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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council
Subject: Regulation on the European Media Freedom Act
- *Policy debate*

Following the consultation of the Audiovisual and Media Working Party, the Presidency has prepared the attached background paper, which is submitted as the basis for the policy debate to take place at the Education, Youth, Culture and Sport Council meeting on 15-16 May 2023.

Ministerial policy debate at the EYCS Council**(Culture, Audiovisual and Media)****The European Media Freedom Act (EMFA)****Brussels, 16 May 2023**

The topic for the ministerial policy debate that will take place during the Culture, Audiovisual and Media session of the EYCS Council (Brussels, 16 May 2023) will be the proposal for a European Media Freedom Act (EMFA)¹.

The progress report² on the state of preparations of the Council position on the EMFA provides delegations with the Presidency's assessment of how our internal negotiations have evolved so far. It also provides a starting point for the ministerial policy debate which seeks guidance from Ministers on the issues which will need to be resolved in order to establish a Coreper mandate.

The unique role of independent media services for the provision of a plurality of views and reliable sources of information to citizens and businesses is an important starting point for any discussion on the EMFA. The Presidency would like to invite Ministers to share their views on how the EMFA, with the proposed amendments that we have been examining so far in our preparatory discussions, could contribute to a better functioning of the internal market for media services in the EU. This could include considerations on how media freedom and editorial independence could be strengthened in the Union, while respecting Member States' competences.

¹ Doc. 12413/22

² Doc. 8679/23

In this perspective, the Presidency proposes the following questions to inspire interventions.

1. What parts of the proposal are most important to strengthen the media sector and to help the media and journalists exercise their activities independently?
2. Can the proposal complement the new regulatory framework for digital markets and services in a way that creates a better balance between new online services and the content-producing media sector? Provisions to consider could include, but would not be limited to, the requirements imposed on platforms to give extra consideration to media content or customisation of audiovisual offers.
3. From your perspective, which is the most important issue that remains to be resolved before an overall agreement can be reached within Council?

Ministers are invited to address these questions as appropriate, and/or raise other issues related to the EMFA that they would like to share. Ministers are invited to keep their interventions to a maximum of a 3 minutes.
