# Media monitoring by EMBs and presence of EMBs in the media

Henk Kummeling, 31 March 2015.

## About this document

This document contains the stepping stones of my intervention in one of the working groups during the EMB conference in Brussels. The main topic in this working group was: “Norms regarding media neutrality during electoral campaigns”. These notes are not mend as an self-reliant publication, but give a general idea about the content of my intervention.

## Introduction

Organization asked me to deliver a brief presentation, or better an intervention on this working groups’ topic.

First of all some information on the Electoral Council.

* Independent institution.
* Task threefold:
* Responsible for elections on national level;
* Advisory body to government and parliament on al matters regarding elections including the aw;
* Information authority for everyone.

Key point of my presentation: What is the main task of an EMB, whatever it is called? It is – and it might sound simple, but you all know that it is easier said, than done – to create an atmosphere of thrust. Trust that the elections are free and fair, and that the results have not been tampered with.

This goes for the position of EMB's in general, but also with regard to the media.

## Regulation

Some people believe that regulation is the solution to everything. Of course regulation can be important, but very often it is a solution to a problem that wouldn't have occurred if the responsible authorities would have acted in a trustworthy, responsible manner.

International regulations on the role of media during election campaigns are scares. In fact they are not even regulations, it is soft law, codes and guidelines, and in my view give not that much guidance.

They stress in many cases the need for a neutral, impartial media coverage. But to some extent this is contrary to a free and democratic society in which media are allowed to report whatever they want. And in many countries there are privately owned media. And of course they are not neutral and impartial.

The Netherlands
You may only demand neutrality and impartiality of the state owned media.
In the Netherlands, we have a special law for that, which gives broadcasting time on radio and television to all parties represented in parliament and all new political parties participating in all electoral districts. And there is a special, independent body, the Commissariat for the Media (broadcasting commission), which is responsible for allocating the air time and dealing with complaints, many times coming from new political parties who want more attention from the media.

As Electoral Council we have no responsibility in that regard.

The Electoral Council and the media

But we do have to deal a lot with the Media, first and foremost, because we are seen as THE authority on electoral matters. So we receive tremendous amounts of questions from the media during election time. Of course we answer them to the best of our knowledge, but journalists make their own stories and sometimes a lot of the time of the people of the secretariat is spend on damage control.

Our staff actively monitors what is going on in the media. And when there is a lot of misunderstanding created by a news paper or television programme, we contact them and in many cases there is a follow up correcting news item and correct info on the website.

Our staff also monitors what is going on in the social media: what are the trending topics, what are the big issues, is there some misunderstanding.
Sometimes we publish a tweet ourselves, mostly containing a hyperlink leading directing to the correct information on our website.

We don't handle complaints through social media. There is a lot of research being done on that. In general people who complain through social media in many cases only want to voice their opinion. They are not really interested in a reaction of the official body, such a reaction only fuels the debate.

So if there is a trending complaint so to say, we try to contact the source more directly, mostly by the phone in order to get a better idea of what is going on and if there is something to be done.

It might well be the Netherlands have not the most detailed legislation on transparency, but we are, for almost a century now, a very transparent country when it comes to elections. The media are welcomed to witness every step in the process, as long as they do not disturb the order. Every now and then we receive a complaint from polling stations that representatives of the media are being too intrusive. Up until now we have never gotten any complaints from the media.

For dealing with the media in general, we have developed a strict policy.
Basis: we are an authority, we act authoratively. We have to be as sure as possible about our decisions, opinions and advice. They should not cause debate, AND they are NOT open for debate.

On a practical level:
1. One spokesman, the chair, or a member of the staff if the chair sees fit;
2. We explain our position, or the chairs decisions in the media, we are happy to answer all kinds of questions, but we will not participate in media, television programmes that have the intension of debating our decisions. If people don't agree with our decisions, than in many cases one can go to court.

Up until now this approach works. As I mentioned earlier, it is all about trust. And I am very grateful that we are still trusted, but with the increasing number of media and the increasing pressure of media I sometimes wonder what is going to happen in de near future.

Thanks for your kind attention, and I am very much looking forward to your questions and our discussion.