



The future European Media Freedom Act: what do we know so far?

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Years *Ann* *Jahre*



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Goal and legal basis

- Establish a common framework for advancing the internal market in the media sector, thereby safeguarding media freedom and pluralism in that market.
- Harmonisation of national rules under Art 114 TFUE
- Proposal for a regulation
- Adoption third quarter 2022

The process

→ Call for evidence

- 21 December 2021 - 25 March 2022

Total of valid feedback instances received: 915



The number feedback instances shown includes only the valid ones, respecting the feedback rules. The data is regularly updated.

By category of respondent



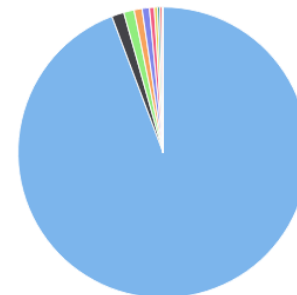
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Total of valid feedback instances received: 1465



The number feedback instances shown includes only the valid ones, respecting the feedback rules. The data is regularly updated.

By category of respondent



→ Public consultation

- 10 January 2022 - 25 March 2022

The problems addressed

The internal market is affected by:

- Different national rules on media pluralism
- Insufficient structures for cooperation between independent media regulators
- Instances of public and private interference in the ownership, management or operation of media outlets
- Lack of media pluralism safeguards, including online

Fragmented approaches to media pluralism



- Divergent / outdated media market laws and procedures
- Protectionist media market measures
- Insufficient cooperation between media regulators



→ Weakened EU media market and overall single market

- Difficulties to invest
- Information asymmetry

Public and private interferences in market operation



- Growing interference in media
- Opacity of media markets
- Non-transparent and unfair allocation of state resources



→ Reduced media pluralism and exposure to diversity

- Obstacles to receive information
- Lower trust in media

The key objectives

- ensure that media companies can operate in the internal market subject to **consistent regulatory standards**, including as regards on media freedom and pluralism
- ensure that EU citizens have access to a **wide and varied media offer** both offline and online
- safeguard the **editorial independence and independent management** of the media, which is a precondition of media freedom and of the integrity of the internal market
- foster **undistorted competition between media companies** by ensuring a transparent and fair allocation of state resources

The policy options

→ **Baseline scenario: no change**

→ **Policy option 1: Recommendation addressed to Member States to implement a number of actions:**

→ national **scrutiny procedures** over media market operations, **restrictions** to market entry and operation, **media ownership** transparency, protection of **editorial independence** and media diversity and transparent **allocation of state resources**.

→ **Policy option 2: Principle-based legislative instrument on several areas:**

→ principles for **national scrutiny procedures** of media market transactions and other restrictions to market entry and operation of the media, measures to enhance **transparency of media markets** and principles for the protection of **editorial independence** of the media and the transparent **allocation of state resources in the media sector**.

The options concerning NRAs

- **Baseline scenario:** no change, ERGA as it stands without structured cooperation channels
- **Policy option 1:** Monitoring mechanism for the Commission in order to encourage its application by the Member States, with ERGA as a forum for exchange of best practices
- **Policy option 2:** Effective and independent monitoring mechanism at the EU level and structured cooperation framework for media regulators, building on ERGA, potentially reinforced with necessary powers and resources

Expected impacts

- **Economic impacts:** Provide media companies with greater legal certainty, improved market access and economic growth opportunities, and help to improve the level playing field between all media actors
- **Social impacts:** Bring further employment opportunities and facilitate social inclusion, help fulfil the media's societal role to inform citizens and enable them to shape their opinions
- **Impacts on fundamental rights:** Help safeguard freedom of expression and have a positive impact on the freedom to conduct a business
- **Impacts on simplification:** Streamline administrative burdens and lower regulatory costs

Material from the Observatory (Feb 22)

IRIS Plus report on “The independence of public service media through governance”



<https://go.coe.int/lGLH9>

Overview tables on PSM governance indicators



<https://rm.coe.int/psm-tables/1680a59a2d>

Conference recording on the Media Freedom Act and PSM



<https://youtu.be/-fss0cuxCOE>



Thank you!

For any queries:
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Years Anniversary



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