

PRESS RELEASE

European press publishers denounce the historical threat to press freedom in the proposal for a “Media Freedom Act”

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In light of the published proposal of the European Media Freedom Act (EMFA), EMMA and ENPA note with dismay that the European Commission chose to move forward with a proposal that undermines core principles of press freedom, while not taken into consideration the fundamental concerns raised by press publishers.

The free and independent press has historically been excluded from regulatory oversight of media authorities, as an acknowledgement of its democratic function and of the fundamental right to information. Furthermore, the EU Treaties leave press and general media policy to Member States, which allows differentiated rules tailored to the characteristics of each national media market. We see no reason or justification to further harmonise media law at EU level and to put for the first time the printed and digital press under the regulatory supervision of a “European Board for Media Services” with the involvement of the European Commission. This alone raises strong concerns of political media capture to the detriment of press freedom and its importance for democracy.

It is highly concerning that a “Media Freedom Act” interferes with binding provisions in the publishers’ editorial freedom, a core element of any free press. It goes against core pillars of a free press to deprive publishers of their freedom to choose the editorial line and to participate in the daily management of their own publications. This is particularly striking, considering that it is the publishers that ultimately bear the moral, legal, financial and political responsibility for their publications.

In addition, the EMFA would have provided an opportunity for the EU to remedy the right given by the Digital Services Act to large online platforms to censor legal editorial content on the basis of their terms and conditions. Yet, the foreseen procedural safeguard in the EMFA does not remedy but rather enshrines this right to arbitrarily delete legal editorial content further. It is disappointing that the already insufficient procedural safeguard in the leaked draft of the EMFA has been further watered down, which seems to be a political decision to protect large platforms rather than press and media freedom thereon.

In light of the above, we are looking forward to work with the co-legislators to reverse this affront to press and editorial freedom and to ensure that the free press in Europe can remain free. Furthermore, we call on the Member States not to accept an unjustified and problematic centralisation of media policy.

Ilias Konteas, EMMA-ENPA Executive Director, said: “Our concern to be presented with a “Media Unfreedom Act” has become a reality. Not only large online platforms, but also media regulators can now interfere with the free press, while publishers are estranged from their own publications. The editorial freedom of press publishers is under threat and with that the foundation of press freedom in Europe.”

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***EMMA**, the European Magazine Media Association, is the unique and complete representation of Europe’s magazine media, which is today enjoyed by millions of consumers on various platforms, encompassing both paper and digital formats. EMMA represents 15,000 publishing houses, publishing 50,000 magazine titles across Europe in print and digital.*

See: www.magazinemedia.eu/

***ENPA**, the European Newspaper Publishers’ Association (ENPA) is the largest representative body of newspaper publishers across Europe. ENPA advocates for 14 national associations across 14 European countries and is a principal interlocutor to the EU institutions and a key driver of media policy debates in the European Union.*

See: www.enpa.eu/