

- I. **No EU media regulation beyond the AVMS Directive**
 - The EU should refrain from media regulation at EU level. Existing problems in certain Member States should rather be addressed through political pressure and recommendations.
 - There is no EU competence to regulate the media or the press, including the printed or online press, aspects of media concentration etc.
 - Furthermore, there is no “EU media market”. Rather, media markets are characterised by cultural, linguistic, historic, demographic and democratic characteristics at national, regional and local level.
- II. **EMMA-ENPA strictly oppose any editorial regulation, as well as regulation of internal press freedom**
 - Safeguarding editorial freedom is crucial in order to ensure a healthy democratic system where the press is enabled to support a diverse and critical public opinion.
 - EMMA-ENPA have always opposed any interference in the editorial freedom of a publisher. This freedom includes on the one hand the freedom vis-à-vis the state or other external bodies to publish any content on any topic, biased or balanced, as long as it is within the boundaries of the laws. On the other hand, this freedom of the publisher also exists vis-à-vis- the editorial teams, including the composition of editorial teams or the determining of an editorial line. Any EU regulation interfering in the relations between the publisher and the editorial team would violate press freedom in its core.
 - This also includes regulatory or co-regulatory involvement of the EU in press councils. Press councils must maintain their voluntary nature and remain genuinely self-regulatory. In particular, they should not, neither directly or indirectly, be regulated or supervised by laws, regulators or other authorities.
- III. **The Media Freedom Act should not promote media regulation instead of media freedom**
 - We do not see how a Media Freedom Act would increase media freedom across the EU. Single issues should be tackled through political pressure.
 - EU Member States, such as in Scandinavia, are global beacons and blueprints of press freedom, precisely because of the absence of media regulation and state intervention. An EU regulation on Media Freedom would not improve this situation.
 - EU regulation on media concentration would not support, but instead hamper press freedom in the EU. Particularly in many smaller Member States, consolidation of media companies is not a problem, but rather necessary to counteract economic downturns, to maintain editorial teams and therefore to preserve media pluralism. Competition law at national and EU levels has been and still is suitable and effective with regard to media concentration and consolidation.
- IV. **EMMA ENPA oppose selective subsidies and interferences in the distribution of legal press**
 - The principle of non-discrimination in possible subsidies as well as in the distribution of the online and printed press must be upheld to ensure plurality.
 - All legal editorial content must be distributed online and offline on the basis of non-discriminatory parameters. Promoting or favouring certain content is incompatible with a free and pluralistic press.
 - The same applies to media subsidies. Any subsidy must be done on the basis of non-discriminatory parameters and made available to all newspapers and magazines, such as reduced VAT rates.
- V. **The EU must ensure that the free press and media can finance its content**
 - Ensuring the economic sustainability is an essential precondition for press freedom and pluralism. The EU must support it in all ongoing negotiations and initiatives, as well as in the implementation of the Publishers’ Right across the Union.
 - A free press and media is dependent on economic sustainability in the market.
 - This must also be recognised in data protection laws, while avoiding further advertising restrictions that limit an important source of revenues for publishers.
 - Equally, the Publishers’ Right must be effectively enforced against gatekeepers.
- VI. **Press freedom should be safeguarded in all EU initiatives with an economic impact on media or editorial freedom, as well as the free distribution of media**
 - Instead of introducing new legislation on media freedom, the EU should rather focus on fixing issues in the existing legal and economic framework that undermine press freedom.
 - These shortcomings, with a direct impact on the media and freedom of the press, need to be resolved: This includes the missing protection of legal editorial content against T&C censorship; as well as fair and non-discriminatory access to and treatment on gatekeeper search engines and social networks