

Open Letter to European Commissioners Margrethe Vestager, Věra Jourová and Thierry Breton on the occasion of Europe Day, 9th May 2022:

Safeguarding peace and democracy in Europe through a strong European Media Freedom Act

Dear Executive Vice-President Vestager,
Dear Vice-President Jourová,
Dear Commissioner Breton,

On the occasion of **Europe Day 2022**, celebrating peace and unity in Europe, we wish to reiterate the vital role of a free, independent and pluralistic media in safeguarding Europe's values. As shown by the dramatic developments caused by the Russian invasion of Ukraine, a resilient and diverse information ecosystem is indispensable in any society, and the lack of it has a devastating impact on democracy.

The upcoming **European Media Freedom Act (EMFA)** is a unique opportunity to tackle the threat of media capture, ensure media financial sustainability in Europe and build a robust and resilient media ecosystem across member states.

We note that the EMFA is to have Article 114 TFEU (internal market) as its legal basis. This is a useful entry point as the free flow of information is essential for the functioning of an effective and prosperous single market.

That said, the free flow of information cannot itself be guaranteed by the enhancement of free market rules alone and, if the EMFA is to achieve its goals, it must also recognize the **social and political dimensions of information as a public good**.

As a group of human rights' and journalists' organisations, we urge the European Commission to take **an ambitious approach to the EMFA** to help counter the increasing threats to media freedom, independence and pluralism, and thus to one of the foundations of our democratic society.

In particular, we recommend:

- Although fundamental, **not limiting the scope of the EMFA to the economic dimension of the internal market only**, but to take into account also the social and political dimensions, and that information is a public good;
- **Establishing harmonised measures to guarantee media independence and pluralism** including on ownership transparency, broadcast licensing and other authorisation requirements, the independence of media regulators and independent public service media, and enhanced media self-regulation. In particular, we call for a harmonised **public interest test for 'media mergers'** as key to guaranteeing media pluralism and avoiding distortion across member states;
- **Establishing EU guidance for direct and indirect State support to the media sector** to help end the fragmentation of national rules that undermine the efficiency of the European internal media market, prevent conflicts of interest in the allocation of state funds and end the practice of using state funds to reward uncritical coverage and punish critical journalism;
- **Developing multiple routes through which journalism can find support, including an EU fund for media pluralism to finance original and independent journalistic programs and initiatives**, and further contribute to the sustainability of the media sector.

We further call on the European Commission to ensure a **thorough consultation of civil society and industry experts** in the coming months before the EMFA proposal is presented.

With the EMFA the European Commission has the opportunity to complete the ambitious legislative reforms initiated with the Digital Services Act, the Digital Markets Act and the SLAPPs Directive and to set the foundations for a resilient, pluralistic and free media environment across the EU. The EMFA is the missing piece to guarantee a vibrant, innovative, independent and sustainable media environment, for the benefit of economic actors, journalists and citizens alike.

Sincerely,

ARTICLE 19: Global Campaign for Free Expression

Association of European Journalists - Belgium

Association des Journalistes Européens

Committee to Protect Journalists (CPJ)

European Centre for Press and Media Freedom (ECPMF)

European Federation of Journalists (EFJ)

Free Press Unlimited (FPU)

Global Forum for Media Development (GFMD)

International Press Institute

Lie Detectors

Media Diversity Institute (MDI)

Organized Crime and Corruption Reporting Project (OCCRP)

Osservatorio balcani e caucaso Transeuropa (OBC Transeuropa)

Ossigeno per l'informazione

Society of Journalists - Warsaw

The South East Europe Media Organisation (SEEMO)

Voxeurop

