European Media Freedom Act: MEPs and experts assess the draft legislation

On Tuesday, the Committee on Civil Liberties, joined by experts and stakeholders in a public hearing, discussed the proposed rules aiming to strengthen media pluralism and freedom in the EU.

During the public hearing that took place in association with the Committees on Culture and on the Internal Market, MEPs exchanged views with experts and stakeholders.

Panel 1

Marie FRENAY, Member of Cabinet of Commission Vice-President Jourová, presented the proposed regulation, highlighting that this type of legal instrument is the right one to avoid fragmentation in implementation, and to speed up the process. Patrick PENNINCKX, Head of Information Society Department of the Council of Europe, spoke on the complementarity between the new EU framework and CoE work, highlighting that rules are urgently needed, but that their proper implementation is equally important, while warning against the risk of overreach. Renate SCHROEDER, Director of the European Federation of Journalists, focused on the need for legal clarity and concrete definitions in the rules, asked for provisions on the protection of sources and from surveillance to be strengthened, and clarified the situation as regards interference in editorial independence.

Panel 2

Plamen ANGELOV, Head of Activity for JHA matters at the European Data Protection Supervisor, spoke on the scope of the new rules in relation to the role of journalists, the need for even stronger legal language on surveillance, and the importance of appropriate institutional oversight. Anna WOJCIK, Assistant Professor at the Institute of Legal Sciences of the Polish Academy of Sciences, focused on potential flaws in the structures and roles for European and national regulatory authorities foreseen in the new rules. She asked for safeguards against capture of national regulatory bodies so that they will not hinder the implementation of the new rules at European level, and for measures to make this type of political interference more unlikely. Laurens HUETING, Senior Advocacy Officer at the European Centre for Press and Media Freedom, pointed out that the draft rules on protection of sources fall short of standards established in applicable jurisprudence. He also stressed the need for stronger rules against
surveillance, more transparency in media ownership, better provisions for state advertising, and more independence for the European board envisioned in the draft regulation.

MEPs who took the floor broadly welcomed the Commission’s proposal and stressed the need to conclude the legislative process as a matter of urgency, taking into account the multiple external and internal threats that media freedom and pluralism are facing. They also spoke on a number of concerns, for example related to the provisions on political capture of public media and the transparency of ownership structures for private organisations, the transparency of media financing, the strength of the proposed rules in the context of severe backsliding in some EU countries, and the need to have strong anti-SLAPP and anti-surveillance provisions.

You can watch a recording of the hearing on Parliament’s Multimedia Centre.

Background

The Commission presented the European Media Freedom Act on 16 September 2022. The proposal seeks to tackle a series of problems affecting the functioning of the internal market for media services, but with an ultimate goal to strengthen the independence of media, in the context of the European Democracy Action Plan. Attempts to undermine media freedom and public democratic participation, including the freedoms of expression and information, of assembly and of association, threaten the European Union’s values.

Further information

Press freedom: the European Parliament in support of journalists (19.05.2022)
EP Research Service - Briefing: European media freedom act (21.11.2022)
Legislative train: Initiative against abusive litigation targeting journalists and rights defenders (SLAPPs)
Committee on Civil Liberties, Justice and Home Affairs
Free photos, video and audio material (press freedom)

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