Media Pluralism Policy

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1. Introduction and background

Coimisiún na Meán

> Coimisiún na Meán ("**An Coimisiún**") is Ireland's independent agency for developing and regulating a thriving, diverse, creative, safe, and trusted media landscape.
>
> An Coimisiún has a number of powers, functions, and responsibilities to uphold freedom of expression and ensure pluralism of the media.

Section 7 of the Broadcasting Act 2009 as amended (the "**2009 Act**") obliges An Coimisiún to ensure that:

- The democratic values enshrined in the Constitution are upheld;
- The interests of the public are protected;
- Broadcasting and audiovisual on-demand media services available in the State are open, inclusive, and pluralistic;
- Regulatory arrangements consider technological and societal change;
- High-quality, diverse, and innovative programmes are provided;
- There is diversity and transparency in the control of communications media operating in the State;
- Media literacy is promoted through research and education; and
- The regulatory environment sustains independent and impartial journalism.

In addition, An Coimisiún has powers and responsibilities under the Competition Act 2002 as amended (the "**2002 Act**") to research and assess media market conditions, including in relation to media mergers, and An Coimisiún may require changes through regulatory intervention to safeguard and promote media pluralism.

The legal framework under which An Coimisiún operates in regulating and supporting media and online services provides it with a range of tools for media pluralism.

This framework includes:

- the 2009 Act,
- the 2002 Act,
- the Audiovisual Media Services Directive (the "**AVMSD**"), setting out a framework for the regulation of audiovisual media services,
- the Digital Services Act (the "**DSA**"), to ensure a safe, predictable, and trustworthy online environment, and
- the European Media Freedom Act ("**EMFA**"), to safeguard media pluralism and editorial independence.

As such, An Coimisiún's role in media pluralism includes:

Regulation	Development and support	Audience and users
Licensing of broadcasters	Funding media content	Promotion of media literacy

Regulation	Development and support	Audience and users
Registration of video-on-demand providers	Funding sectoral innovation	Research into media consumption and preferences
Codes and rules for broadcasters, video-on-demand providers, and video-sharing platforms	Skills development for the media sector	Upholding the right to customise the media offering on user interfaces and devices
Complaint-handling, compliance monitoring, and enforcement of content standards and related codes and rules	Strategies for the media sector	Formation and consultation with advisory committees and panels
Supervising online platforms' obligations	Sponsorship schemes for the media sector	
Reviewing the provision of public service media	Promotion of the Irish language	
Assessing media mergers and acquisitions		
Researching media ownership structures and changes, including the development of media ownership databases		
Monitoring the allocation of public funds for advertising		

Media pluralism

Media pluralism is enshrined in human rights frameworks, linked to the right to freedom of expression. Free and pluralistic media are recognised as pillars of modern democracy, allowing for the flow of information and the possibility to hold power to account.

In Europe, Article 11 of the Charter of Fundamental Rights of the European Union ("**CFREU**") establishes the right to freedom of expression, including the freedom to hold opinions and to receive and impart information and ideas, without interference and regardless of frontiers. Article 11 also provides that the freedom and pluralism of the media shall be respected.

The revised AVMSD, enacted in 2018, provides that national regulatory authorities for audiovisual media services should ensure respect for the objectives of media pluralism and cultural diversity. The AVMSD recognises the opinion-forming power of audiovisual media services.

The DSA, enacted in 2022, places obligations on online platforms – and, in particular, those designated as Very Large Online Platforms ("**VLOPs**") and Very Large Online Search Engines ("**VLOSEs**") – to have due

regard to freedom of expression and of information in their actions, including media freedom and pluralism. VLOPs and VLOSEs must assess and mitigate against risks arising from the design or functioning of their services, including risks to media freedom and pluralism.

EMFA, enacted in May 2024, focuses on the role of media in shaping public opinion and providing citizens with information which is relevant for actively participating in democratic processes. EMFA defines media pluralism as "the possibility to have access to a variety of media services and media content which reflect diverse opinions, voices and analyses".

EMFA obliges Member States to respect the right of recipients of media services to have access to a plurality of editorially independent media content, and to safeguard that right, to the benefit of free and democratic discourse.

In addition, An Coimisiún is obliged under EMFA to ensure that any regulatory or administrative measure that it takes that is liable to affect media pluralism shall be duly justified, proportionate, reasoned, transparent, objective, and non-discriminatory, following timeframes set out in advance.

This policy

> An Coimisiún's Media Pluralism Policy (the "**Policy**") has been developed to build on the Broadcasting Authority of Ireland's 2019 Media Plurality Policy, taking into account technological and societal change, and with consideration for the expanded role of An Coimisiún.
>
> The Media Pluralism Policy sets out An Coimisiún's role in supporting and promoting media pluralism, including the outcomes that An Coimisiún aims to achieve, and providing a basis for measurement of media pluralism.

An Coimisiún's Strategy Statement 2025 – 2027 (the "**Strategy**") sets out its **mission** to regulate, support, and develop a media landscape that fosters a democratic and pluralistic society. Media pluralism is core to the achievement of the **strategic outcomes** outlined in the Strategy, including:

- the lawful expression of a wide variety of views, and enabling people in their diversity to express their lawful views, and be their individual, authentic selves in all forms of media;
- an Irish media sector that is accessible, inclusive, diverse, and representative of contemporary Ireland;
- diversity of media ownership and a plurality of production, distribution, and delivery channels;
- the production by public service media organisations of valued and consumed content; and
- people seeking out, identifying and consuming content from trusted sources of information.

An Coimisiún's Media Pluralism Policy is intended to provide clarity to all interested parties on its understanding of media pluralism, and how media pluralism will guide the activity of the organisation.

The Policy should be read and interpreted in conjunction with other organisational policies that govern related matters.

The Policy sets out the following elements:

Objectives	Outcome areas	Indicators
The **objectives** make up the purpose of the Policy, and they will inform the actions of An Coimisiún on an ongoing basis, for the lifecycle of the Policy.	The **outcome areas** emphasise where An Coimisiún particularly aims to achieve impact for the public and the media landscape in supporting and promoting media pluralism.	The **indicators**, when combined with the **outcome areas**, provide a basis for measuring media pluralism and the impact of An Coimisiún's activity.

An Coimisiún will evaluate the impact and effectiveness of its actions, including this Policy, on an ongoing basis. An Coimisiún may publish further iterations of this Policy in future, or supplement this Policy with other documentation.

2. What is media pluralism?

Definition

An Coimisiún considers **media pluralism** to be made up of a **diversity** of **ownership**, **services**, **content**, and **exposure**.

Diversity of ownership	Diversity of services	Diversity of content	Diversity of exposure
A spread of ownership and control over media service providers and media content.	The coexistence of a number of distinct media services or platforms for the design, delivery, and dissemination of media content.	The extent to which media content is responsive to and reflective of the rights, needs, and interests of a diverse society.	The extent to which a range of media content is discoverable and accessible.

Addressing these four elements allows An Coimisiún to direct its regulatory and development actions to support and promote media pluralism at several levels, including at the level of:

- A media market or media markets,
- A group or groups of media services or online platforms,
- Individual media services or online platforms,
- Creators, publishers, and distributors of media content,
- Providers of audience measurement systems,
- Public authorities,
- User interfaces and devices, and/or
- Users and audiences.

The importance of media pluralism

Media have a role in producing and providing reliable information and diverse perspectives, and can promote participative democratic processes, intercultural understanding, social inclusion, and respect for diversity. Media can have a significant role in forming public opinion and shaping public discourse.

Access to a variety of voices, opinions, and analyses, as well as having the possibility to express one's own views, helps to ensure that public opinion and discourse are not unduly influenced by any one source or entity. This access and expression should occur at a number of levels – including international, national, local, and community.

The possibility for a diversity of people to access a diversity of services and content is influenced by the design, functioning, availability, and discoverability of channels for the production, distribution, and delivery of media content, including online platforms and digital technologies.

Risks and challenges for media pluralism

A number of risks and challenges have emerged or are emerging in relation to freedom of expression, information, and media pluralism, including:

Market conditions	Provision of content	Audience and users
The power of online intermediaries in influencing access to media content	Challenges to the viability and independence of public service content provision	Limited understanding of audience and user habits and preferences across media sources, particularly online
The emergence, uptake, and use of certain digital technologies, including artificial intelligence	Challenges to the viability of regional, local, community, and niche media services and content	Increasing preference for online intermediaries, particularly among certain audience and user cohorts
Misuse and abuse of technologies to disrupt public opinion and discourse	Limited provision of Irish-language and Irish Sign Language services and content	Limited service and content accessibility, including on socioeconomic and disability grounds
Limited transparency and accountability in the operations of providers of online intermediaries and digital technologies	Limited and/or stereotyped representation of minoritised groups in content and in programme-making	Limited awareness among the general public in relation to ownership structures and their impact
Increasing concentration of media service providers and advertising revenues, particularly in digital advertising	Equality issues in the media sector	Limited awareness among the general public as to how and/or why they see certain services and content

3. Policy vision and objectives

The **vision** and **objectives** of the Policy make up the purpose of the Policy, and they will inform the actions of An Coimisiún on an ongoing basis, for the lifecycle of the Policy.

Vision

An Coimisiún's **vision** for its Media Pluralism Policy is to enable the organisation to regulate, develop, and support a media landscape that:

- is sustainable, pluralistic, and participative;
- supports democracy and democratic values; and
- reflects and shapes who we are as a society.

Objectives

An Coimisiún's **objectives** in supporting and promoting media pluralism are:

1. To ensure ownership and control structures are diverse and transparent.

2. To safeguard the independence of media service providers in the design, delivery, and dissemination of content, including in editorial decision-making.

3. To regulate, develop, and support a thriving, creative, and innovative media landscape where the viability of a range of media services and content is ensured.

4. To regulate, develop, and support a media landscape that is responsive to and reflective of the rights, needs, and interests of a diverse society, including with regard to Irish culture, language, and heritage.

5. To ensure that people are empowered to make informed choices as to the services and content they access, use, and create.

6. To ensure that trusted, authoritative, and relevant media content is available, discoverable, sustainable, and accessible, including independent and trusted journalism.

4. Policy outcome areas

The **outcome areas** emphasise where An Coimisiún particularly aims to achieve impact for the public and the media landscape in supporting and promoting media pluralism. It is a further articulation of An Coimisiún's **vision** and **objectives** for the Policy.

The outcome areas interrelate and overlap – the achievement of impact under one outcome area will also benefit other outcome areas.

An Coimisiún may have reference to the outcome areas when developing and carrying out related functions and activities.

An Coimisiún may evaluate its impact under the outcome areas by reference to the **indicators** and other sources of information.

Public service

Media services and content that reflect and serve the public.

Public service media and public service content – media that is owned and funded by the public – play an essential role in society. They can uphold the rights of citizens and fulfil a range of needs and interests.

Ireland's public service media organisations, RTÉ and TG4, are required to be available and responsive to the interests of the people of the island of Ireland.

Public service content is also produced and made available by other media service providers, including, but not limited to, commercial, community, and local media service providers.

In the implementation of the Policy, An Coimisiún will engage in activities to enable public service media organisations and content to:

- maintain editorial independence;
- follow regulatory standards and meet public service objects;
- be transparent and accountable to the public;
- promote public participation;
- benefit from appropriate funding to support service and content provision;
- enjoy and build on the trust of the people of the island of Ireland; and
- reach and connect with a diversity of people.

Journalism

Quality, independent news and current affairs services and content.

Access to trusted, independent, and impartial news and current affairs is vital to ensure informed debate about matters of public interest.

A number of challenges arise in relation to the provision of news and current affairs content, including disinformation and misinformation, and the viability of media service providers, particularly at regional and local levels.

In the implementation of the Policy, An Coimisiún will engage in activities to enable news and current affairs content to:

- maintain editorial independence;
- follow regulatory standards;
- benefit from appropriate funding to support provision and careers;
- enjoy and build on the trust of a range of people; and
- objectively, impartially, and fairly represent a range of voices, opinions, and analyses.

Choice

Informed discovery of and access to a range of media services and content.

Users and audiences should be exposed to a range and mixture of media services and content, ensuring their access to voices, opinions, and analyses.

Availability of content does not equate to access to content. The availability of a range of services and content does not mean that users and audiences are accessing and using them, nor that they are fully informed about those services and content.

In the implementation of the Policy, An Coimisiún will engage in activities to enable users and audiences to:

- understand who creates and owns services and content;
- understand the impact of ownership on media;
- understand how and why services and content reach them;
- discover and access different services and content;
- critically think about the services and content they discover and access.

Innovation

New possibilities for media services and content.

New and emerging technologies, while posing challenges to the media landscape, present new opportunities for the design, delivery, and dissemination of media services and content.

Innovation is both dependent on and a precondition of media service and content viability – media services and content require adequate support to innovate, and they are required to innovate to develop and reach new audiences in new ways. A level playing field for media services and content can foster innovation.

In the implementation of the Policy, An Coimisiún will engage in activities to enable media services and content to:

- use and invest in a range of technologies to design and deliver content;
- explore non-traditional services and formats and new dissemination channels;
- be supported by skills and capabilities in the media and digital sectors;
- benefit from appropriate funding for innovation; and
- build on existing partnerships and create new partnerships.

Inclusion

Upholding everybody's right to participation and expression in the media landscape.

A diversity of voices, opinions, and analyses can only be supported by the participation of a diversity of people in the media landscape.

Media services and content should reflect, be shaped by, and be accessible to the diversity of society. In particular, media have a role in promoting understanding, inclusion, and respect for diversity. The role of public service, national, regional, local, and community media is significant in providing opportunities for such inclusion, though it should be embedded throughout the media landscape.

In the implementation of the Policy, An Coimisiún will engage in activities to enable media services and content to:

- be owned, governed, and managed by a diversity of entities;
- fairly and respectfully reflect a diversity of people in content and content production;
- be created and informed by a diversity of people;
- be accessible to a diversity of people; and
- benefit from appropriate funding to support such diversity.

5. Policy indicators

The **indicators**, when combined with the **outcome areas**, provide a basis for measuring media pluralism and the impact of An Coimisiún's activity.

An Coimisiún may have reference to the outcome areas when developing and carrying out related functions and activities.

An Coimisiún may retrieve data and information from a variety of sources, including through its regulatory, development and support, audience- and user-focused activity, research, or other activity. An Coimisiún may also draw on other references for data and information than those listed.

Independence

There should be minimal interference or influence in editorial decision-making from political, commercial, or other sources.

An Coimisiún may determine levels of independence with reference to:

- compliance data from regulated entities, including in relation to:
  - public service media reviews;
  - licensing arrangements;
  - funding arrangements and models for media service providers and content;
  - adherence to relevant codes and rules;
- ownership and control information provided by media service and online platform providers, including in relation to governance and management structures;
- the nature and extent of media merger and acquisition activity, including commitments that may be made to safeguard media pluralism;
- evaluations of the operation of relevant codes and rules;
- the application of statutory duties, codes, and rules in complaint-handling, compliance, and enforcement;
- examinations of funding arrangements and models for media service providers and content.

Transparency

Users and audiences should be informed about what media services and content they see and access. They should understand who creates and owns services and content, and how and why those services and content have reached them.

An Coimisiún may determine levels of transparency with reference to:

- compliance data from regulated entities, including in relation to:
  - public service media reviews;
  - the operation of recommender systems;
  - content moderation decisions;
  - prominence of media services and content of general interest, as well as those of European and independent works;
  - the right to customise the media offering;
  - the distribution of public funds for advertising and service supply contracts;

- adherence to commitments for media pluralism in the context of media merger and acquisition activity;
- applications for broadcasting contracts;
- the application of statutory duties, codes, and rules in complaint-handling, compliance, and enforcement;
- ownership and control information provided by media service and online platform providers, including in relation to governance and management structures;
- information on public awareness of and opinion on ownership structures and their impact;
- information on public awareness of and opinion on matters relating to content design, production, and dissemination.

Accountability

Service providers should be held to account for their impact on media pluralism.

An Coimisiún may determine levels of accountability with reference to:

- compliance data from regulated entities, including in relation to:
  - public service media reviews;
  - adherence to relevant codes and rules;
  - content moderation decisions;
  - the operation of recommender systems;
  - risks arising from the design or functioning of online platforms;
- applications for broadcasting contracts;
- findings of sectoral impact assessments, public value assessments, or other regulatory impact assessments;
- the nature of media merger and acquisition activity, including commitments that may be made to safeguard media pluralism;
- evaluations of the operation of relevant codes and rules;
- information on public awareness of and opinion on matters relating to the regulation of media service and online platform providers.

Representation

A maximum of different users and audiences should be given the opportunity to create and see themselves and others in media services and media content.

An Coimisiún may determine levels of representation with reference to:

- compliance data from regulated entities, including in relation to:
  - public service media reviews;
  - other public service media regulatory activity;
  - adherence to relevant codes and rules;
  - content moderation decisions;
- applications for broadcasting contracts;
- ownership and control information provided by media service and online platform providers, including in relation to governance and management structures;
- information on the diversity of voices, opinions, and analyses reflected in content and content production;
- information on the accessibility of media services and content;
- examinations of the skills, capabilities, opportunities, barriers, and conditions for working in the media sector;

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- information on public awareness of and opinion on how content can be created, produced, published, disseminated, and accessed.

Viability

A maximum of different services and content should be able to sustainably, responsibly, and safely coexist.

An Coimisiún may determine levels of viability with reference to:

- examinations of funding arrangements and models for media service providers and content;
- the nature and extent of media merger and acquisition activity;
- evaluations of the operation of media funding, support schemes, or sectoral strategies and policies;
- information on the availability, reach, and discoverability of different media service providers and online platform providers, of varying size and nature, delivering services and content to users and audiences;
- information on the availability of different genres and formats of media content;
- examinations of the skills, capabilities, opportunities, barriers, and conditions for working in the media sector;
- findings of sectoral impact assessments or other regulatory impact assessments;
- examinations of other supports for the media sector, including legal and policy frameworks;
- audience measurement data.

Prominence

Users and audiences should be exposed to a maximum of voices, opinions, and analyses within and across a range of services.

An Coimisiún may determine levels of prominence with reference to:

- compliance data from regulated entities, including in relation to:
  - public service media reviews;
  - licensing arrangements;
  - adherence to relevant codes and rules;
  - content moderation decisions;
  - the operation of recommender systems;
  - prominence of media services and content of general interest, as well as European and independent works;
  - risks arising from the design or functioning of online platforms;
- information on the consumption habits and preferences of users and audiences;
- information on the accessibility of media services and content;
- information on the choice architecture of media and online services;
- examinations of content delivery and dissemination, including scheduling practices, the availability of channels;
- audience measurement data;
- information on the impact of services and content on public opinion;
- information on public awareness of and opinion on the nature and characteristics of media services and content.

Concentration

There should be a distribution of ownership and control models, and of entities that own or control media services and content.

An Coimisiún may determine levels of concentration with reference to:

- ownership and control information provided by media service and online platform providers, including in relation to governance and management structures;
- the nature and extent of media merger and acquisition activity;
- evaluation of the operation of relevant policies concerning ownership and control;
- information on the availability of different media service providers and online platform providers, of varying size and nature, delivering services and content to users and audiences;
- audience measurement data.