

European media freedom act

On 15 December 2023, the co-legislators reached a provisional agreement on a regulation establishing a common framework for media services in the internal market (European Media Freedom Act). The Committee on Culture and Education has endorsed the text which is now due to be voted in plenary in March. The EMFA is a historic step, as it will set the first EU-level rules on media freedom, pluralism and the protection of journalists.

Background

Introduced in the run-up to the 2024 European elections, the proposal is part of the [European democracy action plan](#) to promote democratic participation, fight disinformation and support media freedom and pluralism. Independent media play a unique role for democracy: they hold those in power to account, help people form views and make informed choices, and are an important part of the economy. In recent years, there have been growing concerns that the media is being politicised, and that media ownership is non-transparent. Media players have been increasingly threatened, harassed and even assassinated. As pointed out by Parliament, some Member States' governments too have attempted to silence their critical media and undermine media freedom and pluralism. Parliament has stressed that it is essential to ensure the independence of private and public service media from any political and economic interference.

European Commission proposal

The [proposal](#) aims to resolve issues affecting the media, such as hidden funding, non-transparency of ownership, exposure to spyware, financial distress and market concentration. It seeks to stop political interference in editorial decisions and to ensure transparency. It sets rules on protection of journalists and transparent allocation of state advertising. Other rules would safeguard the independence of and stable funding for public service media, and enhance the protection of media content against online content removal by big platforms. There would be a new EU-wide board for media services.

European Parliament position

The [agreed text](#) requires Member States to respect the editorial freedom of media service providers. To protect journalists, it prohibits Member States from obliging them to identify their sources, or from deploying spyware on their devices. Exceptions could only be made on a case-by-case basis, for investigations of serious crimes and subject to prior authorisation by a judicial authority. In the negotiations, Parliament succeeded in removing the reference to 'protecting national security' as grounds for surveillance, over concerns that governments could use this as a pretext to spy on journalists. In line with Parliament's request, all public authorities, regardless of the number of inhabitants in the territorial entities, would have to make publicly available yearly information about their public advertising expenditure. The requirement also applies to advertising on online platforms, a further demand of the Parliament. Public service media would have to be editorially and functionally independent from political interests, and funding procedures would have to ensure that they have sustainable resources. All media would have to make information on their ownership structures easily available on national databases, and Member States would have to assess the impact of media market concentrations on media pluralism.

First-reading report: [2022/0277\(COD\)](#); Committee responsible: CULT; Rapporteur: Sabine Verheyen (EPP, Germany). For further information, see our 'EU Legislation in progress' [briefing](#).



[Outcome of the Conference on the Future of Europe](#): This proposal is relevant for measures 27(1), (2); 33(5); 37(4).

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