

Media freedom and pluralism

The European Union upholds media freedom and pluralism as pillars of modern democracy and enablers of free and open debate.



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Media freedom and pluralism ensure the flow of information and play a key role in holding power to account. The Commission has stepped up its work in this area, placing media freedom at the heart of its rule of law reporting and continuing to fund a variety of projects bringing tangible results. The Commission has also planned key initiatives to enhance the work and safety of journalists and adopted an action plan geared at fostering a viable media ecosystem.

The European Union's commitments to respect media freedom and pluralism and to uphold freedom of expression — which includes the right to receive and impart information without interference by public authority — are enshrined in Article 11 of the EU's Charter of Fundamental Rights (.pdf), which mirrors Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Legislation and the rule of law

- The Proposed Regulation for a European Media Freedom Act (EMFA) builds on the revised Audiovisual Media Services Directive. Published in September 2022, the EMFA proposes a new set of rules and mechanisms promoting media pluralism and independence across the European Union. The four main pillars of the EMFA are: safeguarding the independent provision of media services in the internal market; enhancing regulatory cooperation and convergence; ensuring a well-functioning market for media services; ensuring transparent and fair allocation of economic resources. The EMFA factpage gives an overview of the main aims. A call for evidence and an open public consultation were held during the development of the European Media Freedom

Act.

- In April 2022, the Commission published a Proposal for a Directive on strategic lawsuits against public participation (SLAPP). Strategic lawsuits against public participation, commonly known as 'SLAPPs', are a particular form of harassment used primarily against journalists and human rights defenders to prevent or penalise speaking up on issues of public interest. The proposed Directive provides courts and targets of SLAPPs with the tools to fight back against manifestly unfounded or abusive court proceedings. The proposed safeguards will apply in civil matters with cross-border implications.
- The Commission adopted a European Democracy Action Plan. It will work closely with Member States and stakeholders to improve the safety of journalists. It will provide sustainable funding for projects focusing on legal and practical assistance to journalists in the EU and elsewhere. A stakeholder dialogue was launched in March 2021 under the European News Media Forum, with interested parties being able to provide feedback on the Recommendation on the protection, safety and empowerment of journalist and other media workers adopted in September 2021. The plan also envisages promoting transparent and fair allocation of state advertising, fostering media diversity and developing a European approach on the prominence of audiovisual media services of general interest. A call for tenders has been issued for a study in this regard.
- The Rule of Law Mechanism dedicates a key section to media freedom and pluralism, which examines media regulatory authorities and bodies, the transparency of media ownership and government interference and the framework for the protection of journalists. The first Rule of Law report, covering all 27 Member States, was published on 30 September 2020. It presents a synthesis of both the rule of law situation in the EU and an assessment of the situation in each Member State, focusing on four main pillars: the justice system, the anti-corruption framework, media pluralism, and other institutional checks and balances.
- The great power held by the largest online platforms justifies considering specific ex-ante rules to safeguard competition and consumer choice online. The Digital Services Act significantly improves the mechanisms for the removal of illegal content and the effective protection of users' fundamental rights online, including freedom of speech.
- The revised Audiovisual Media Services Directive strengthens legal safeguards in several areas covered by the Media Pluralism Monitor, namely online content moderation, the independence of media regulators, transparency of media ownership and media literacy. The Commission is following the transposition process closely.
- The EU legislature adopted rules for a fairer marketplace with Article 17 of the new Copyright Directive. These rules aim at helping right holders to be better placed regarding certain online sharing platforms. They ensure right holders receive a fairer remuneration for the use of their content. As to the new right for press publishers (Article 15 of the new Copyright Directive), this will foster plural, independent and quality journalism through a better bargaining position of press publishers towards online market players.

Direct funding

The EU funds numerous projects:

- Several ongoing or under preparation projects and calls, which aim to:
 - map violations of media freedom;
 - defend journalists under threat;
 - monitor risks to media pluralism;
 - support collaborative journalism, cooperation and exchange of best practices.
- Projects run by the European Centre for Press and Media Freedom (ECPMF) and its partners geared at addressing violations of media freedom and pluralism in the EU Member States and

candidate countries.

- Grants for the Centre for Media Pluralism and Media Freedom (CMPF) for the development and implementation of the 'Media Pluralism Monitor' (MPM), which provides a comprehensive overview of the risks to media freedom and pluralism across Europe, looking at 4 major areas:
 1. basic protection
 2. market plurality
 3. political independence
 4. social inclusiveness
- The Media Ownership Monitor pilot project, which will enhance the transparency of media ownership.
- The Creative Europe programme for 2021-2027, the planned budget of which will be approximately €2.5 billion, an 80% increase compared to the previous period (2014-2020) on an EU 27 basis. It will promote European cooperation on cultural diversity and industrial competitiveness for the cultural and creative sectors. A call for journalism partnerships aimed to promoting sector-wide, cross-border collaboration among news media professionals in Europe has been published. To increase funding and ensure long-term support for media freedom, pluralism and literacy projects, a dedicated envelope of at least €75 million has been secured from this programme.

Support measures

Since the start of the COVID-19 pandemic, the Commission has put forward a series of measures to support the economy and has called on Member States to make the most of them to support the media sector.

- A temporary state aid framework was rapidly put in place and extended. A dedicated state aid guiding template for the digitalisation of news media was also published to assist Member States in the design of their national recovery and resilience plans.
- REACT-EU financial support focuses additional cohesion funds on small and medium-sized enterprises' (SMEs) vital priorities, or creative SMEs in the cultural sector recognised as a priority. These funds include employment subsidies, short-term work schemes, and liquidity and solvency for SMEs.
- The temporary support to mitigate unemployment risks in an emergency (SURE) is an instrument available for Member States to fight the adverse economic and social consequences of the COVID-19 pandemic.
- Existing tools have been adapted, including more flexibility in implementing the supported projects. For example, the existing guarantee facility for SMEs in the cultural and creative sectors, including media, allows for more flexibility in repayments of loans and facilitates lending by giving more security to the financial institutions.
- The Commission adopted an action plan to support the recovery and transformation of the media and audio-visual sector. These sectors, particularly hit by the coronavirus crisis, are essential for democracy, and Europe's cultural diversity and digital autonomy. The action plan focuses on 3 areas of activity and 10 concrete actions. These will help the media sector recover from the crisis by facilitating and broadening access to finance. They will also help the media sector transform by stimulating investments to embrace the twin digital and green transitions while ensuring the sector's future resilience. Finally, they will empower European citizens and companies.

Council conclusions on media freedom and pluralism

On 7 December 2020, the Council of the European Union adopted Conclusions on safeguarding a free and pluralistic media system.

On 14 November 2018, the Council of the European Union adopted Conclusions on the strengthening of European content in the digital economy.

Previously, on 26 November 2013, the Council adopted Conclusions on media freedom and pluralism in the digital environment.

Colloquium on fundamental rights dedicated to media pluralism and democracy

In November 2016, the European Commission organised a Colloquium on Fundamental Rights dedicated to Media Pluralism and Democracy. The debate was informed by discussion notes, a special Eurobarometer, as well as the results of a public consultation. The outcomes of the Colloquium were published in December 2016.

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