[GR] Media authority strengthened with new regulatory powers but facing a court ruling contesting its legitimacy

IRIS 2026-10:1/10

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The Greek Parliament has assigned new competences to the National Council for Radio and Television (*Ethniko Symvoulio Radiotileorasis* – ESR), the Greek audiovisual regulator, thereby strengthening its institutional role.

Firstly, the ESR has been designated as the public authority responsible for enforcing EU Regulation 2024/900 on the transparency and targeting of political advertising in Greece. According to Decree 59/2026, signed by the President of the Republic last September, the ESR is responsible for supervising all of the entities involved – candidates, political parties, and advertising agencies – and for ensuring compliance with established transparency obligations.

Secondly, Law 5350/2026, which was passed in October 2026, establishes a universal ban on access to social networking services for minors under the age of 15, effective 1 January 2027. The ESR and the Hellenic Data Protection Authority (HDPA) are responsible for overseeing the implementation of the law, exercising the supervisory and sanctioning powers provided for under the European Digital Services Act (DSA).

Meanwhile, restoring legality in the terrestrial television and radio sector remains the primary objective of the regulatory authority. The implementation of the recent Law 5308/2026 (IRIS 2026-7:1/16) regarding the licensing of regional television stations has already begun, and the government has announced the introduction of new legislation for the licensing of radio stations before Christmas.

However, after the publication of Ruling 1083/2026 of the Council of State (the supreme administrative court in Greece) – published in late July, the ESR has entered into a period of uncertainty. According to this ruling, the ministerial decision that established the new members of the ESR in September 2023 (see IRIS 2023-10:1/19) is unlawful and subject to annulment, as the member-selection process followed by the competent parliamentary body did not comply with Article 101A of the Constitution, which requires a three-fifths majority during the voting process. This judicial decision is not final; the matter has been referred to the court in Plenary Session, which is scheduled to convene on 12 February 2027. In the meantime, any decisions issued by the ESR that are challenged before the

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court, could be overturned, if the High court in Plenary Session ultimately upholds the ruling of its Section.

It should be noted that, according to the 2025 and 2026 Rule of Law reports and the 2026 Media Pluralism Monitor, the ESR still lacks the necessary regulatory powers to enforce broadcasting legislation. Furthermore, the existing legal framework fails to ensure transparency in the selection process for its members or to guarantee the appointment of individuals with the appropriate expertise.

Συμβούλιο της Επικρατείας 1083/2026 (7m) Διαδικασία επιλογής μελών ανεξάρτητων αρχών που κατοχυρώνονται από το Σύνταγμα – Παραπομπή στην Ολομέλεια

https://www.qualex.gr/el-GR/periexomeno/nomologia/nomologia?id=2666201

Council of State 1083/2026 (7m) Procedure for selecting members of constitutionally guaranteed independent authorities – referral to the plenary

Απαγόρευση χρήσης επιγραμμικών υπηρεσιών κοινωνικής δικτύωσης από ανηλίκους" (FEK A 177/26-10-2026)

https://www.e-nomothesia.gr/kat-anilikoi/nomos-5350-2026.html

Prohibition on the use of online social networking services by minors (Government Gazette A 177/26 October 2026)

Λήψη μέτρων για την εφαρμογή του Κανονισμού (ΕΕ) 2024/900 του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου της 13ης Μαρτίου 2024 σχετικά με τη διαφάνεια και τη στόχευση της πολιτικής διαφημιστικής προβολής" (FEK A 154/29-9-2026)

https://www.e-nomothesia.gr/kat-diaphemistikes-epigraphes-diaphemise/proedriko-diatagma-59-2026.html

Adoption of measures for the implementation of Regulation (EU) 2024/900 of the European Parliament and of the Council of 13 March 2024 on transparency and the targeting of advertising (Government Gazette A 154/29 September 2026)

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