MEDIA FREEDOM DAY & MEDIA FREEDOM ACT: WHAT FREEDOM LOOKS LIKE TO EUROPE'S MEDIA

BRUSSELS, 3 MAY 2022. Today, broadcasters and streaming services around Europe celebrate Media Freedom Day[1]. As the European Commission drafts the European Media Freedom Act (EMFA), ACT, ABBRO, ACCeS, AKTV, ARCA, CRTV, UTECA and VÖP recall common principles to safeguard media pluralism, independence and sustainability. Any new regulations impacting audio-visual media should be assessed in light of general principles, such as media sustainability, to avoid regulatory conflicts and lack of coherence that negatively impact the media landscape. The EMFA should be an opportunity to develop a more holistic approach to media pluralism.

1. **Europe's diversity means an EMFA based on subsidiarity, focusing on principles that are not intrusive.** Any restrictions should be objectively justified, transparent, non-discriminatory, and proportionate to protect media freedom in Europe.
2. **EMFA should support the growth of European TV & VoD and in no way hinder it with anti-consolidation policies.** Measures aimed at restricting the consolidation capacities of European broadcasters, or preventing the sector from innovating, scaling up and seeking new sources of revenues, would ultimately limit European media pluralism and reinforce the dominance of big tech companies that do not invest in European media.
3. **Help the sector diversify and grow by revisiting & limiting intrusive and outdated rules for media.** Focus where cultural diversity and investment is most at risk, notably by increasing scrutiny of Big Tech media acquisitions affecting pluralism.
4. **Existing rules for the audio-visual sector should be applied proportionately.** Additional minimum requirements at EU level which would have the potential of adding greater compliance costs to an already overly burdensome framework (eg AVMSD) should be avoided.
5. **Measures to ensure the visibility of AVMS providers' news and content are necessary.** Content must be protected from interferences by big tech companies.
6. **Independent audience measurement is key.** Players subject to different regulatory regimes should not be included in the same "audience measurement basket" but instead be measured with separate but comparable currencies.
7. **Transparency of media ownership and state advertising is welcome.** This could be useful particularly in light of the specific situation in some Member States.
8. **A reinforced role for ERGA**. The MFA should seek to make the European Regulators Group for Audiovisual Media Services (ERGA) fully independent, staffed up and financed for a growing list of activities.

[1] Today is World Press Freedom Day, you can find more information at https://www.un.org/en/observances/press-freedom-day/background

On this day of celebration, we are reminded that media freedom, pluralism and democracy require constant vigilance and support. Even in Europe, some authorities routinely interfere with media companies' activities, their editorial independence and freedom to operate. The primary goal of the European Media Freedom Act must be to curtail unjustified restrictions by public authorities. We must however avoid that the measures in the EMFA end up limiting our ability to grow and compete in an environment where Big Tech continues to enjoy asymmetric rules and undermines the foundations of media pluralism.

ACT – ASSOCIATION OF COMMERCIAL TELEVISION & VIDEO ON DEMAND SERVICES IN EUROPE

ABBRO – ASSOCIATION OF BULGARIAN BROADCASTERS

ACCeS – ASSOCIATION DES CHAÎNES CONVENTIONNÉES ÉDITRICES DE SERVICES

ARCA – ROMANIAN ASSOCIATION FOR AUDIOVISUAL COMMUNICATIONS

AKTV – ASOCIACE KOMERČNÍCH TELEVIZÍ

CRTV – CONFINDUSTRIA RADIO TELEVISIONI

UTECA – UNIÓN TELEVISIONES COMERCIALES EN ABIERTO

VÖP – ASSOCIATION OF AUSTRIAN COMMERCIAL BROADCASTERS

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ABOUT THE SIGNATORIES:

ASSOCIATION OF COMMERCIAL TELEVISION & VIDEO ON DEMAND SERVICES IN EUROPE (ACT)

ACT's 29 member companies finance, produce, promote and distribute content and services benefiting millions of Europeans across all platforms. At ACT we believe that the healthy and sustainable commercial broadcasting sector has an important role to play in Europe's economy, society and cultures. Commercial broadcasters are at the heart of Europe's media landscape as producers and distributors of European original content and news. We embrace the digital environment providing new services, formats and content to meet the growing European demand for quality content on various distribution models.

For further information please contact: Erard Gilles | Senior Policy Officer| eg@acte.be

ASSOCIATION OF BULGARIAN BROADCASTERS (ABBRO)

ABBRO is the non-governmental organisation of commercial TV and Radio broadcasters in Bulgaria. The association is the most representative industry body for Bulgaria for the television, radio and on demand services. Its members operate various national free-to-air, cable and satellite TV channels with the highest rating of viewers' trust, on-demand services and radio networks. ABBRO contributes to the law-making process to ensure fair and transparent market rules, as well as favourable legal framework for the development of media services in Bulgaria.

For more information see www.abbro-bg.org Contact: Anna Tanova | Executive Director | a.tanova@abbro-bg.org

ASSOCIATION DES CHAÎNES CONVENTIONNÉES ÉDITRICES DE SERVICES (ACCeS)

Founded in 1997, the "Association des Chaînes Conventionnées éditrices de Services" (Association of licensed channels editor of services - ACCeS) brings together 35 channels established in France, which have concluded a legal agreement (convention) with the French Media Regulator (ARCOM) for the broadcasting by cable, satellite and ADSL, digital terrestrial hertzian broadcasting, or another electronic communication network on the French territory.

For more information please contact: Eric Brion | Secretary General | ebrion@acces.tv

ASOCIACE KOMERČNÍCH TELEVIZÍ (AKTV)

The Association of Commercial Television (Asociace komerčních televizí - AKTV) was formed in 2017 as an association of terrestrial television broadcasting operators with the goal of defending, supporting and promoting the common interests of commercial broadcasters in the Czech Republic. The founding members of the Association are the Nova, Prima and Óčko television networks.

For further information please contact: Marie Fianová | Secretary | marie.fianova@aktv.cz

ROMANIAN ASSOCIATION FOR AUDIOVISUAL COMMUNICATIONS (ARCA)

The Romanian Association for Audiovisual Communications (Asociatia Româ nă de Comunicaţ ii Audiovizuale – ARCA) joins the main radio (Europa Fm, Kiss Fm, Radio Zu, National FM, Radio Romania, etc.) and television (ProTv, Antena 1, KanalD, Prima TV, Antena 3, RomaniaTv, B1Tv, National Tv, etc) companies operating in Romania. ARCA works for developing an auspicious climate for audiovisual media business in Romania by representing the interests of the Romanian broadcasters in the relationship with the authorities, the political environment and the civil society.

For more information please consult www.audiovizual.ro. Contact: George Chirita, executive director: george@audiovizual.ro

CONFINDUSTRIA RADIO TELEVISIONI (CRTV)

Confindustria Radio Televisioni (CRTV) is the association of Italian radio and television broadcasters. Established in June 2013, CRTV among its members includes Italy's major national broadcasters: CN Media (Radio KISS KISS), Discovery Italy, Elemedia (GEDI), Gruppo 24Ore (Radio24), GM24, La7, Mediaset, Persidera, Prima TV, QVC Italy, Radio Italia, Rai, RDS – Radio Dimensione Suono, Rete Blu, RTL 102,500 Hit Radio, Tivù, Viacom International Media Networks Italy. Major local TV and radio broadcasters are represented in CRTV through the Association of Local Televisions and the Association of Local Radios FRT. Aggregated members include satellite operator Eutelsat Italia. All major categories of the broadcasting industry are represented in CRTV: public and private broadcasters, national and local broadcasters as well as platform and network operators. CRTV's goal is to represent the broadcasting industry as a whole at institutional, legislative and contractual level. CRTV collaborates on a regular basis with all relevant ministries, institutions and regulators at national and at European Union level, and with international organizations and institutions. CRTV's goal is to guarantee and promote the growth of radio and TV industry based on fair competition, equal access and respect of users' rights.

UNIÓN TELEVISIONES COMERCIALES EN ABIERTO (UTECA)

The Spanish Union of Commercial Free-To-Air Television (Unión Televisiones Comerciales en Abierto – UTECA), which was established in 1998, represents and defends the common interests of free-to-air commercial television channels at the national, community and international level. UTECA's members are Atresmedia, DKISS, Net TV, Real Madrid TV, TEN, TRECE and VEO TV. The associates manage 14 Digital Terrestrial Television channels.

For more information see www.uteca.tv or contact Emilio Lliteras | Director General | direccion@uteca.tv

ASSOCIATION OF AUSTRIAN COMMERCIAL BROADCASTERS (VÖP)

The Association of Austrian Commercial Broadcasters (VÖP) represents commercial Radio and TV broadcasters in Austria. Among the most important goals is the establishment of fair competition and equal opportunities – on a national level between private broadcasters and the Austrian public service broadcaster ORF, as well as on an international level, i.e. regarding competition with international media companies and platforms. Other objectives are to show the journalistic and economic importance of the private broadcasting sector in Austria, to strengthen the economic basis of commercial broadcasters and to actively support technological development of the industry.

For more information see www.voep.at. Contact: Corinna Drumm | Director General | corinna.drumm@voep.at