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*Meeting of the Chairpersons of the Conference of the Parliamentary Committees for Union Affairs  
of Parliaments of the European Union (COSAC)*

*Prague, Czech Republic, 10 – 11 July, 2022*

## **Background Note for the Second Session**

### **Media and Democracy: Current Challenges**

The role of free, independent, pluralistic and responsible media is priceless in a well-functioning democracy. It is also an area where decision-makers are faced with delicate value judgements and must balance freedom of expression, information and media against security concerns, including hybrid threats. From the regulatory perspective, commercial and market aspects have to accommodate the need for genuine plurality instead of a concentration of media power and for the responsibility of mass media for their societal impacts.

There are many challenges in the field of media freedom and pluralism ranging from safety of journalists, the spread of disinformation, independence and impartiality of media regulators and public service media to the transparency of media ownership.

At the EU level, media regulation is based mostly on market-oriented competences. However, all initiatives related to media must take into account and protect the common values on which the Union is founded. These include freedom, democracy and pluralism. According to the [Charter of Fundamental Rights of the European Union](#), the freedom and pluralism of the media shall be respected. These values have to be fully preserved in the digital context, where the role of the EU and need for common rules becomes evident. The guiding principles for this are discussed on the basis of the Commission's initiative for the [European Declaration on Digital rights and principles for the Digital Decade](#).

The European Commission's [European Democracy Action Plan](#) covers multiple topics directly or indirectly related to media – promoting free and fair elections, strengthening media freedom and countering disinformation. The [European Parliament resolution of 25 November 2020 on strengthening media freedom: the protection of journalists in Europe, hate speech, disinformation and the role of platforms](#) also presented a complex position on various aspects of media freedom in the EU, including the importance of media literacy.

On a yearly basis, the state of media freedom and pluralism in the EU Member States is being assessed as a part of the [Rule of Law reports](#). In 2021, increased harassment and violence against journalists was reported. **Safety of journalists** is pursued by the Commission in its [recommendation on the protection, safety and empowerment of journalists](#) from September 2021. On 21 June 2022, the Council adopted [conclusions on the protection and safety of journalists and other media professionals](#). These call, among other, for strengthening the funding for independent and investigative journalism and taking into account online safety and freedom of speech for journalists and other media professionals in all relevant initiatives, including the protection of female journalists and those belonging to minorities. Member States should encourage the development of media and information



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literacy initiatives. Support should be provided to independent and exiled journalists and media professionals, particularly from countries such as Ukraine, Belarus and the Russian Federation, as well as to journalists who are striving to cover armed conflicts in an independent and impartial manner.

The Commission also proposed a legal framework for dealing with [abusive lawsuits against journalists and human rights defenders](#) ('SLAPPs').

There is an ongoing debate on political approaches and best practices to **countering disinformation** at both the national and European level. Common European principles are beginning to materialise, notably in the provisions of the Digital Services Act package and the [strengthened Code of Practice on Disinformation](#) as well as the [proposal for a regulation on the transparency and targeting of political advertising](#). The latter proposal aims primarily at protecting election integrity and open democratic debate from manipulation based on algorithms and nontransparent campaigns.

Disinformation is often a tool of foreign interference and therefore freedom and pluralism of the media are among the values that may be considered under the [EU screening framework for foreign direct investment](#). Based on the work of the [Special Committee on Foreign Interference in all Democratic Processes in the European Union, including Disinformation](#), the European Parliament also adopted [Resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation](#), with numerous recommendations.

Reflecting on the **economic problems of media enterprises arising from the COVID-19 crisis**, the [Commission's Communication Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation](#) presented a comprehensive vision and roadmap for the economic recovery and transformation of media.

The [revised Audiovisual Media Services Directive](#) lays down rules for the **independence of media regulators**, promotes **transparency of media ownership** and recognises that editorial decisions should be free from interference. However, it only covers a specific segment of media.

The **European Media Freedom Act**, which the Commission is due to present later this year, will complement and build on all the aforementioned initiatives. [According to the Commission](#), it “*will focus on eliminating barriers to the establishment and operation of media services and will aim to establish a common framework for advancing the internal market in the media sector, in view of safeguarding media freedom and pluralism in that market. It will be coherent with the EU's efforts in promoting democratic participation, fighting disinformation and supporting media freedom and pluralism as set out in the European Democracy Action Plan.*”

EU policies concerning media also have a significant **cultural dimension** and should at all times contribute to the formation of a **common European public space**, which is a necessary precondition for the success and progress of political integration of Europe.