



## **EUROPEAN MEDIA FREEDOM ACT**

### **PROTECT MEDIA TO PRESERVE DEMOCRACY**

Media freedom and pluralism are core European values and must be effectively protected. Any threat to the independence of media upsets the overall state of these values in Europe. These threats include: governmental interference; attacks on journalist integrity; commercial / financial pressures; and abusive conduct by certain online gatekeepers blocking access to content.

We share concerns from citizens, journalists and decision-makers when media freedom and pluralism is undermined. The proposed European Media Freedom Act (EMFA) is an opportunity for Europe to spell out the key principles that will shield media and journalists from threats and interference. The EBU supports the EMFA's objective to promote the independence and pluralism of media in Europe. **We welcome that the proposal recognizes the special role of media for democratic societies and also seeks to ensure support for strong, independent and well-funded public service media.** Importantly, it also recognizes that citizens should have access to a diversity of media services to foster public discourse.

To ensure that the final EMFA will help to tackle threats to media independence and improve audiences' ability to access the media that matters most to them, both offline and online, **we call upon European decision-makers to clarify principles on public service media as well as strengthen provisions on prominence of services of general interest and the tampering of big tech with media content online.**

Media services deserve special protection and cannot be treated like any other business. The outcome of the EMFA legislative process must preserve a dynamic that not only pursues single market objectives but also respects the uniqueness of the media sector, its rules and the division of legal competences between the EU and Member States, as set out in the EU Treaties.

#### **1. Protect and promote the independence of media and journalists**

We welcome that the EMFA seeks to protect all relevant media service providers - public service media, commercial media, press publishers - and journalists from undue political or economic pressure and to tackle different types of threats to media freedom and pluralism, both offline and online. **We call on policy makers to maintain this broad scope to cover all media and its journalists.**

The EMFA specifically recognizes the important role of public service media as a cornerstone of a democratic society and introduces clear principles for strong, independent, and well-funded public service media. **We support these principles, which Member States should respect in their laws and conduct, ensuring independent oversight. Any threat to the independence of public service media should be viewed as a harm to democratic society and not as a distortion of the internal market.**

*"Media independence, prominence and tampering with online content are the key areas where the EMFA could set out principles that will enable public service media to enhance democracy in Europe."*

*Noel Curran  
Director General, EBU*

## 2. Ensure that citizens can easily discover and find media services of general interest

Digital devices and interfaces, such as connected TVs, remote controls or voice commands, that mediate or manage access to and use of media services act as important gatekeepers between media and their audiences. These devices and interfaces determine, based on purely commercial objectives, which media services are easily found and prominently displayed, disregarding general interest objectives such as media pluralism and diversity. This prevents citizens from discovering and finding media services of general interest from providers that matter most to them, such as public service media. **We therefore call upon decision-makers to introduce an obligation for Member States to take measures ensuring prominence of audiovisual and audio media services of general interest.**

When accessing media through digital devices and interfaces, citizens also need to be able to easily identify who bears the editorial responsibility over it. Failure by platforms to attribute content to its source or incorrect attribution of logos and branding deprives citizens of an essential element to judge the information they see and hear. **The EMFA should therefore include an obligation to ensure that the identity of media service providers is clearly visible (e.g. logos/branding) alongside their content and services** when offered on digital devices and interfaces that control or manage access to and use of media services.

## 3. Tackle arbitrary and unfair behaviour by global platforms towards media content

We welcome that the EMFA proposal acknowledges the negative impact on media freedom and pluralism when global online platforms arbitrarily deprive regulated media from disseminating their content and services. Currently, platforms suspend, remove or impose equivalent restrictions on media content and services solely based on their own commercial terms and conditions. This undermines respect for journalistic standards, media rules in Europe, editorial integrity and affects trust in and viability of media online. The procedure laid down in Article 17 of the proposed EMFA to address such behaviour is, however, too weak and leaves considerable leeway to platforms. **For the EMFA to have real impact and put a halt to arbitrary platform behaviour, we call on European decision makers to introduce stronger procedural safeguards.**

The proposed EMFA also addresses the lack of reliable and verifiable audience measurement online. Understanding their audiences when media content is accessed online is key for media in Europe to continue offering innovative and appealing services. While we support the enhanced transparency proposed in the EMFA, **we call for extending the notion of audience measurement so that it also applies to users of media content via online platforms and for introducing an obligation for online platforms to provide media reliable and meaningful audience measurements** relating to its content and services.