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The European Parliament approves a European Media Freedom Act

Strasbourg, 13th March 2024 - Today marks a historic milestone in the European Parliament as the European Media Freedom Act receives the majority of the chamber, signalling a crucial step forward in the protection of democracy within the European Union.

Diana Riba i Giner, EFA MEP and Greens/EFA Shadow rapporteur on this file, expressed the significance of this groundbreaking legislation. The European Media Freedom Act, the first of its kind in the European Union, is poised to play a pivotal role in ensuring a free, independent, and pluralistic communication space—a foundational condition for any democratic system.

“Today is an historic day in this Parliament. With the adoption of the European Media Freedom Act, the EU is adopting a crucial instrument for the protection of its democracy.”

“This first European media freedom law will be fundamental to guarantee a free, independent and pluralistic media space, which is a founding condition of any democratic system.” She said.

The Catalan MEP emphasized that this safeguard has become increasingly critical in light of recent events, citing the example of the election results in Portugal, which underscored the vulnerability of societies to the rise of far-right ideologies. The European Media Freedom Act emerges as a timely response to the global challenges facing democracies today.

“The European Media Freedom Act includes measures that will trigger positive changes in those member states where plurality is already in decline, but will also be a safeguard where democracy is still functioning.” She added.

The European Media Freedom Act reflects the European Union's commitment to fostering an environment where the press can operate without fear of censorship or reprisal. As this legislation sets a new standard for media freedom, it reinforces the EU's dedication to democratic principles and the protection of its citizens' rights.

“Faced with the historic crossroads at which the world's democracies find themselves, we need to remember, as Rigoberta Menchu said, that "democracy is not a goal that can be attained and then pursued elsewhere; it is a condition that can only be maintained if every citizen defends it", and with this law, we have one more instrument to do so.”

Here is a summary of what the European Media Freedom Act means:

1. Safeguarding Independence of Public Media:

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EMFA mandates Member States to ensure full autonomy and editorial independence of public media.

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Criteria are set for appointments, dismissals, and resource allocation to ensure independence, responsibility, and transparency.

2. Transparency of Media Ownership:

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Requires media outlets to publicly disclose ownership structures and make information on direct and indirect beneficiaries accessible and updated.

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Establishes a national (potentially European) database for public disclosure of media ownership information.

3. Market Concentration of Media:

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Member States are obligated to assess media market mergers and acquisitions, including online platforms.

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Criteria include considerations for media pluralism, editorial independence, economic sustainability, and adherence to the Commission's report on the Rule of Law in the media sector.

4. Editorial Decision Independence:

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Media producing news and current affairs content must establish internal mechanisms for editors to make independent editorial decisions, free from interference.

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Mandates public disclosure of conflicts or potential conflicts of interest affecting produced content.

5. Independence of National Regulatory Authorities (NRA):

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NRAs required to be legally independent from the government.

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Given new responsibilities, including oversight of the media ownership database and evaluation of media mergers' impact on pluralism and editorial independence.

6. Creation of a New European Board and Expert Group:

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Establishment of a new board comprising NRAs and civil society experts with enhanced competencies.

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Empowered to provide opinions on media concentration operations not evaluated by Member States and address administrative or regulatory measures affecting EU media.

7. Protection of Journalists:

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Legislation includes provisions to protect journalists, specifying conditions under which actions (detention, sanctions, search and capture, or the use of spyware) against them are allowed.

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National security considerations do not exempt actions against journalists from compliance with specific and strict conditions.

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