

Adopted resolution

on article 14 of the Greek Constitution allegedly conflicting with the relevant EU norms on competition.

Background

During the last Greek Constitution amendment, it was provided that simultaneous ownership of Media enterprises and of enterprises that undertake public works is prohibited. That was deemed necessary because in the last years some media and public broadcasting co-operations, which affect the public opinion, were applying unwarranted opposition methods towards the governments, aiming to force them to select specific construction companies they co-owned for upcoming public construction projects. At the same time the governments, in their effort to maintain Media favor and the beautification of their politics were illegitimately favoring those construction companies that belonged to the Media stock owners. The governments were also blackmailed by particular economical interests to distribute radio frequencies in their favor. So a lot of healthy enterprises that had all the legal requirements to operate a Radio or TV station couldn't receive a license to work.

The simultaneous ownership of Media and of enterprises that have economical relationships with the State harbors serious risks for democracy itself: potentially illegal economical relationships cannot be controlled by the Press and citizens cannot be guaranteed the constitutional right to free access to information. Moreover, the basic principle of free competition between companies is violated because enterprises that do not have the favor of the Media are often excluded from obtaining big public contracts. The newly elected Greek government decided to enforce this article. The European Commission reacted by sending to the Greek Government a letter claiming that article 14 of the Greek Constitution conflicts with the European norms on unfair competition and thus should not be enforced. They set a deadline till the 31st May, otherwise they will block the flow of money from the stability pact.

Resolution

We, the European Greens are informed of the letter that the EU Commission sent to the Greek government, claiming that article 14 of the Greek Constitution, conflicts with the relevant EU norms on competition.

The reason behind this constitutional article, which provides that simultaneous ownership of Media and of other enterprises that undertake public projects is prohibited, was to guarantee the constitutional right to free access to information.

We, the European Greens believe that the Commission's interpretation of the relevant EU norm on competition in this particular case was exaggerated.

Especially in the case of small markets such as Greece' the simultaneous ownership of media and construction enterprises has led to government favoritism of specific interests when allocating construction contracts, in exchange for positive media promotions. This led to continuous violation of free market norms and established monopolistic phenomena.

Furthermore, we the European Greens have serious concerns because similar phenomena of manipulation of media by specific corporate interests that have economic relationships with governments are also being witnessed in other European countries.

We encourage the Commission to reconsider the issue and promote the protection of information and of independence of the Press.