

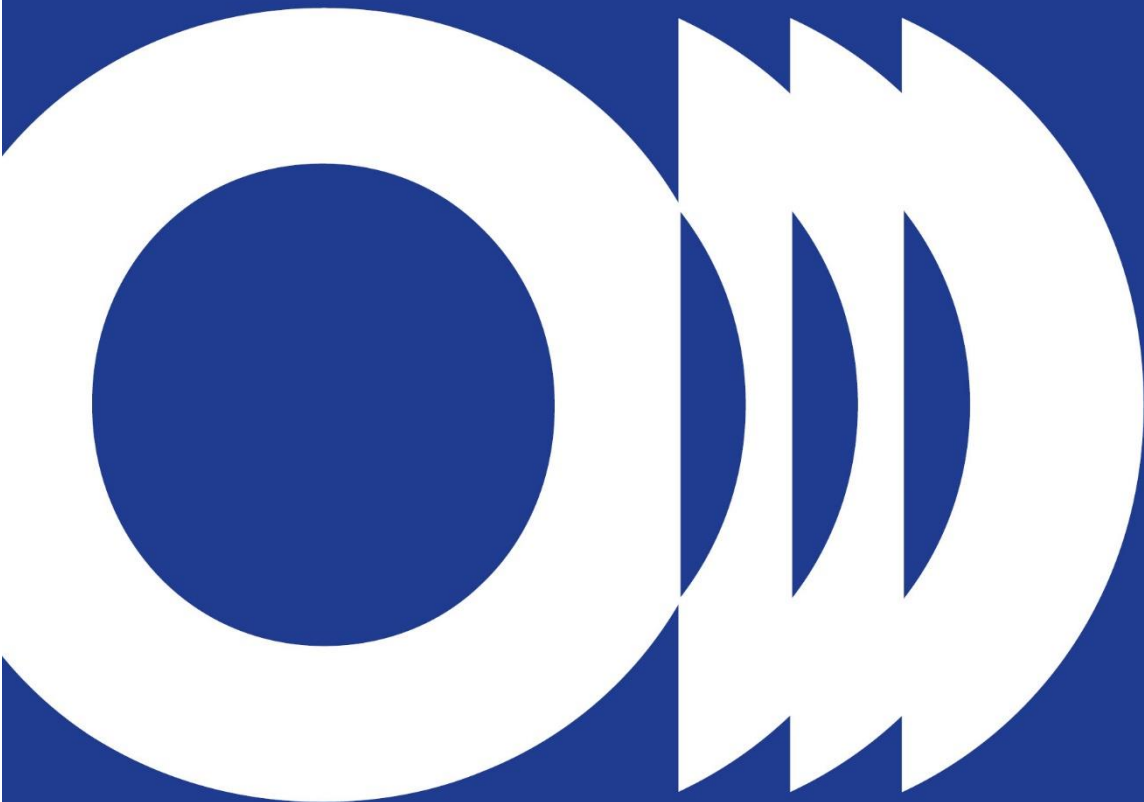
# EBU

OPERATING EUROVISION AND EURORADIO

## POSITION PAPER

The EBU contributes to the European Commission's 2025 annual Rule of Law report

23 JANUARY 2025



Brussels, 23 January 2025

## **EBU's Contribution to the 2025 Rule of Law Report -Targeted Consultation**

The [European Broadcasting Union \(EBU\)](#) is the world's leading alliance of public service media (PSM). In the field of broadcasting, one of the EBU purposes consists of safeguarding and improving freedom of expression and information, which is one of the essential foundations of a democratic society. In this regard, the EBU welcomes the opportunity to contribute to the targeted consultation on the 2025 Rule of Law Report.

2025 will be a landmark year for media freedom in the European Union. On 8 August 2025, EU Member States will have to apply with most of the provisions of the European Media Freedom Act (EMFA), including Article 5 on safeguards for the independent functioning of public service media providers. On the issue of 'Safeguards against state / political interference' under the 'Media pluralism and media freedom' pillar, the European Commission's assessment should focus on each EU Member State's progress in implementing Article 5 of the EMFA. It is essential that the recommendations accompanying the Country chapters are tailored to the situation of each EU Member State. They should highlight the legal and technical gaps that need to be addressed in order to correctly implement Article 5 EMFA in a timely manner. The 2025 Rule of Law Report will then have the opportunity to play its preventive role by facilitating early solutions and preventing the situation of PSM in EU Member States from deteriorating.

Regarding the framework for the protection of journalists, the 2024 Media Pluralism Monitor underlined that *"attacks targeting journalists in the online environment have risen continuously. Physical attacks also persist, often as a consequence of online threats or intimidation shared in public by political actors"*<sup>1</sup>. In the context of country visits and dialogues with Member States, the European Commission should raise awareness on the provisions on the online safety of women journalists and other media professionals set out in Directive (EU) 2024/1385 on Combatting Violence against Women and Domestic Violence. This would pave the way for the timely transposition by EU Member States of this important legal instrument in the European Union.

We also remain concerned about the use of intrusive surveillance tools against journalists and other media professionals by some EU Member States. We appreciate that previous Rule of Law Reports have addressed developments in the functioning of national checks and balances in response to allegations of illegal use of spyware. Now that the Venice Commission of the Council of Europe has published its recent [Report on Rule of Law and Human Rights Compliant Regulation of Spyware](#), the European Commission could more systematically and comprehensively assess whether minimum safeguards are in place in Member States and develop tailored recommendations to accompany the Country chapters of the 2025 Rule of Law Report.

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<sup>1</sup> See [2024 Media Pluralism Monitor](#), p. 177