EMFA: CULT MEPs adopt their draft position

IRIS 2023-8:1/9

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One year after the European Commission's proposal (for the past legislative process, see IRIS 2023-5:1/7), CULT MEPs adopted MEP Verheyen's draft report on the European Media Freedom Act on 7 September 2023. The EMFA was first presented by the European Commission in September 2022 to establish a common framework in the EU to protect media pluralism, editorial independence and a common level of safety for the media industry (see IRIS 2022-9:1/3). CULT MEPs would like to see parts of the Commission's proposal amended in the following way:

- The Commission's proposed Art.6, paragraph 1, requires providers of news and current affairs content to publicly disclose some information as to their contact details, owners and beneficial owners. CULT MEPs would like these transparency requirements extended to all media providers.

- The Commission's proposed Art. 4, paragraph 2, forbids states, and their regulatory authorities to detain, sanction, intercept, subject to surveillance media service providers (or their family members, employees, corporate and private premises) on the grounds they refuse to disclose information on their sources. CULT MEPs would like to see this ban extended to all forms of interference and pressure on the media.

- The Commission's proposed Art. 17, paragraph 2, requires VLOPs, when suspending their online intermediary services to a recognized media provider who has editorial responsibility for the choice of its content, to communicate a statement of reasons to the provider. The latter should be able to enter into discussion with the VLOP to find an amicable solution to terminate the suspension the media provider deems unjustified. CULT MEPs wish to safeguard independent media providers with editorial responsibility by accompanying this provision with a 24-hour negotiation window involving national regulators, before a VLOP may suspend content.

- The Commission's proposed Section 2 on the European Board for Media Services suggests that the Board is provided with a Secretariat by the European Commission. Besides, the Board should act upon the request of the European Commission. According to CULT MEPs, the Board should be legally and functionally independent from the Commission and able to act on its own.

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This CULT report will be submitted to a plenary vote in October 2023. Depending on the plenary vote outcome, interinstitutional negotiations could start in October/November 2023.

EC Proposal for a Regulation establishing a common framework for media services in the internal market (EMFA)

https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2022%3A0457%3AFIN

[CULT] Report on the proposal for a regulation of the European Parliament and of the Council establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU

https://www.europarl.europa.eu/doceo/document/A-9-2023-0264_EN.html

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