisations, radio and television stations and individuals in 14 countries (including Denmark, Finland and Sweden). CMFE's aim is to create a membership base of national organisations in most or all European countries (EU and non-EU).

The Common Principles of Community media (also called: the Third Media Sector) is stated in the statutes of the CMFE:

1. Free access for the communities to the means of media communication
2. Freedom of speech and media plurality
3. Free access to information
4. Public and gender balanced access
5. Encouragement of local participation
6. Cultural diversity and respect to minorities
7. Orientation to participatory structures and self-determination
8. Editorial independence
9. Not-for-profit

CMFE also adheres to the principle in the AMARC Europe Community Radio Charter: "independence from government, commercial and religious institutions and political parties".

¹ See Appendix for summary in Swedish language

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CMFE is calling the ministry's special attention to the European Parliament's study "The State of Community Media in the EU" by the Committee on Culture and Education, September 2007². See also the 'Draft report on measures to support alternative media in Europe in order to guarantee a pluralistic media environment and cultural diversity', (2008/2011(INI)), Rapporteur: Ms. Karin Resetarits, also from the Committee on Culture and Education³.

CMFE has been invited to participate in the consultation regarding the Radio and TV Authority report "Närradio och när-TV i fokus". In the following CMFE will comment on subjects which will be of common European interest for promoting the development of this media sector. Our suggestions and recommendations, which have been approved by the CMFE board in session, are translated into Swedish (see appendix).

1. Safeguarding the Community media sector for the civil society

a) Radio (regarding 3.2.1 in the report)

In Sweden there is in general one FM frequency in each local community (city) reserved for CR (närradio). Commercials are allowed on community radio (CR). However, few NGO's use this method of financing. It has been reported that CR in Sweden is increasingly being taken over by private commercial interests. Today there are 22 such commercial stations broadcasting in Sweden. This is not acknowledged in the report but for the future of CR it is a great threat. It is also quite an unfair competition for the professional commercial radio sector. Also civil society gradually will lose access to airspace.

There are no laws in Sweden defining and regulating any NGO association. This means that a private interest is able to establish a proxy; an "association" which will get a CR broadcast license (without paying any fee). This private radio most of the time will broadcast music and commercials 24h and any real NGO will have a difficult or impossible task to get broadcast time on this frequency.

CR in Sweden was established 1980 as a platform for the civil society ("radio for the associations") and still is regarded as such. CMFE finds it inconsistent to let private commercial interest to take control over frequencies in this sector operating under a false flag of "association".

² See also:

<http://www.europarl.europa.eu/activities/committees/studies/download.do?file=17791#search=%20media%20>

³ See also:

<http://www.futurdeleurope.parlament.gv.at/oeil/FindByProcnum.do?lang=2&procnum=INI/2008/2011>

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It should be possible to broadcast a programme produced by a CR station in one city also in another city. CMFE support this scheme.

In Sweden broadcast licenses for CR can be issued to several associations on the same radio station. This is a very vulnerable system and is quite unheard of in the rest of the world (except Denmark where on the other hand there is a annual state support (€3 million) to non-commercial radio and TV). Normally a broadcast license is issued to a radio station as an organisation or corporation, not to the members or shareholders.

CMFE suggest that the regulation governing CR in Sweden will be more precise in defining the non-commercial status of a license holder. We also suggest that, if commercials are permitted to be broadcasted on CR, this should be strictly a non-profit income. However, if it cannot be proven that NGO's operating CR will not make a net income from commercials, CR should be restricted from airing commercials. This will also enhance the possibilities for civil society funding of CR i.e. from local governments.

CMFE strongly recommend that one (1) broadcast license is issued per frequency and location to a specially designed non-profit CR association open to membership for producing organisations and individuals. This will strengthen the local CR activities and also make the licensing more transparent and democratic. This will also enhance the administrative process at the Radio authority and also make the local CR activities open for local or regional government support as well as EU funding.

b) Television (3.3.5)

Community radio and television in Sweden is regulated quite differently. Commercials are permitted on radio, but not on cable television.

It is crucial that the civil society will have access to its own media channels. It should not be shared with state or private interests. It might sound practical to let a commercial operator share an access channel; to use time not used by community television ("lokalt kabelsändarföretag"). However, this will probably limit the development and expansion of the community channel. It is also a great risk that the viewer will be confused by having a non-commercial operator on the same channel as a commercial operator. This arrangement is not used in other countries.

CMFE strongly recommend that a cable access (CT) channel should be used exclusively for non-commercial purposes.

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2. Digitalisation of Community Radio (3.1, 3.2.2)

The report hints the possibility to keep today's small coverage area for CR when digitalising the radio. This is a correct observation when it comes to the DAB-system which Sweden has not yet adopted. But small coverage areas can be maintained by using other systems for digital radio.

FM radio is today the over all main distribution channel for local CR in most countries around the world. Some experts say FM-radio will be in use for at least another 10-20 years. CMFE does not see much benefit for local CR to abandon the present analogue FM radio system before there is a real demand. Simulcasting on both analogue and digital systems in the transition period is necessary. Meanwhile Internet radio will be the digital complement but this will not replace local wireless broadcasting.

In the future CR will also become digitalised. However, a digitalisation must be done in order not only to enhance technical capacity but also to make broadcasting less costly for both the producer and the listener. Also CR must have the right to run its own or rented transmitter and frequency independently of government and/or private distribution systems. Stand-alone transmitters gives also flexibility for emergencies rather being forced into a common multiplex system together with public and private radio. DAB or DAB+ might be a good system for national and regional broadcasting. But it will be too costly for any non-commercial local operation without a hefty direct financial or technical state support or without planning multiplexes for small region coverage's, e.g. in the L-Band.

Digitalisation of the FM-band will be a more transparent and also a natural step-by-step transition from analogue to digital radio. CMFE has come to the conclusion that digitalisation of the AM and FM-band (HD Radio, DRM, DRM+ etc.) will be in the best interest of any local CR station.

CMFE recommend that the government, upon deciding digital system for broadcasting in Sweden, pay close attention to the special requirements for local radio stations with limited coverage and operating areas (as one or a few local communities, towns, cities).

3. Democratic Access to Community TV (3.3.2-4)

CMFE is very positive to the suggestion in the report is that broadband networks which is used for distribution of television will be obliged to carry the community television signal. Also that cable network must carry the signal with both analogue and digital technique.

In most countries community television has not been permitted to broadcast on air but confined to cable only (Denmark is an exception). CT will not reach all of the population in a city by cable and broadband. This is of course not very democratic.

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During the analogue era the reason put forward for this was lack of radio spectrum after public service and commercial television got their slices. With the digitalisation most countries will now establish digital terrestrial television (DTT). Sweden was first going all digital which means there will be at least seven times more space than during the analogue era. It is quite surprising that the report ignore the democratic aspects with DTT and the possibilities for CT to expand its local and regional reach by DTT.

Also, it does not seem to be a fair balance of obligations for privately owned cable network vs. state-owned DTT-network. The cable network must carry CT free of charge, but a CT station which want to be on the state-owned DTT-network must pay the same distribution fees as a commercial operator.

Cable and broadband will not be sufficient to democratise the distribution of CT and open the air waves for NGO's including ethnical and minority interests. It will be necessary for the state to guarantee non-commercial CT access to DTT on the same must-carry terms as public service. In Denmark and Norway the DTT network will be open for CT. In Norway a national Open Channel is starting on DTT in May 2008.

CMFE strongly support the suggestion that broadband networks which distribute television signals must carry CT and that cable networks with both analogue and digital distribution must distribute the CT signal in both analogue and digital mode.

CMFE strongly recommend that the government find a solution which will give non-commercial CT channels free access to the DTT network on the same level as for cable networks.

4. National Support for Community Media (3.4)

Public funding to support community media is important to maintain a *continuous structure* of non-commercial radio and television operated by NGO's and volunteers. Financing should be possible via the television/media license fee as in Denmark or Germany or via direct state funding as in the Netherlands (state funding via municipalities) or Norway. In France CR is supported by the state via fees on advertisement on commercial radio.

The report dos not make a case for state support in Sweden but rather point to the possibility of local or regional support. However, it must be the responsibility of the national government to guarantee a structural system which will make community broadcasting possible all over the country. Such a structural system will also increase the possibilities for receiving additional support from local/regional governments and organisations also probably from EU funds.

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In some European countries the CM sector is quite developed already and in some countries the sector is just at its infant stadium. On the pan-European level CMFE has been established as a network knitting together community radio and TV stations, CM organisations and CM experts. CMFE is communicating with EU institutions in Brussels as well as the Council of Europe in Strasbourg.

In view of experience in for example Norway, the Netherlands and the U.K. CMFE is convinced that a national common organisation for both radio and TV will be the most effective way to promote and develop the third media sector. Through a national CM organisation state support as well as EU project support can be funnelled with transparent methods to the radio and television stations respectively.

A national organisation will be able to maintain consultation, information and training in areas of technique (production and distribution) and juridical subjects (as copyright). Also a knowledge network can be established as well as a network for program exchange. Local radio and TV stations will also be administratively supported when applying for EU project and other international financing schemes.

CMFE is satisfied that also the report draws this conclusion. But the government must be open to decide upon support to a national common organisation *before* such an organisation is formally launched. Not *if*.

CMFE strongly recommend that the government initiate or supports initiatives for the establishment of a common non-profit CM organisation in Sweden in cooperation with present CR and CT organisations respectively. Public funding should be used for launching and for structural support of a national organisation for CM.

Yours sincerely,



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Appendix

Consultation on Community Radio and Television in Sweden

Ref. Ku 2007/3216/ME "Närradio och när-TV i fokus"

CMFE Ref: CMFE_PDW_2008003, 25 April 2008

Translation from English to Swedish regarding CMFE's recommendations and suggestions:

Översättning av CMFE:s rekommendationer och förslag .

För de svenska beteckningarna *närradio* och *icke-kommersiell lokal-tv* används nedan även förkortningarna CR (Community radio) and CT (Community television) respectively. Som samlingsbegrepp används CM (Community media).

1. Slå vakt om community media-sektorn för det civila samhället

a) Radio (3.2.1 i rapporten)

CMFE föreslår att

regelverket rörande närradio i Sverige bör tillståndshavarens icke-kommersiella status precisera bättre. Vi föreslår också att om reklambudskap tillåts bli sända i närradion detta strikt får ske för icke-vinstutdelande syfte. Om det emellertid inte kan bevisas att föreningar som sänder närradio inte gör överskott på reklam skall närradion inte tillåtas sända reklam. Detta kommer också att förbättra möjligheterna för det civila samhället att kunna erhålla kommunalt stöd för närradio.

CMFE rekommenderar starkt att

per frekvens och plats utses en (1) tillståndshavare, som skall vara en särskilt utformad icke-vinstutdelande närradioorganisation öppen för medlemskap för producerande organisationer och individer. Detta kommer att stärka lokala närradioaktiviteter och också göra tillståndsgivningen mer transparent och demokratisk. Detta kommer också att förbättra handläggningen i radiomyndigheten och även göra de lokala närradioverksamheterna öppna för lokalt och regionalt kommunalt stöd liksom även EU-stöd.

b) Television (3.3.5)

CMFE rekommenderar starkt att

en kanal avsedd för ett lokalt kabelsändarföretag skall användas exklusivt för icke-kommersiella syften.

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2. Digitalisering av Community radio (3.1, 3.2.2)

CMFE rekommenderar att regeringen vid beslut om val av digitalt radiosystem i Sverige tar noga hänsyn till de särskilda krav som gäller lokala radiostationer med begränsad räckvidd och verksamhetsområden (som en eller ett par kommuner, städer etc)

3. Demokratisk tillgång till Community television (3.3.2-4)

CMFE stödjer starkt förslaget att bredbandsnät som sänder televisionssignal måste upplåta utrymme för CT och att kabelnät, som sänder både analogt och digitalt, måste sända signalen även från CT både analogt och digitalt

CMFE rekommenderar starkt att regeringen finner en lösning som ger icke-kommersiella CT-kanaler tillgång till det marksända digitalnätet på samma nivå som i kabelnät.

4. Nationellt stöd för Community Media (3.4)

CMFE rekommenderar starkt att regeringen initierar eller stödjer initiativ för upprättandet av en gemensam icke-vinstutdelande organisation för CM i Sverige i samarbete med nuvarande CR- respektive CT-organisation. Offentliga medel bör användas för att sjösätta och för att ge strukturellt stöd åt en sådan riksorganisation för CM.

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