

José Roberto MARI NHO

Co-Chairman of GLOBO Organisations

We have to understand three main dimensions if we are to discuss freedom of communication in the world today.

The first dimension is the increased concentration of media companies. Globalized media companies are expanding territorially, horizontally and vertically faster than ever before as well as widening their action. Their production of content, mainly audiovisual, tends to be centralized while operating with a system of worldwide distribution. With the consequent economies of scale in production and globalized distribution, their cultural products compete on a predatory basis with national and regional products, which do not enjoy the same production and distribution scale. Citizens in many countries have no alternative but to receive cultural products and information of foreign origin lacking any common ground with their culture and, frequently, presented in a different language from their own. The tendency is towards cultural uniformity and a levelling down to the lowest common denominator leading citizens to lose their identity and their countries' economies to become enfeebled.

The second dimension is the increased convergence of media and telecommunications, thanks to new technologies. It is not hard to imagine conglomerates resulting from this convergence obtaining a hugely dominant position in the-not-too-distant future. This may arise from their financial clout or from controlling the entire value chain beginning with the production of content, followed by packaging and programming and ending with distribution. In a process of continued unregulated cultural convergence, cultural assets are increasingly dominated by technology rather than the other way round. The upshot of this is that genuine communication companies see a growing squeeze on their capacity to distribute their products.

The convergence of technologies does not imply that the media and telecommunications segments are inevitably condemned to merge. These activities have different characteristics, with needs, requirements and regulations that must remain distinct. Distribution channels and telecommunications are physical structures that create an enormous potential for well being and an improved quality of life. Communication is the content that flows along these distribution channels, transforming this potential into reality. Both fields of activity have to coexist without one dominating the other.

Communication without distribution is a show for the privileged few bringing no benefits to the population as a whole. However, the control of the communication companies by the distribution segment creates a powerful gatekeeper. It relegates editorial responsibility in the production of cultural assets to a secondary role, creating barriers to the free access of citizens to diversified content.

The third dimension impacting the current state of communications is the evolution of the regulatory environment. In several countries, there are similar concepts surrounding restrictions on ownership of distribution channels and communication companies by foreign capital. Similar restrictions apply to telephony, wireless broadcasting and distribution by cable and by satellite. These are considered of strategic interest and cannot therefore be denationalized. The majority of countries establish concessions and controls on wireless broadcasting, that is, on the use of the spectrum for mass communication.

As technology is always at least one step ahead of the legislation, the legal environment becomes rapidly obsolete and the means of communication take advantage of loopholes that appear in the rules. Meanwhile, the new means of distribution grow at much faster rates than traditional distribution methods. More mobile phones are sold throughout the world than radio and TV sets while concession systems tend to become more and more irrelevant since they only regulate the traditional media.

In different countries and international forums, existing concepts and principles are being revisited while new approaches are adopted in the face of the new market reality and technology. For example, limitations on cross ownership of traditional media vehicles in the United States are being relaxed at the same time that there is a growing debate on the need to separate distribution and content to ensure freedom of access.

The concentration of global media companies on the one hand and control over the value chain by telecommunication companies on the other, raises enormous challenges to the regulatory framework. These challenges come in the form of minimum requirements for ensuring the maintenance of diversity, freedom of communication and pluralism. To make this challenge even more complicated, there is a growing school of thought that says that mass communication as a whole must be deregulated in the name of freedom of communication. This view seems to me to be very naïve. It relates to a type of freedom that is in the interests of a few and, in practice, can only be exercised by some. In this sense, as Orwell puts it in *Animal Farm*, if all were to be deregulated all will be equal, but some will be more equal than others.

Thus, the key question on this point is: what is the concept of media freedom we are talking about? What kind of media freedom do we need?

Firstly, the freedom for each nation to control the wealth created by its own cultural assets, which are intangible, high margin and of increasing importance for future generations. Cultural assets and content products are no commodities. As the Italian sociologist Domenico de Masi says, the fundamental question for the post-modern society is not to allow the development of a bipolar world in which a few countries control the production of information, symbols and desires, leaving the rest as mere consumers.

Secondly, the freedom for countries to create through the global propagation of their cultural assets, an outward looking perception, a national brand name in a globalized market impacting positively across the whole range of products. Countries that are not recognized in the global world become invisible and their products debased.

And finally, the freedom of the individual to choose the content that he/she watches, reads and listens to every day. Freedom to enjoy self-respect and identity, to develop an opinion and to feel as an important part of the world.

In a globalized and convergent world, our greatest challenge is to create and maintain the conditions for these aspects of freedom to flourish as fully as possible in each nation and for each one of its citizens.