Comment

The European Media Freedom Act: Expanding European Union Media Regulation to Fundamental Rights and Values Protection

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Introduction

On 8 August 2025, most of the provisions of the European Media Freedom Act (EMFA or Regulation) became applicable in the Member States of the European Union ('EU' or the 'Union').[1] In this comment, I argue that the coming into effect of the EMFA marks the culmination of the EU's transformations into a rights- and values-oriented regulator in the media domain. Today, the Union's reliance on EU-level rules goes beyond the sole objective of developing a single market for media services on predominantly economic grounds. Instead, the Union also seeks to protect and promote media freedom and pluralism as ends in themselves, and by extension, to strengthen the protection of values enshrined in Article 2 Treaty on the European Union (TEU).

However, the Regulation's capacity to bring about a meaningful change on the ground remains uncertain, as most Member States are still in the process of adapting their national frameworks to the new EU minimum standards, and as the EMFA faces an open resistance, most notably in the form of Hungary's action of annulment before the Court of Justice of the European Union (CJEU).

Against this backdrop, I interpret the EMFA as part of a broader effort by the EU institutions and Member States to better prevent and address violations

1 Regulation 2024/1083/EU of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act), OJ L, 2024/1083.

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of EU values through undermining media freedom and pluralism within the Union. The EMFA's adoption signals the EU institutions' preparedness to intervene when the national systems fail to uphold the Union's values. Moreover, where the institutions do not act, citizens and national courts may fulfil this role through preliminary references to the CJEU and subsequent case law.

I. A New Media Ecosystem and the EU's Shifting Regulatory Response

The regulation of public and private media had traditionally fallen within the competence of the Member States, which had long been reluctant to extend the EU's powers in this area. Consequently, national rules on media remained fragmented and not harmonised. However, in the past fifteen years, a gradual Europeanisation of EU media regulation has occurred. In the 2000s, EU media policy focused primarily on the single market for media services,[2] which led to the Audiovisual Media Services Directive (AVMSD or the Directive), adopted in 2010 and amended in 2018.[3] The Directive introduced a requirement of independence for national media regulatory authorities (Article 30 AVMSD), which introduced a limited, but significant, values-dimension to EU media policy. By codifying the independence of national media regulators, the EU started to establish minimum democratic guarantees within the media sphere. I argue that this was consistent with the protection of media freedom and pluralism under the EU Charter of Fundamental Rights[4] (Article 11.2), because national media regulators perform a key oversight function over the media ecosystem.

Since 2020, the European Commission, has classified media freedom and pluralism as one of the components of the rule of law.[5] In the 2020 European Democracy Action Plan,[6] the Commission stressed that EU citizens must be able to form their own political judgements, requiring an electoral environment in which a plurality of views can be expressed freely, and in which

2 Elda Brogi and Pier Luigi Parcu, 'Evolving Regulation for Media Freedom and Pluralism in the European Union', Utilities Policy 31 (2014), 256-265.

3 Directive 2018/1808/EU of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing market realities PE/33/2018/REV/1, OJ L 303.

4 Charter of Fundamental Rights of the European Union, OJ C 326.

5 European Commission, Annual Rule of Law Report 2020.

6 Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the European Democracy Action Plan, COM/2020/790 final.

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independent media can operate. In the Action Plan, the Commission identified a number of threats to media freedom and pluralism as well as to democracy, including abusive legal actions against journalists and media outlets, national restrictions on media freedom introduced under the pretext of combating disinformation, or financial challenges for media arising from the digital transformation.

To address these threats, the EU has significantly harmonised the standards governing the media sphere. This process has been driven by the ambition to respond to technological change, notably regarding digitalisation and the resultant increasingly cross-border nature of media consumption, and to the growing dominance of online platforms in the media domain. Moreover, such a harmonisation has been motivated by the desire to strengthen the protection of the Union's values against internal and external threats, such as the politicisation of media regulators and public service media, private media capture – meaning, taking direct or indirect control over private media by political party –, and other adverse state measures towards independent media. Moreover, the EU has also sought to combat the harassment of journalists and media outlets through Strategic Lawsuits Against Public Participation (SLAPPs) and disinformation.

The Digital Services Act (DSA)[7] and the Digital Markets Act (DMA),[8] adopted in 2022 respectively, impact the media sphere through regulating very large online platforms (VLOPS) and very large online search engines (VLOSEs) with over 45 million users in the EU. In 2021, the Commission issued a Recommendation on safeguarding, ensuring the safety and empowerment of journalists and other media professionals.[9] To fight with the problem of SLAPPs, the Directive on the protection of persons who engage in public participation from manifestly unfounded or abusive court proceedings[10] was adopted in 2024.

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7 Regulation 2022/2065/EU of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act) (Text with EEA relevance), PE/30/2022/REV/1, OJ L 277, 27. October 2022, 1-102.

8 Regulation 2022/1925/EU of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives 2019/1937/EU and 2020/1828/EU (Digital Markets Act) (Text with EEA relevance), PE/17/2022/REV/1, OJ L 265, 12 October 2022.

9 Commission Recommendation 2021/1534/EU of 16 September 2021 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union C/2021/6650, OJ L 331.

10 Directive 2024/1069/EU of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings (Strategic lawsuits against public participation), PE/88/2023/REV/1, OJ L.

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Beyond these measures, the development of the EU's rights- and values-oriented media policy is particularly visible in the EMFA. Compared to the AVMSD, the EMFA covers a broader range of horizontal aspects of the media ecosystem. It applies not only to audiovisual media, but also to radio outlets and the press, and it moreover addresses some of the challenges posed by the distribution of media content via social media platforms. The Regulation addresses a wide range of stakeholders. It codifies in EU law the rights of recipients of media services, imposes both positive and negative obligations on Member States (discussed in Section III.), and establishes rights and duties for media service providers and VLOPs.

The EMFA was generally welcomed, however, with some reservations by civil society organisations. By contrast, the Regulation faced strong opposition from media publishers' associations, which criticised the EU rules on media ownership transparency and obligations to safeguard editorial independence.[11] Belgium, Denmark, France, Germany, Hungary, and Poland expressed concerns about the centralisation of media oversight at the EU level.[12] Germany, in particular, feared that the EMFA could lower its comparatively high, including Länder-level, standards of media freedom protection.[13] This criticism, however, has no basis in the Regulation, which sets only minimum standards. Recital 8 of the EMFA explicitly confirms that stricter national measures to enhance media pluralism and editorial independence are permitted, provided they comply with EU law and do not hinder the free movement of media services. Notably, the strongest opposition to the EMFA came from Hungary, which has brought an action for annulment against the Regulation (see Section II.).

11 'Views of the European Publishers Council on Controversial Proposals for a European Media Freedom Act', EPC, 20 February 2023, <https://www.epceurope.eu/post/views-of-the-european-publishers-council-on-controversial-proposals-for-a-european-media-freedom-act>, last access 2 December 2025.

12 Stefania Kolarz, 'Protection of Media Freedom Provokes Debate in the EU', Polish Institute of International Affairs (PISM), 25 June 2024 <https://pism.pl/publications/protection-of-media-freedom-provokes-debate-in-the-eu>, last access 2 December 2025.

13 Lennart Lünemann, 'Why EU Member States with Low Risks to Media Pluralism Are so Reluctant to Support the European Media Freedom Act', Centre for Media Pluralism and Media Freedom, 8 September 2023, <https://cmpf.eui.eu/why-eu-member-states-with-low-risks-to-media-pluralism-are-so-reluctant-to-support-the-european-media-freedom-act/>, last access 2 December 2025.

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II. How the EMFA Reorients EU Media Regulation Towards Rights and Values

The EMFA is grounded in the EU's internal market competence under Article 114 Treaty on the Functioning of the European Union (TFEU). In recent years, this provision has served as the legal basis for various legal acts addressing new dimensions of the digital economy, including the DSA and the DMA. These instruments have had significant implications for the media environment, imposing obligations on VLOPs and VLOSEs, which shape the distribution and monetisation of media content. The rationale for relying on Article 114 has been procedural, practical, and political. Without a Treaty amendment, the provision allows the EU to expand its competences in the name of harmonising the internal market. The EMFA is another example of this already well-established practice.[14]

The fact that the EMFA marks a shift in EU media regulation towards a rights- and values-based approach is evident from the Regulation's very title, the wording of its recitals preceding the operative provisions, and the substance of the rules.

The EMFA lays down requirements on various categories of stakeholders. First, the Regulation imposes a broad set of positive and negative obligations on Member States concerning public service media and the relationship between the state and the private media market. Second, the EMFA introduces EU-level rights and duties for media service providers, who are guaranteed the right to operate without undue interference. However, they are required to ensure transparency about the ownership and the amount of public funding received for state advertising. Moreover, the media service providers are mandated to introduce internal safeguards for editorial independence, which are elaborated in the Commission Recommendation.[15] Thirdly, the Regulation imposes new obligations on VLOPs regarding content posted by media service providers, requiring them to apply procedural safeguards before such content may be restricted.[16]

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14 On the use of Article 114 TFEU as a legal basis for the expansion of EU competence, see, in this issue, Christian Calliess, 'Filling the Gap in the Health Policy of the European Union (EU) – Lessons Learned from the Corona Crisis (Covid-19 Pandemic), HJIL 85 (2025), 1045-1074.

15 Commission Recommendation 2022/1634/EU of 16 September 2022 on internal safeguards for editorial independence and ownership transparency in the media sector C/2022/6536, OJ L 245, 22. September 2022, 56-65.

16 See Matteo Monti, 'The Missing Piece in the DSA Puzzle? Article 18 of the EMFA and the Media Privilege', Rivista italiana di informatica e diritto 6 (2024), 195-212.

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The Regulation establishes duties for Member States towards individuals and legal persons, public institutions, and media service providers. These duties, this comment argues, are anchored in and serve the objective of protecting EU values: fundamental rights and democracy. Owing to space constraints, the analysis engages with a selection of these obligations.

From the outset, the EMFA is framed within the values of Article 2 TEU. Its preamble is composed of 78 recitals and articulates the Regulation's normative foundations. Recital 1 uses the notion of 'independent media services', which frames media not only as economic operators within the internal market, but as institutions fulfilling a democratic function. Recital 2 understands media freedom and pluralism as 'two of the main pillars of democracy and of the rule of law' and, therefore, as essential to the functioning of the internal market for media services. The Recital further stresses that the Union must support the media sector in realising the opportunities of the internal market 'while at the same time protecting the values that are common to the Union and to its Member States, such as the protection of fundamental rights'.

Notably, the EMFA has a clear fundamental rights dimension, Enshrining in EU law the right of recipients of media services. Recital 8 introduces the notion of 'the right to a plurality of media content' produced in accordance with editorial freedom within the internal market. According to the EMFA's preamble, access to such content is a prerequisite of fostering public discourse and civic participation, and essential for cultural and linguistic diversity in the Union. Recital 14 underscores the direct impact which in particular news and current affairs content have on democratic participation and societal well-being. Accordingly, Article 3 EMFA mandates Member States to respect the right of recipients of media services, both natural persons and legal persons established in the EU, 'to have access to a plurality of editorially independent media content'. It also obliges Member States to guarantee framework conditions for the realisation of this right to 'the benefit of free and democratic discourse'.

Secondly, the EMFA invokes the value of democracy while emphasising the importance of public service media. Recital 27 highlights the public service media's essential role in upholding freedom of expression and information, providing diverse content, and serving as a forum for public debate and democratic participation. The EMFA emphasises that public service media's independence is especially crucial during electoral periods to ensure citizens' access to impartial, high-quality information. However, the Recital also acknowledges their structural vulnerability to political interference, given public service media proximity to the state and reliance on public funding. Recital 28 emphasises that the regulation of public service media across the Union is

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highly heterogeneous, with significant divergences in rules on balanced coverage, managerial appointments and dismissals, and the adequacy and stability of funding. In some Member States, the safeguards for editorial and governance independence are absent, insufficient, or ineffective in practice, and the recent reforms have, in certain cases, increased governmental control over public service media. According to the EMFA, such deficiencies heighten the risk of political interference in public service media. This undermines the access to independent and impartial media services, and consequently, negatively affects the right to freedom of expression under Article 11 of the Charter, while also distorting the competition within the internal market.

In the light of the above, the EU-level minimum standards on media regulators and public service media introduced by the EMFA must be read in light of their overarching purpose: to safeguard freedom of information and democratic standards. Because of this, Article 7 EMFA, building on Article 30 AVMSD, requires Member States to guarantee the independence of national media regulatory authorities and to provide them with adequate financial, human, and technical resources. Article 5 EMFA complements this by setting minimum standards for the governance and functioning of public service media. The EMFA requires Member States to ensure that providers of public service media operate with editorial and functional independence, and fulfil their public service remit impartially, ensuring a plurality of opinions and information available for audiences. Member States are mandated to establish clear and precise national rules governing the appointment and dismissal of persons or bodies responsible for determining or influencing the editorial strategy of public service media. Moreover, Member States must ensure transparent and objective criteria and procedures for the funding of public service media, so they can perform their public service mission defined in national law.

Thirdly, the EMFA underscores the importance of transparency in media ownership and state funding for democracy, and introduces related obligations on Member States. Recital 32 stresses that recipients of media services must know who owns and controls media outlets in order to identify potential conflicts of interest. According to the Regulation, this is an essential precondition for forming informed opinions and meaningfully participating in democratic life. In addition, the EMFA's standards on the transparency of state funding for media service providers and online platforms are, as Recital 72 explains, intended to protect the media sector from undue state influence or partial interests that could undermine the freedom to provide services and fundamental rights.

These rationales are, again, operationalised in concrete provisions. Article 6 EMFA requires Member States to establish a centralised national

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electronic database on media ownership, in which media service providers must disclose their ownership structures and the total annual amount of public funds they receive. Article 25 sets standards of transparency, objectivity, proportionality, and non-discrimination for the allocation of public funding and other state resources by Member States to media service providers and online platforms. Such funding must support media pluralism and may not bring unjustified or disproportionate advantages to particular media service providers.

A close reading of the recitals and operative provisions reveals that the Regulation introduces EU-level standards precisely because comparable safeguards are varied or lacking across Member States. In this sense, the EMFA not only identifies the structural deficiencies that endanger media freedom but also justifies the need for minimum EU standards as a means of reinforcing democracy, the rule of law and fundamental rights throughout the Union. At the same time, the EMFA's text makes explicit that the protection of media pluralism and freedom is neither separate from nor in tension with the functioning of the internal market. On the contrary: the measures aimed at safeguarding rights and values, such as insulating public service media from political influence or ensuring the fair allocation of state resources, simultaneously serve to secure effective competition in the media sector.

Not all stakeholders, however, share this logic. Hungary has brought an action for annulment against the EMFA,[17] arguing that Article 114 TFEU is an incorrect legal basis, and challenging its individual provisions.[18] In Hungary's view, media regulation falls within the exclusive competence of the Member States and cannot be harmonised under the internal market clause, given the EMFA's extensive referencing of protecting media freedom and pluralism and, consequently, EU values. Hungary argues that a directive should be considered instead of a regulation. While some commentators criticise such a broad reading of EU competences, others defend the EMFA's legal basis, arguing that the Court of Justice's established trend of interpreting Article 114 TFEU expansively is justified and consistent with safeguarding the fundamental freedoms necessary for democracy and the protection of the shared European values.[19]

17 CJEU, *Hungary v. Parliament and Council*, action brought on 10 July 2024, case no. C-486/24.

18 Hungary asks the CJEU to annul Article 2, point 3, and Article 5; Article 2, point 20, and Article 4; Article 6; Article 7; provisions relating to the European Board for Media Services; Articles 21 to 23; and Article 2, point 19, and Article 25.

19 For the doctrinal debate and arguments defending the EMFA's legal basis see Erik Longo, 'Grounding Media Freedom in the EU: The Legal Basis of the EMFA, Rivista italiana di informatica e diritto 7 (2024), 111-124.

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III. EMFA as a New Leverage for Protecting EU Values

Indeed, the EMFA is a part of a broader effort to equip the Union with tools to prevent and address violations of EU values within the Member States. Going further, I suggest that, by adopting the Regulation, the EU institutions have signalled their readiness to intervene where the national systems fail to effectively uphold Union values. However, if the EU institutions do not assume this role, it may instead be carried out from below by natural and legal persons bringing their cases to national courts and through preliminary references to the CJEU.

The manner and pace with which the EU institutions have used the existing mechanisms to enforce compliance with Article 2 TEU in Member States have long been the subject of extensive scholarly criticism.[20] The Commission is infamously reluctant to use the EU law infringements procedure against those Member States that do not fulfil the obligations arising from EU law.[21] Such a reluctance gains additional significance when viewed against the Commission's response to media-freedom and pluralism crises in rule-of-law backsliding Member States. In Hungary, for example, despite fifteen years of well-documented media-freedom and pluralism crisis, the Commission has initiated only a single media-related EU law infringement action (Article 258 TFEU). In 2023, the Commission brought Hungary before the CJEU in a case concerning the refusal by the Media Council of Hungary to renew Klubrádió's right to use radio frequencies.[22] According to the Commission, Hungary had breached the EU law by denying the extension on procedural grounds that were not applied in a non-discriminatory and proportionate manner. The Commission raised that, in doing so, Hungary had violated the provisions of EU electronic communications law and Article 11 of the EU Charter.

Against this backdrop of the Commission's limited legal response to the media freedom and pluralism crises in Member States, the EMFA provides a broad and enforceable legal basis for infringement actions across several areas. Since the EMFA's entry into force, a 'low-hanging fruit' for Commission enforcement consists of infringement proceedings under Article 7 EMFA and

20 Armin von Bogdandy and Michael Ioannidis, 'Systemic Deficiency in the Rule of Law: What It Is, What Has Been Done, What Can Be Done', CML Rev. 51 (2014), 59-96.

21 R. Daniel Kelemen and Tommaso Pavone, 'Where Have the Guardians Gone? Law Enforcement and the Politics of Supranational Forbearance in the European Union', Wld. Pol. 75 (2023), 779-825.

22 CJEU, *Commission v. Hungary (Right to provide media services in a radio frequency)*, Opinion of Advocate General Rantos delivered on 3 April 2025, case no. C-92/23, ECLI:EU:C:2025:233.

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Article 30 AVMSD against Member States whose media regulators lack functional independence. In several countries, such as Hungary, Poland, Italy, Slovakia, and Greece, political interference is evident in appointment procedures and in the substantive decision-making of media regulatory bodies.[23] Moreover, the Commission has a clear legal basis under Article 5 EMFA to initiate infringement actions against several Member States, such as Greece, Italy, Hungary, Slovakia, and Malta, that fail to ensure that public service media operate with editorial and functional independence and fulfil their remit impartially.

In December 2025, the European Commission initiated infringement proceedings against Hungary, alleging breaches of multiple obligations under the EMFA and the DSA. In its assessment under the EMFA, the Commission concluded that Hungary permits undue interference in the work of journalists and media outlets, notably through restrictions affecting their economic activities and editorial freedom. The Commission further found that Hungarian law fails to ensure adequate protection of journalistic sources and confidential communications, and does not provide effective judicial remedies where these rights are violated. In addition, the Commission identified noncompliance with EMFA requirements concerning public service media, transparency of media ownership, the assessment of media market concentrations, and the allocation of state advertising. The infringement proceedings also encompass alleged failures to comply with obligations relating to national media regulatory authorities under the AVMSD.[24]

This infringement action illustrates the synergies between existing EU media regulation and the EMFA and provides initial confirmation of the argument advanced in this comment, namely that EU institutions intend to make active use of the EMFA. For the time being, enforcement appears to be directed at the most glaring example of a Member State undergoing democratic backsliding within the EU. This is so notwithstanding the fact that other Member States score even lower than Hungary in media freedom rankings, most notably Greece, which has been identified as the worst performer in the Union.

Whether the EMFA will enable the Commission to address systemic media-freedom problems in the Member States ultimately depends on political factors, including the Commission's willingness to make full use of its enforcement powers and reaction of Member States governments. Still,

23 See the Annual Rule of Law Report 2025.

24 'Commission calls on Hungary to comply with European Media Freedom Act and Audiovisual Media Services Directive', European Commission, 11 December 2025, <https://digital-strategy.ec.europa.eu/en/news/commission-calls-hungary-comply-european-media-freedom-act-and-audiovisual-media-services-directive>, last access 22 December 2025.

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individuals and legal persons bringing actions before national courts, and those courts submitting preliminary references, may lead the CJEU to clarify the scope and application of the EMFA within the Member States. The first preliminary reference concerning provisions of the EMFA has been submitted to the CJEU by the Budapest Metropolitan Court on 9 December 2024 in *Orbán v. Editorial Board of 24.hu*.[25] The question was asked in the context of a defamation dispute initiated by the Hungarian Prime Minister against the online news portal 24.hu.[26] The dispute arose after the portal republished information originally disseminated by a media outlet based in another EU Member State. The preliminary reference concerns the interpretation of Article 3 EMFA (the rights of recipients of media services) in conjunction with Article 11 of the EU Charter (media freedom and pluralism). The Budapest court asked the CJEU whether a news media outlet in one EU Member State may refer to or report on media content published in another Member State, without being required to prove the truthfulness of that content, and whether imposing such a burden in national law is against EU law. This example indicates that even if the Commission under enforces the EMFA, the precise scope of the Regulation will be clarified through judicial dialogue between national courts and the CJEU.

The alignment of national legal frameworks with the EMFA varies considerably across the Union. The 2025 Annual Rule of Law Report presents a mixed assessment of the EMFA's immediate impact. Most Member States are still in the process of reviewing national legislation or drafting new national rules to implement the EMFA standards in specific areas. Comprehensive media law reforms are currently underway in several Member States.[27] There has been no progress recorded regarding media ecosystem improvements in Hungary. Notably, the EMFA in itself has not prevented some Member States from deteriorating in media freedom and pluralism. In Slovakia, for example, the measures adopted in 2024 contributed to the politicisation of public service broadcasting and a regression in its overall independence.[28] In 2025, concerns arose regarding the independence of the public service broadcaster in Lithuania following a legislative amendment that made it easier to

25 CJEU, *Viktor Orbán v. Editorial board of 24.hu*, case no. C-843/24.

26 CJEU, *Orbán v. 24.hu* (n. 25).

27 Bulgaria, Croatia, Estonia, Finland, France, Ireland, Luxembourg, Latvia, Malta, the Netherlands, Poland, Romania, Slovakia, Slovenia, and Spain.

28 'Slovakia: Media Capture Deepens as Government Tightens Grip on Public and Private Media', International Press Institute, 26 June 2025, <https://ipi.media/slovakia-media-capture-deepens-as-government-tightens-grip-on-public-and-private-media/>, last access 22 December 2025.

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remove the Director General of Lithuanian National Radio and Television (LRT).[29]

The introduction of the EMFA has also reinvigorated political tensions around media ecosystem reforms. For example, the government of Italy proposed a reform of appointments to the public broadcaster RAI governing board, which was criticised by constitutional scholars for the retained political control over the process.[30] In France, a heated debate is under way over the centralisation of public service media into a single entity, France Médias. Moreover, the opposition parties in several member states decry the established system of public service media for alleged bias. In France, the far-right the National Rally has advocated the privatisation of public broadcasting.[31] Similarly, the far-right party AfD in Germany has called for the abolition of public broadcasting, describing it as an instrument of an alleged 'indoctrination and propaganda'.[32] These examples indicate that compliance with the EMFA across national legal and regulatory frameworks may be uneven and partial, making robust EU-level enforcement of the Regulation all the more necessary.

IV. EMFA's Promise Is to Be Tested

The EMFA is a significant development in EU media regulation. It pursues a dual objective: on the one hand, advancing the integration of the internal market for media services, and on the other, safeguarding the Union's values in Member States through improved protection of media freedom and pluralism. These two rationales of the EMFA are mutually reinforcing. Provisions grounded in rights and values are intended to improve the functioning of the

29 'Lithuania: IPI Warns Over increasing Pressure on Independent Public Service Broadcasting', International Press Institute, 17 December 20205, <https://ipi.media/lithuania-ipi-warns-over-increasing-pressure-on-independent-public-service-broadcasting/>, last access 22 December 2025.

30 The provisions of the bill of 17 September 2025, adopted by the Senate's VIII Standing Committee has drawn criticism from constitutional law scholars in Italy, see: 'Una riforma della Rai che non rispetta né il Freedom Act né la Costituzione. Il pensiero di alcuni costituzionalisti. FIRMA L'APPELLO', Articolo 21, 29 September 2025, <https://www.articolo21.org/2025/09/una-riforma-della-rai-che-non-rispetta-ne-il-freedom-act-ne-la-costituzione-il-pensiero-di-alcuni-costituzionalisti/>, last access 2 December 2025.

31 'France: début des travaux de la commission d'enquête sur l'audiovisuel public', Radio France Internationale, 25 November 2025, <https://www.rfi.fr/fr/culture/20251124-france-d%C3%A9but-des-travaux-de-la-commission-d-enqu%C3%AAte-sur-l-audiovisuel-public>, last access on 2 December 2025.

32 Dirk Knipphals, 'Hier läuft etwas schief', TAZ.de, 20 April 2025, <https://taz.de/Debatte-ueber-Oeffentlich-Rechtliche/!6079414/>, last access 2 December 2025.

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media ecosystem as a whole, and in turn, to strengthen the single market for media services. Conversely, the existence of a robust, well-regulated market, with appropriate safeguards and requirements for media service providers, advances the EMFA's core objective of supporting media freedom and pluralism.

However, the true effectiveness of the EMFA remains uncertain as yet. A major challenge lies in ensuring consistent implementation of the Regulation, as uneven compliance risks entrenching existing disparities in media freedom and pluralism between Member States. Without strong oversight and political will of the EU institutions, particularly the Commission, the regulation's transformative potential could be weakened. Nonetheless, by establishing enforceable and directly applicable EU-level standards regarding media ecosystem, the EMFA holds the promise of improving prosperity and reinforcing the normative foundations of European democracy.

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