

# MONITORING MEDIA PLURALISM IN THE DIGITAL ERA

## APPLICATION OF THE MEDIA PLURALISM MONITOR IN THE EUROPEAN UNION, ALBANIA, MONTENEGRO, THE REPUBLIC OF NORTH MACEDONIA, SERBIA & TURKEY IN THE YEAR 2020

Country report: Denmark

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**Research Project Report**

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# 1. About the project

## 1.1. Overview of the Project

*The Media Pluralism Monitor (MPM) is a research tool designed to identify potential risks to media pluralism in the Member States of the European Union and in candidate countries. This narrative report has been produced on the basis of the implementation of the MPM carried out in 2020. The implementation was conducted in 27 EU Member States, as well as in Albania, Montenegro, the Republic of North Macedonia, Serbia and Turkey. This project, under a preparatory action of the European Parliament, was supported by a grant awarded by the European Commission to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.*

## 1.2. Methodological note

### Authorship and review

*The CMPF partners with experienced, independent national researchers to carry out the data collection and author the narrative reports, except in the case of Italy where data collection is carried out centrally by the CMPF team. The research is based on a standardised questionnaire developed by the CMPF.*

*In Denmark the CMPF partnered with Vibeke Borberg (Independent expert - Attorney-at-Law, PhD), who conducted the data collection, scored and commented on the variables in the questionnaire and interviewed experts. The report was reviewed by the CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annex II for the list of experts). For a list of selected countries, the final country report was peer-reviewed by an independent country expert.*

*Risks to media pluralism are examined in four main thematic areas: Fundamental Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Table 1).*

<b>Fundamental Protection</b>	<b>Market Plurality</b>	<b>Political Independence</b>	<b>Social Inclusiveness</b>
Protection of freedom of expression	Transparency of media ownership	Political independence of media	Access to media for minorities
Protection of right to information	News media concentration	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Online platforms concentration and competition enforcement	Audiovisual media, online platforms and elections	Access to media for women
Independence and effectiveness of the media authority	Media viability	State regulation of resources and support to media sector	Media Literacy
Universal reach of traditional media and access to the Internet	Commercial & owner influence over editorial content	Independence of PSM governance and funding	Protection against illegal and harmful speech

Table 1: Areas and Indicators of the Media Pluralism Monitor

## The digital dimension

*The Monitor does not consider the digital dimension to be an isolated area but rather as intertwined with traditional media and existing principles of media pluralism and freedom of expression. Nevertheless, the Monitor also extracts digital-specific risk scores and the report contains a specific analysis of risks related to the digital news environment.*

## The calculation of risk

*The results for each thematic area and indicator are presented on a scale from 0 to 100%.*

*Scores between 0 and 33%: low risk*

*Scores between 34 to 66%: medium risk*

*Scores between 67 and 100%: high risk*

With regard to indicators, scores of 0 are rated 3% while scores of 100 are rated 97% by default, to avoid an assessment of total absence or certainty of risk.

**Disclaimer:** The content of the report does not necessarily reflect the views of the CMPF, nor the position of the members composing the Group of Experts. It represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, MPM2021 scores may not be fully comparable with previous editions of the MPM. For more details regarding the project, see the CMPF report on MPM2021, soon available on: <http://cmpf.eui.eu/media-pluralism-monitor/>.

## 2. Introduction

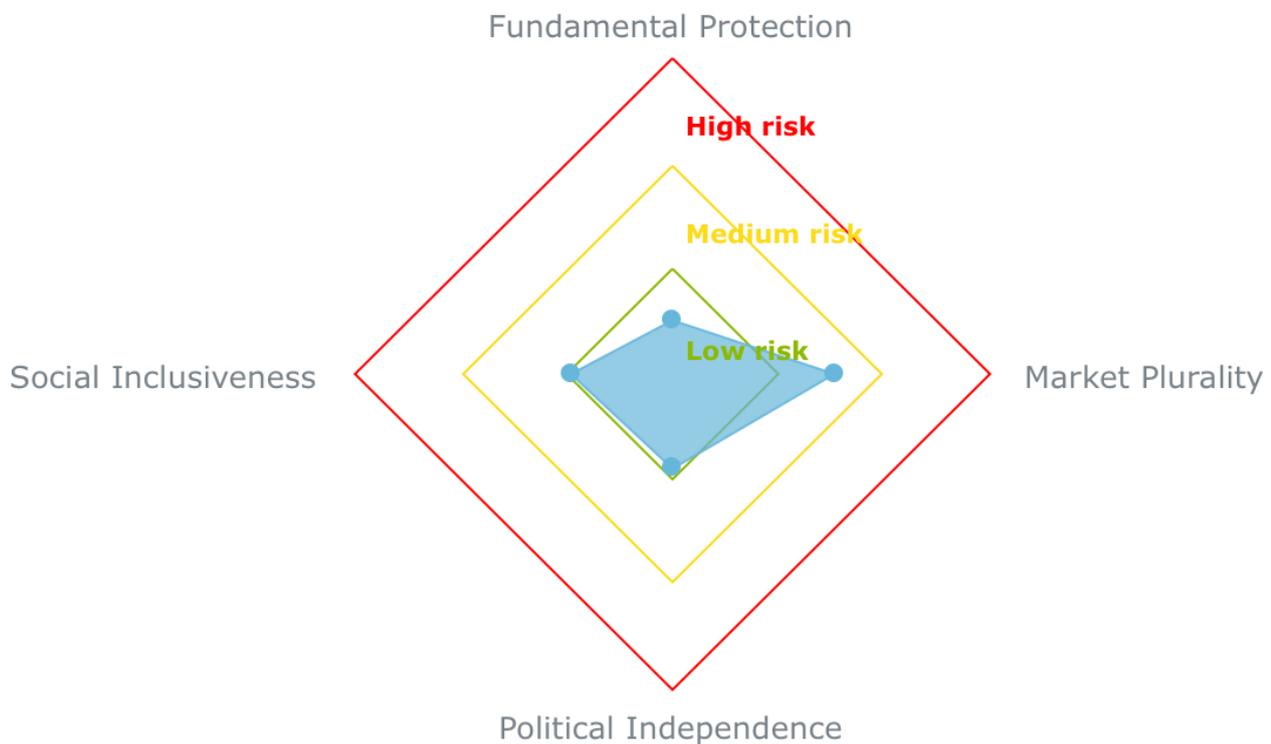
- **Country overview.** Denmark is a small Scandinavian country with around 5.7 million inhabitants covering an area of 42,925 km<sup>2</sup>.
- **Languages.** The official language is Danish which is closely connected to and mutually intelligible with Swedish and Norwegian.
- **Minorities.** Ethnic minorities constitute 14% of the population and Denmark. The largest group is of Turkish origin (more than 60.000 persons) followed by Syrians (more than 40.000 persons) and Iraqis (32.000 persons). Other large groups consist of citizens from Lebanon, Pakistan, Bosnia-Herzegovina, Iran, Somalia, Afganistan and Vietnam. Denmark is in general a socially and culturally homogeneous society.
- **Economic situation.** Denmark is a financially strong and stable welfare state based on a progressive tax system and principles of equalization. The welfare system is implemented in all areas of public service such as healthcare, education, day and permanent care of children, the elderly, disabled and disadvantaged citizens, pensions and public welfare, flexicurity etc.
- **Political situation.** The political system is a stable parliamentary multi-party system characterized by minority governments and a strong tradition for political cooperation across the parties. Major labor market issues are handled by tripartite negotiations between the government, employers' associations, and unions.
- **Media Market.** Danish media is dominated by private newspapers on the one hand and heavy state involvement in the audio-visual media on the other hand. The media support schemes are comprehensive and media support is distributed in a fair and transparent way. Denmark has not experienced problems with political affiliated businessowners who have taken control over central media outlets and used it for direct or indirect political influence. This is due to the large public service sector and to the tradition of foundation ownership. A main characteristic of the Danish media landscape is the government support for Danish media and cultural production which to a large extent is driven by a political will to support and uphold media in Danish language and media plurality.
  - *Print.* The main newspapers reflect the political spectrum and the country's political history. The print readership has declined, but from a relatively higher level compared to other European countries. The major Danish newspapers have all introduced some kind of pay wall for the online content, but none of them have seen online revenue increase to an extent enabling it to replace the income from print. On top of that, they are losing the advertising market to Facebook and Google.
  - *Audio-visual.* Audio-visual media is dominated by the state. Two of the largest tv stations - Danish Broadcasting Corporation (DR) and TV2 - are owned by the state. DR is entirely state funded and is a dominant player in radio and the TV market, as well on the internet. TV2 is based on an advertising and subscription business model and known for its network of regional news stations which receive public service funds.
  - *Digital.* The number of native digital media is very high and 85% of Danish internet users use the internet to access news online. Denmark has seen the emergence of newspapers founded as online only; among other Altinget, Zetland, POV, and Watch Medier. The most important online news sites are DR, TV2 and the big newspapers.
- **Regulatory Environment.** There is a political reluctance to regulate the media in Denmark. The general regulation therefore applies to the media, including defamation and privacy rules. There have not yet been any regulatory incentives, specifically supporting online media and pluralism. The outdated but still applicable Media Liability Act<sup>[1]</sup> does not cover digital news outlets unless the media voluntarily has signed up to the Press Council. As various journalist rights are linked to the Media

Liability Act, the fact that the law does not apply to digital media without registration may affect their enjoyment of source protection and other journalistic rights.

- **COVID-19.** The media industry is experiencing major challenges due to terms of lock down in the battle of COVID-19. As businesses close down, so do the budgets for advertising and commercials. Freelancers and the self-employed are severely hit by the COVID-19 crisis. Despite governmental aid packages, 24 percent fear that the corona crisis will shut down their business. Every fourth freelancer has lost at least 80 percent of their income and according to the Danish Journalists' Association, the employment of journalists has decreased during the past year<sup>[2]</sup>.

### 3. Results from the data collection: assessment of the risks to media pluralism

#### Denmark: Media Pluralism Risk Areas



JS chart by amCharts



The overall result for Denmark is a low risk to media pluralism: while **Fundamental Protection** (17%), **Political Independence** (30%), **Social Inclusiveness** (32%) are situated in the low risk band, **Market Plurality** (51%) is in the medium risk band.

The report shows a high risk regarding News media concentration and a medium risk (close to the threshold of high risk) for Transparency of media ownership. The high risk assessment of News media concentration mainly refers to the fact that Denmark has not introduced media specific regulation on thresholds or other limitations in order to prevent a high degree of horizontal concentration of ownership in the news media sector. Instead, the general competition legislation applies on the media sector the same way it applies on other industries. In addition, the results must be seen in the context of high state involvement in the media market and the fact that public service media dominates the audio-visual media market and is concentrated in few media companies of which the largest are owned by the state.

The medium risk assessment regarding Transparency of media ownership reflects that there are no specific disclosure requirements for ownership of media in Danish law. Media businesses are subject to the same transparency laws regarding ownership than all other enterprises. This does not mean that there are no requirements; only that the same requirements apply for all businesses regardless of industry.

The evaluation of online-related risks shows that the risk is higher than for the overall assessment. This is due to a medium risk assessment for Political Independence, Social Inclusiveness, and Market Plurality.

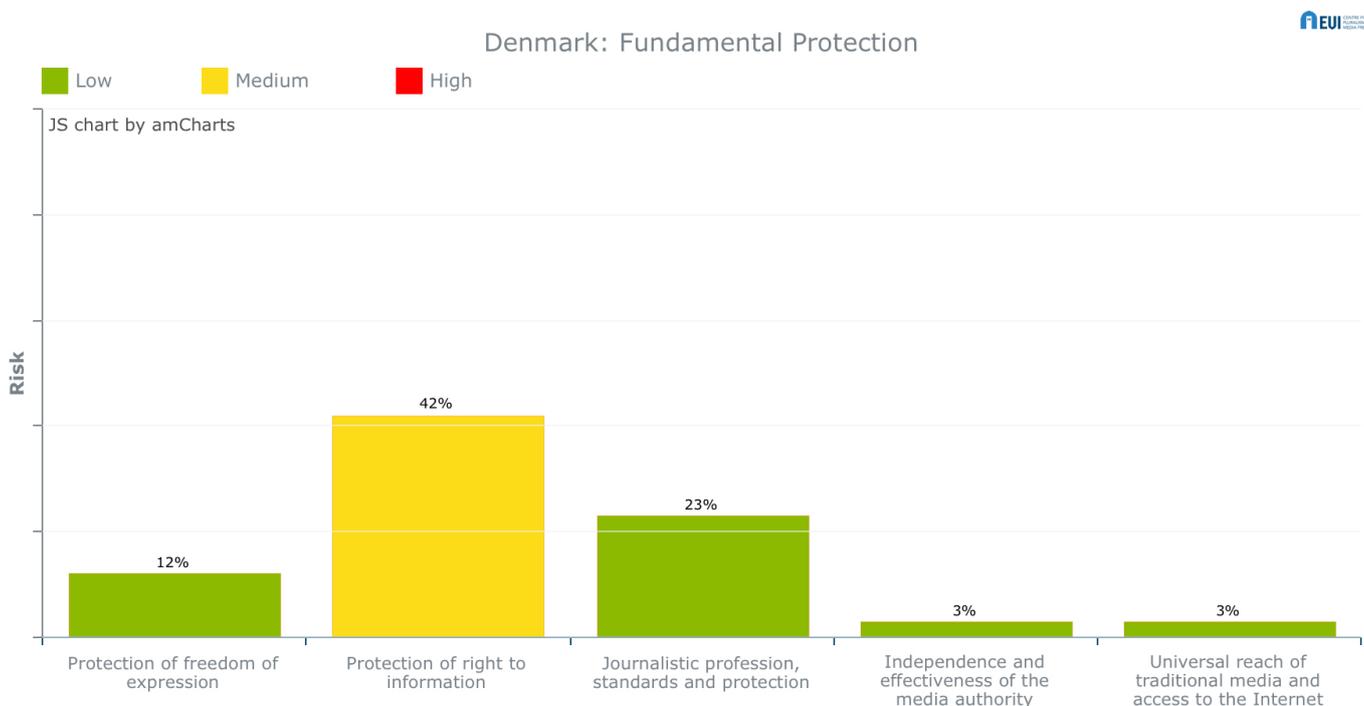
The digital result reflects among other reasons the lack of regulation aiming to ensure equal opportunities and transparency of online political advertising during electoral campaigns. No specific regulation on disclosure of campaign spending on online platforms applies to political parties and the ban against political advertising on television does not apply to online advertising.

The medium risk assessment for Social Inclusiveness online mainly refers results on Media literacy. Even though media literacy must be offered as an elective program in both elementary schools and high schools as part of the general education policy and that media literacy is built in and phrased in the political Media Agreements, there is no direct policy on media literacy in Denmark. Furthermore, the enforcement of the regulatory framework and self-regulatory initiatives aiming to protect minorities against hate speech online are not fully effective.

### 3.1. Fundamental Protection (17% - low risk)

*The Fundamental Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector, and the reach of traditional media and access to the Internet.*

[3]



#### FUNDAMENTAL PROTECTION (17% - LOW RISK).

The overall result for the Fundamental Protection area in Denmark is a low risk in all of the indicators covered by the MPM except for the Protection of right to information indicator, which is situated in the medium risk band (54%).

The medium risk regarding **Protection of right to information** reflects a number of issues. First, the right to information is not explicitly protected in the Danish Constitution. Second, the Access to Public Information Act, which was amended in 2014, limits public and journalistic access to certain government files. Third, there is not a regulatory framework in place to protect whistleblowers under Danish law <sup>[4]</sup>.

Regarding the **Protection of freedom of expression** (12%), the low-risk scores are due to the relative robustness of Danish democracy in general. The indicator on the Journalistic profession, standards, and protection shows a low risk (23%). This is due to the strong organization of Danish journalists and the relatively free access to the profession. Journalists are not subjected to smear campaigns carried out by the government or other actors, and there are no attacks on independent media.

It is also important to highlight that, as part of the COVID-19 regulatory response, an amendment to the criminal code has been adopted, doubling the punishment if a crime is connected to the pandemic. This amendment has been used in a few cases to double the punishment for violent behaviour in protests against COVID-19 restrictions. The use of double punishment has been criticized with reference to the protection of freedom of expression and the freedom of assembly – and the questionable connection to the pandemic and the rulings are now under appeal to higher courts.

While the risk score of the indicator on the **Journalistic profession, standards, and protection** is low (23%), it has increased by 12 percentage points compared to the previous edition of the MPM. There are several reasons behind this: First, COVID-19 has affected working conditions for journalists, in particular for freelancers. Second, Denmark has not adopted any specific anti-SLAPP legislation. Lawsuits against the media are, however, uncommon in Denmark, with most complaints being brought through the Press Council. Third, it is important to highlight that freelancers and the self-employed are severely hit by the COVID-19 crisis. Despite aid packages, 24 per cent fear that the COVID-19 crisis will shut down their business. Every fourth freelancer has lost at least 80 percent of their income. The government has issued aid packages for freelancers who struggle during the COVID-19 crisis.

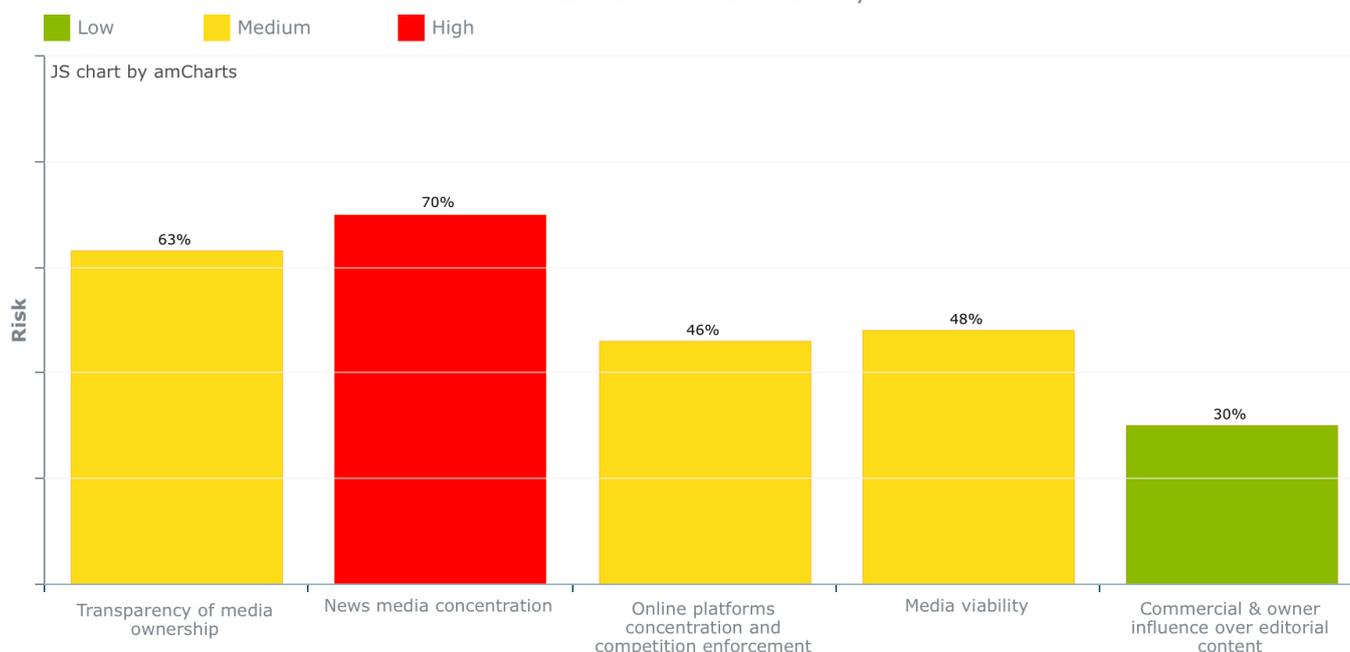
The indicator on the **Independence and effectiveness of the media authority** has an extremely low risk (3%). This reflects that the appointment procedure, the tasks and responsibilities, as well as the power of the Danish Radio and Television Board and of the Media Board are closely regulated and respected. This eliminates the risk of political interference on the regulatory bodies.

The indicator on **Universal reach of traditional media** and the **Access to the internet** likewise has an extremely low risk in Denmark (3%). DR reaches almost all citizens with its TV and radio channels, and Denmark has a very high internet penetration throughout the country.

### **3.2. Market Plurality (51% - medium risk)**

*The Market Plurality area focuses on the economic risks to media pluralism, deriving from lack of transparency and concentration of ownership, sustainability of the media industry, exposure of journalism to commercial interests. The first indicator examines the existence and effectiveness of provisions on transparency of media ownership. Lack of competition and external pluralism is assessed separately for the news media (production of the news) and for the online platforms (gateways to the news), considering separately horizontal and cross-media concentration; the concentration of online advertising market; and the role of competition enforcement. The indicator on media viability measures the trend of revenues and employment, in relation with GDP trends. The last indicator aims to assess risks to market plurality posed by business interests on production of editorial content, both from commercial and owners influence*

## Denmark: Market Plurality



### MARKET PLURALITY (51% - MEDIUM RISK)

Market Plurality (51%) is in the medium-risk band, with the indicator on News media concentration in the high-risk band and three indicators in the medium-risk band: Transparency of media ownership, Online platforms concentration and competition enforcement, and Media viability.

The indicator on **Transparency of media ownership** scores at medium risk (63%). This risk is due to the fact that, in Denmark, there are no separate rules nor specific requirements regarding ownership for media companies. Media outlets are simply subject to the general competition laws. These provide that ownership above 20% of the shares has to be included in the annual accounts for all companies – including media companies. There are no particular requirements for media companies.

The absence of media-specific competition law also impacts the indicator on **News media concentration**, which scores high (70%). Furthermore, public service media dominates the audio-visual media market. The Danish media market is concentrated in few media companies of which the largest are owned by the state. Therefore, the result must be interpreted in the context of a high state involvement in the media market and according to the relative strength of the *arm's length principle* of the Danish regulatory bodies.

The indicator on **Online platforms concentration and competition enforcement** scores a medium risk (46%). This is mainly due to the lack of legislative and enforcement initiatives specifically targeting online platform issues, including the lack of specific taxation regulation on digital services. Online activities are regulated by the same competition rules which apply for any other industry. The Danish Competition and Consumer Authority has however announced a proposal on digital accountability to support that digitalisation, data-driven business models and new technologies go hand in hand with responsible use of data and a clear framework for the platforms' market position.

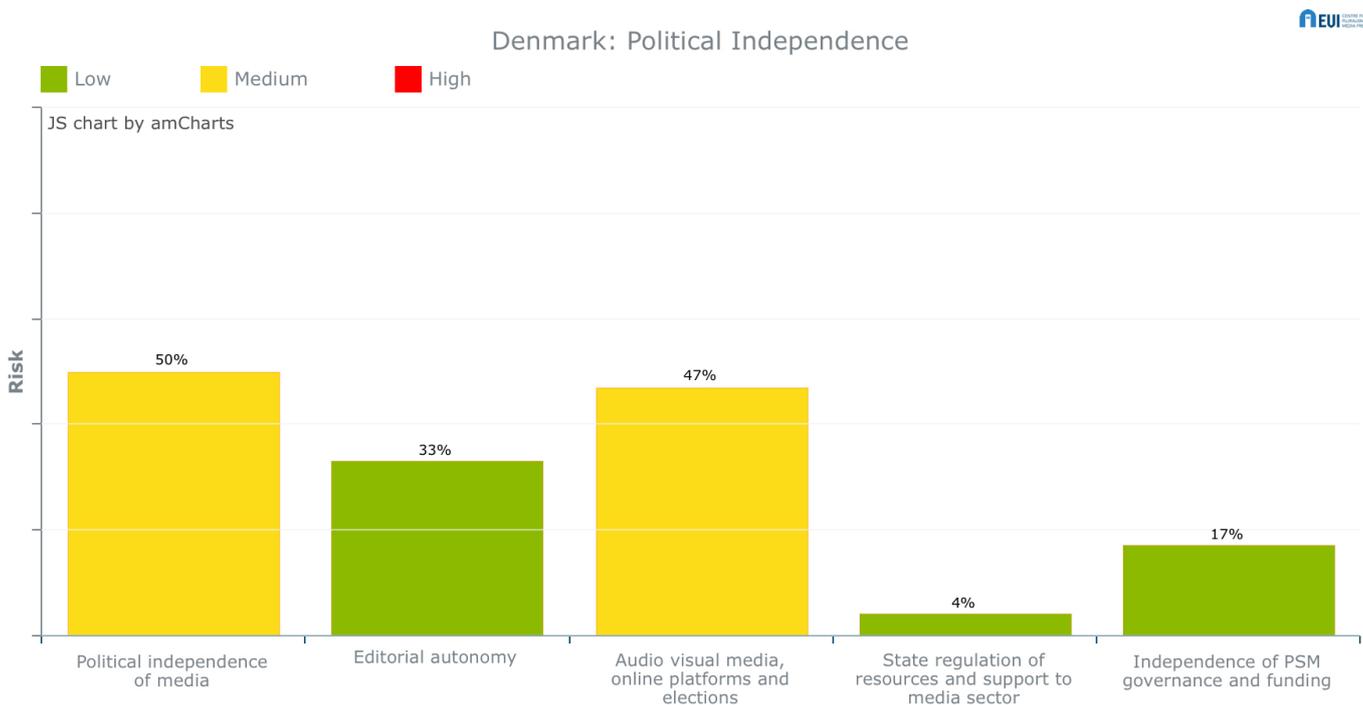
The indicator on **Media viability** scores a medium risk of 48%. The medium risk assessment reflects a revenue decrease in audio-visual media sector and in the newspaper and press agencies sector. While the employment of journalists in the newspaper and press agencies sector is stationary, there has been a decrease of employment of journalists in the radio sector. The media industry is experiencing major challenges due to terms of lock down in the battle of **COVID-19**. As businesses close down, so do the budgets for advertising and commercials.

The risk for **Commercial and owner influence over editorial content** is low (30%) due to the fact that the *arm's length principle* between news owners and the editorial level is highly respected. Furthermore, there

are mechanisms granting social protection to journalists in case of changes of ownership. While advertorials are not prohibited under Danish law, they must be clearly declared in order to comply with the good practice requirements under the marketing framework (EU regulation).

### 3.3. Political Independence (30% - low risk)

The Political Independence indicators assess the existence and effectiveness of regulatory and self-regulatory safeguards against political bias and political influences over news production, distribution and access. More specifically, the area seeks to evaluate the influence of the State and, more generally, of political power over the functioning of the media market and the independence of public service media. Furthermore, the area is concerned with the existence and effectiveness of (self)regulation in ensuring editorial independence and availability of plural political information and viewpoints, in particular during electoral periods.



#### POLITICAL INDEPENDENCE (30% - LOW RISK).

The Political Independence area scores a low risk (30%), which reflects the low risk in three indicators: Editorial autonomy, State regulation of resources and support to media sector and Independence of PSM governance and funding. However, two indicators score a medium risk: Political independence of media and Audio visual media, online platform and elections.

The indicator on **Political independence of media** scores a medium risk of 50% due to the lack of specific regulation on conflicts of interest between owners of media and government officials, as well as on direct ownership of media by politicians and political parties. However, it remains a relatively theoretical risk, as long as no political control is observed in practice.

Regarding **Editorial autonomy**, the evaluation shows a low 33% risk (yet at the threshold of medium risk). This is also due to a lack of specific regulation to guarantee autonomy when appointing and dismissing editors-in-chief. Overall, there have not been any cases of editors who have been removed for political reasons.

The indicator on **Audiovisual media, online platform and elections** shows a medium risk (47%), due to the absence of regulation in place that would aim to ensure equal opportunities and transparency of online political advertising during electoral campaigns. However, it is also important to pinpoint the fair coverage of the electoral process by PSM and print media. It has to be mentioned that Denmark has a ban on political

advertisements in TV and radio.

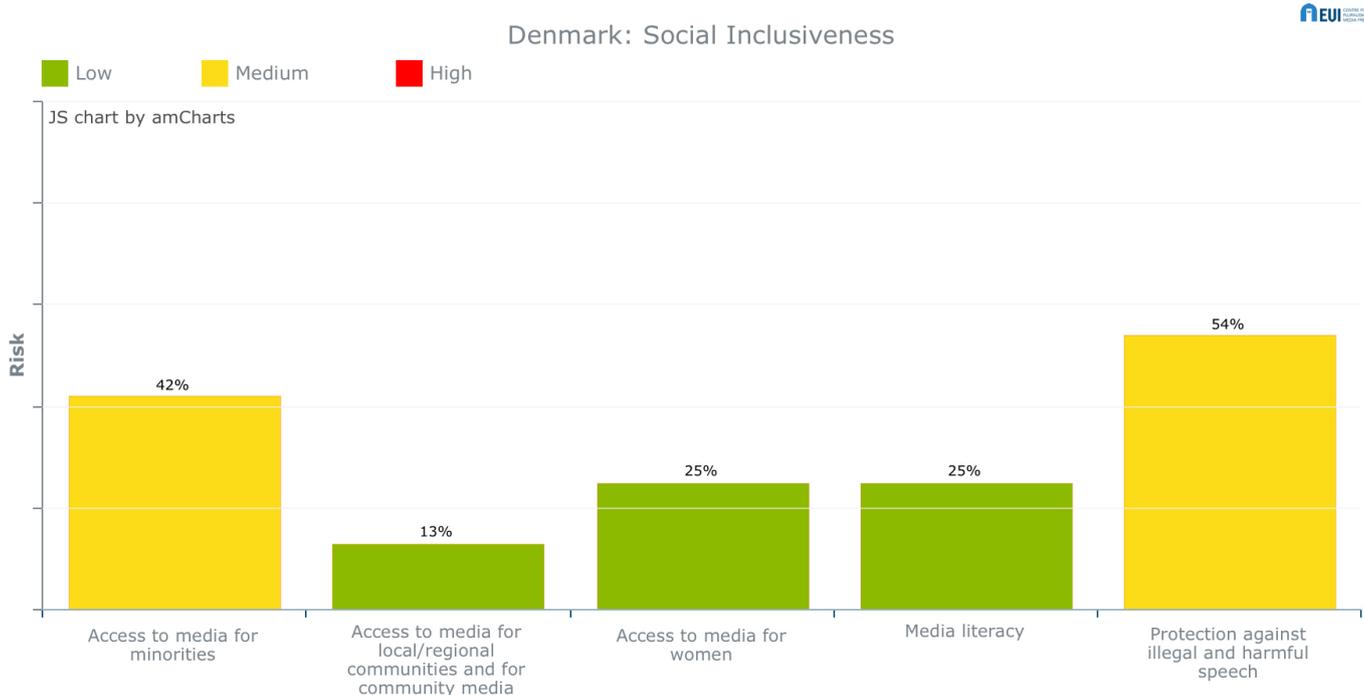
An extremely low risk score (4%) is observed when it comes to **State regulation of resources and support to media sector**. The score reflects the clear legislation on media support. Private media may apply for funds if they meet certain statutory criteria. The criteria are both related to innovation of new formats and to the quality of the news production itself.

The indicator on the **Independence of PSM governance and funding** has a low risk in Denmark (17%) due to the *arm's length principle*. However, it is still debated whether the current Media Agreement and Public Service Agreement sufficiently ensures that funding adequately covers the online public service missions of the PSM without distorting competition with the private media sector.

There is no indication that the COVID-19 crisis had any impact on the matter of Political independence.

### 3.4. Social Inclusiveness (32% - low risk)

The Social Inclusiveness area focuses on the access to media by specific groups in society: minorities, local and regional communities, women and people with disabilities. It also examines the country's media literacy environment, including the digital skills of the overall population. In addition, for the 2021 edition of the MPM, a new indicator has been added to the Social Inclusiveness area in order to assess new challenges raising from the uses of digital technologies: Protection against illegal and harmful speech. Due to this modification of the indicators, comparison with previous editions of the MPM should be handled with extreme care.



#### SOCIAL INCLUSIVENESS (32% - LOW RISK).

The Social Inclusiveness area scores a low risk (32%), yet at the limit of the medium risk band. This reflects the low risk assessment for three indicators - Access to media for local/regional communities and for community media, Access to media for women, and Media literacy - and the medium risk existing in two indicators - Access to media for minorities and Protection against illegal and harmful speech.

The indicator on **Access to media for minorities** is at a medium risk (42%). The medium risk assessment is mainly based on research suggesting that minorities are underrepresented in the Danish media. This is particularly pronounced for immigrants depending on which ethnic minority they belong to. It is debated whether the underrepresentation is quantitative or qualitative. Hence, minorities are often seen portrayed in broadcasted PSM documentaries and may be overrepresented in coverage of crime, violence.

The indicator on **Access to media for local/regional communities and for community media** is low risk (13%). The low risk reflects that non-commercial local radio and television are granted spectrum and supported by state subsidies that are distributed in a fair and transparent way. The law does not guarantee independence for community media, but, in practice, these are fully independent. Their independence is due to the application and award process of fundings, the *arm's length principle*, the respect of editorial freedom of the media by the independent Radio and Television Board.

The indicator on **Access to media for women** scores low risk (25%). This is due to the fact that women are well represented in the key positions in both PSM and private media outlets. However, women are still underrepresented compared to men in news. The latest update from the Swedish analytical bureau Prognosis shows that the representation of women in Danish media has dropped to 30% from 33% in 2019.

The **Media literacy** indicator is at a low risk (25%). Even though there is no direct policy on media literacy in Denmark, media literacy is an integrated part of the curriculum of both primary and secondary education – and in the colleges where teachers are educated.

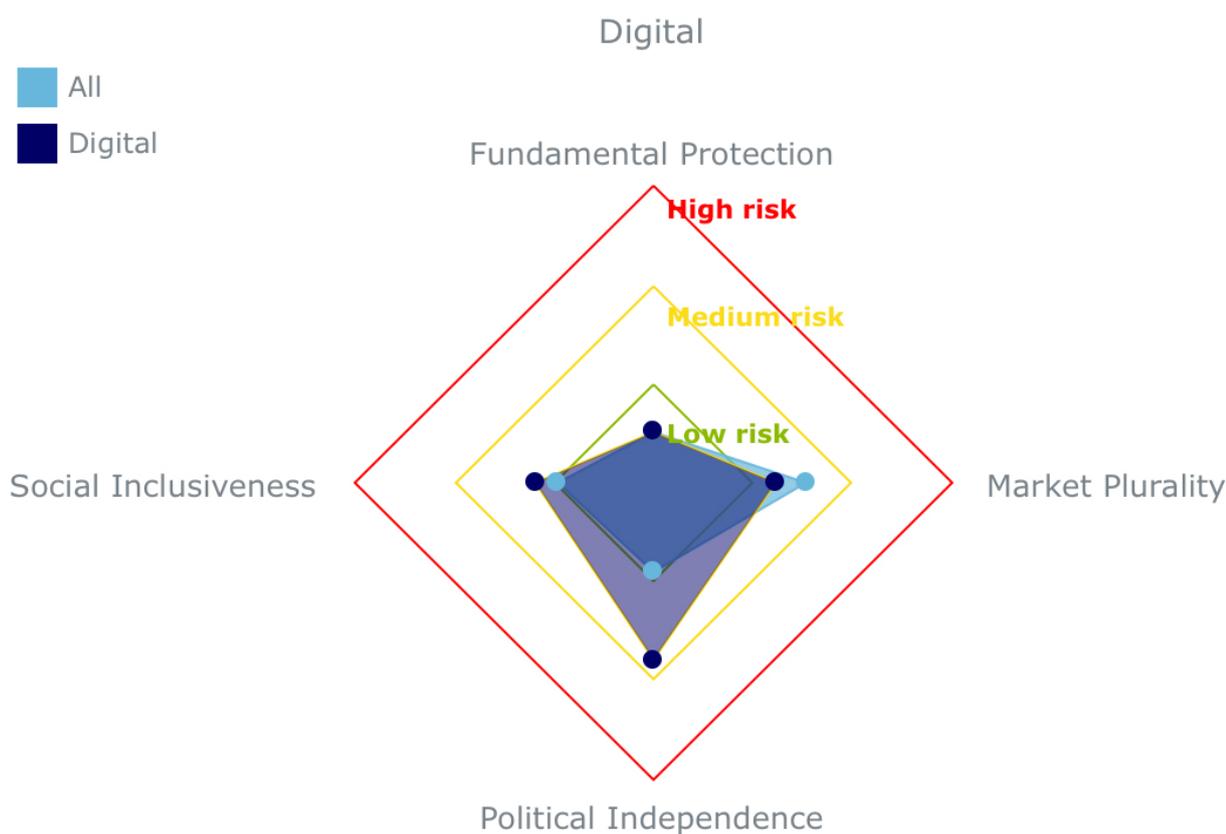
Regarding **Protection against illegal and harmful speech**, the evaluation shows a medium risk (54%). Efforts to remove hate speech toward ethnic or religious minorities from social media have not always been effective and this also seems to apply for the regulatory framework to counter hate speech. Hate speech and sexist comments are a huge problem for women participating in online debate. Research suggests that women refrain more than men from debating on Facebook because the tone is hateful – while men are responsible for the majority of the hateful comments.

There are no rules in current Danish law that specifically prohibit the production or dissemination of disinformation. Nevertheless, there are a number of provisions which may be applicable in relation to some cases of disinformation and which enable the prosecution of the authors.

There have been multiple examples on attempts to disseminate disinformation regarding the COVID-19 situation including conspiracy theories, fake news on vaccinations and vaccinations programs, disturbing rumors about the government's motives for imposing restrictions and lock downs etc. The Danish Health Authority has tried to address disinformation and misinformation with factual based information campaigns including publication of short information films targeted at social media.

## 4. Pluralism in the online environment: assessment of the risks

### Denmark: Media Pluralism Risk Areas



JS chart by amCharts



In this 2021 MPM edition, online-related risk is higher than for the overall assessment. This is mainly due to the lack of regulation specifically targeting online activities, including transparency of online political advertising and legislative initiatives on online platforms concentration and competition enforcement.

#### Fundamental Protection

The recognition of Freedom of Expression in the Danish Constitution covers both online and offline media activities. In general, the same laws and safeguards apply to journalistic work in online news media as to the traditional media, but there are exemptions. There are regulatory frameworks in place - both by law and self-regulatory - aiming to protect minorities against hate speech online, but the enforcement is not fully effective.

Although Denmark is a very safe country for journalists - without attacks or threats to the physical safety of journalists-. However, the digital safety of female journalists is a huge problem. While both female and male journalists receive threats and harassing messages, the comments that women receive are of a far more serious nature.

The exemptions of personal data processing for journalistic purposes is recognized and effective under Danish law and the exception applies for both traditional and digital media. The Danish Government has recently decided - once again - to delay a revision of the Danish data retention legislation until 2021 in order to await the EU Commission's guidelines on the subject <sup>[5]</sup>.

#### Market Plurality

The number of native digital media is very high. Furthermore, 85% of Danish internet users use the internet to access news online and 90% of the Danish population have an account on Facebook<sup>[6]</sup>.

The total advertising revenue in recent years has been growing, but still at a lower level than the general economy. This is especially the case when focusing only on the part of the ad revenue that does not relate to Google, Facebook and LinkedIn. There are two major trends in advertising revenue: The large growth in advertising revenue on the Internet and the simultaneous decline in advertising revenue in particular from the print media.

The media industry is experiencing major challenges due to periods of lock down in the battle of COVID-19. As businesses close down, so do the budgets for advertising and commercials. For several media, the business of the future is uncertain.

There is a lack of legislative initiatives specifically targeting online platforms concentration and competition enforcement. While the Danish Competition and Consumer Authority within its organization has established the Centre of Digital Platforms in order to supervise the area and enforce the competition laws, online activities are still regulated by the same competition rules that apply to any other industry.

The Danish competition legislation does not contain media specific regulation targeting the competition issues of the media sector including the digital media market. The media sector is regulated by the same competition laws as any other industry, and this applies to both traditional and digital media.

Accordingly, there are no media specific ownership provisions under Danish law and the Danish competition legislation does not contain media specific thresholds or other limitations in order to prevent a high degree of horizontal concentration of ownership or cross-media concentration in the news media sector. While all professional news media - traditional and digital - must register to enrol in VAT and tax systems etc., these requirements do not apply to hobby or amateur news media in an informal setup without employees. The exception for hobby or amateur news media is part of the freedom of expression protection under Danish law. If a traditional or digital news media is registered, the basic information about the enterprise is publicly available online.

The question of editorial independence of commercial influence is governed by the EU marketing regulation and includes, among others, rules on sponsorships and advertising in the television, native advertising and advertorials. Advertorials are not prohibited under Danish law, but they must be clearly declared in order to comply with the law. The regulation and requirements are enforced by the Consumer Ombudsman and the Radio and TV Board depending on the specific media and case.

## **Political Independence**

There is no political control over digital media and the impression is that established political influence on them is low or none. A number of political parties have established their own online news sites, but they stress that there is no political interference with the editorial decisions of their media. There is a lack of regulation aiming to ensure equal opportunities and transparency of online political advertising during electoral campaigns. No specific regulation on disclosure of campaign spending on online platforms applies to political parties. The ban on political advertising on television does not apply to radio or online news and social media platforms; and political advertising online is only subject to the general marketing regulation.

The Danish media support schemes cover both online and print media and media support is granted upon application and in accordance with statutory criteria. The law does not provide that funding adequately covers the online public service missions of the PSM without distorting competition with private media actors, but the issue is addressed in the current PSM agreement with DR limiting some of DR's activities online. The actual practice is, however, consistently criticised by private media and Danish Media (publishers' association).

There have not yet been any regulatory incentives specifically supporting online media and pluralism. The

outdated but still applicable Media Liability Act does not cover digital news outlets unless the media voluntarily has signed up to the Press Council. It has been suggested to provide the Media Liability Act with a technology neutral scope, but legislative initiatives have not yet been taken. As various journalist rights are linked to the Media Liability Act, the fact that the law does not apply to digital media without registration may affect their enjoyment of source protection and other journalistic rights.

## **Social Inclusiveness**

The percentage of the population that has basic or above basic overall digital skills is 70%, while 27% have low overall digital skills (Eurostat 2019). The percentage of broadband for Denmark is 96 (2019) and Denmark follows the EU rules on safeguards of net neutrality and the area is effectively supervised by the Danish Energy Agency which is a part of the Danish Ministry of Energy, Utilities and Climate.

Examples of serious online harassment of minorities, disabled persons and women are regularly published and debated. The latest examples concern racist and hateful comments targeted participants in a popular song contest tv-show, a disabled male member of parliament, and a number of female debaters and politicians.

Efforts to remove hate speech toward ethnic or religious minorities from social media have not always been effective and this also seems to apply for the regulatory framework to counter hate speech. Hate speech and sexist comments is a huge problem for women participating in online debate. Research suggests that women refrain more than men from debating on Facebook because the tone is hateful – and that it is men who are responsible for the majority of the hateful comments.

There are no rules in current Danish law that specifically prohibit the production or dissemination of disinformation. Nevertheless, there are a number of provisions which may be applicable in relation to some cases of disinformation and which enable the prosecution of those behind it.

## 5. Conclusions

The MPM analysis for Denmark shows a low risk for media pluralism in three areas covered by the study - Fundamental Protection, Political Independence, and Social Inclusiveness Basic Protection – and a medium risk for Market Plurality.

The medium risk in the Market Plurality area is related to the fact that Denmark is a relatively small media market with a high degree of state involvement. Both of the two largest Danish tv stations are owned by the state and one of them is entirely state funded. It also affects the evaluation of the market plurality that Denmark has not introduced media specific regulation on thresholds or other limitations in order to prevent a high degree of horizontal concentration of ownership in the news media sector. Instead, the general competition legislation applies on the media sector the same way it applies on other industries.

The relatively low risk to media pluralism in Denmark is also related to the state involvement in media. The government promotes and maintains a high degree of media diversity by comprehensive media support programs which are available to all kind of media that meet certain objective and well defined criteria.

The low risk related to media pluralism in Denmark also reflects the general protection of citizen rights as well as the rights of journalists, and the institutionalization of the “arm’s length principle” between the politicians allocating the resources for PSM and the editorial decisions. However, in connection with the latest renegotiation of the political Media Agreement and the PSM contract with DR - and the public procurement of a PSM radio channel - politicians have been criticized for not respecting the *arm’s length principle* sufficiently.

The conditions for Access to the media for minorities represent a risk to the media pluralism in Denmark in the area of Social Inclusiveness and could be improved. The assessment is based on research suggesting that minorities are underrepresented in the media. This is particularly pronounced for immigrants depending on which ethnic minority they belong to, but also women and disabled persons appear to be underrepresented. The representation of women in Danish media has dropped to 30% from 33% in 2019<sup>[4]</sup>.

The evaluation of online-related risks shows that the risk is higher than for the overall assessment mainly relating to the areas of Political Independence and Social Inclusiveness. The result of the evaluation reflects among other reasons the lack of regulation aiming to ensure equal opportunities and transparency of online political advertising during electoral campaigns and that the ban against political advertising on television does not apply to radio and online advertising. Furthermore, the higher risk reflects that the enforcement of the regulatory framework and self-regulatory initiatives aiming to protect minorities against hate speech online are not fully effective.

## 6. Notes

- [1] Source: <https://www.pressenaevnet.dk/media-liability-act/>
- [2] COVID-19 impact on employment of journalists: <https://journalistforbundet.dk/nyhed/beskaeftigelse-dj-klar-med-ekstrainsats>
- [3] Since the data collection for the MPM 2021 was conducted, Denmark has adopted the Danish whistleblower protection act on June 24, 2021. The objective behind the bill is to transpose the whistleblowing directive 2019/1937 into Danish law. The Danish whistleblower act is available at: <https://www.retsinformation.dk/eli/ft/202013L00213>
- [4] Since the data collection for the MPM 2021 was conducted, Denmark has adopted the Danish whistleblower protection act on June 24, 2021. The objective behind the bill is to transpose the whistleblowing directive 2019/1937 into Danish law. The Danish whistleblower act is available at: <https://www.retsinformation.dk/eli/ft/202013L00213>
- [5] See Bill for the Parliamentary Year 2020-2021 <https://www.stm.dk/statsministeriet/publikationer/lovprogram-for-folketingsaaret-2020-2021/>
- [6] Source: <https://www.dst.dk/da/Statistik/Publikationer/VisPub?cid=29450>
- [7] Source: <https://www.prognosis.se/GE/Denmark/#ge>

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## Annexe I. Country Team

First name	Last name	Position	Institution	MPM2021 CT Leader
<i>Vibeke</i>	<i>Borberg</i>	<i>Attorney-at-Law, PhD</i>	<i>Independent expert - Attorney-at-Law, PhD</i>	X

## Annexe II. Group of Experts

The Group of Experts is composed of specialists with a substantial knowledge and recognized experience in the field of media. The role of the Group of Experts was to review the answers of the country team to 16 variables out of the 200 composing the MPM2021. Consulting the point of view of recognized experts aimed at maximizing the objectivity of the replies given to variables whose evaluation could be considered as subjective, and therefore to ensure the accuracy of the final results of the MPM. However, it is important to highlight that the final country report does not necessarily reflect the individual views of the experts who participated. It only represents the views of the national country team that carried out the data collection and authored the report.

First name	Last name	Position	Institution
<i>Hans Jørgen</i>	<i>Dybro</i>	<i>Policy Consultant</i>	<i>Dansk Journalistforbund (Danish Union of Journalists)</i>
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<i>Jøren Ullits</i>	<i>Nielsen</i>	<i>Assistant Professor</i>	<i>University of Southern Denmark</i>
<i>Jørgen</i>	<i>Ramskov</i>	<i>CEO</i>	<i>Danish Producers Association</i>
<i>Ask Hesby</i>	<i>Krogh</i>	<i>Vice chairman</i>	<i>Digitalt Ansvar (Digital Responsibility)</i>
<i>Marianne Bugge</i>	<i>Zederkof</i>	<i>Director</i>	<i>Danske Medier (The Danish Media Association)</i>

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