

RECOMMENDATIONS

COMMISSION RECOMMENDATION (EU) 2022/1634

of 16 September 2022

on internal safeguards for editorial independence and ownership transparency in the media sector

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,

Whereas:

- (1) Independent media services play a unique role in the internal market. They represent a fast-changing and economically important sector and at the same time provide access to a plurality of views and reliable sources of information to citizens and businesses alike, thereby fulfilling the general interest function of ‘public watchdog’.
- (2) Media services play a crucial role in democratic societies as they provide information which is a public good. To fulfil such an essential societal role and to thrive on the market, media service providers need to be able to provide their services freely and independently in a market that is open and transparent, and that allows for a plurality of media actors and views.
- (3) Media service providers enjoy not only protection under the Union rules governing the internal market but also under Article 11 of the Charter of Fundamental Rights of the European Union (‘the Charter’) as they are important for the enjoyment of the right to freedom of expression and information. Article 11 of the Charter also provides that the freedom and pluralism of media shall be respected and that the right to freedom of expression includes freedom to receive and impart information without interference by public authority and regardless of frontiers of Member States. Moreover, the proper functioning of the internal market for media services has a direct impact on the rule of law and on democracy, which are fundamental Union values enshrined in Article 2 of the Treaty on European Union.
- (4) The loss of advertising revenues over the last decade, due in particular to the rise of online distribution of media content and change of consumption habits, has drained financial resources from the traditional media sector affecting its sustainability, and in turn the quality and diversity of content on offer. This trend indicates how the market is failing to provide sustainable returns for independent news and quality journalism, which are public goods, and help counter disinformation.
- (5) As outlined in the European democracy action plan ⁽¹⁾, the Commission has put forward a series of initiatives in order to support media freedom and pluralism. It adopted a Recommendation on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union ⁽²⁾. It has also presented a proposal for a Directive ⁽³⁾ and a Recommendation ⁽⁴⁾ on protecting persons who engage in public participation

⁽¹⁾ 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).

⁽²⁾ Commission Recommendation (EU) 2021/1534 of 16 September 2021 on ensuring the protection, safety and empowerment of journalists and other media professionals in the European Union (OJ L 331, 20.9.2021, p. 8).

⁽³⁾ Proposal for a Directive of the European Parliament and of the Council on protecting persons who engage in public participation from manifestly unfounded or abusive court proceedings (‘Strategic lawsuits against public participation’) (COM(2022) 177 final).

⁽⁴⁾ Commission Recommendation (EU) 2022/758 of 27 April 2022 on protecting journalists and human rights defenders who engage in public participation from manifestly unfounded or abusive court proceedings (‘Strategic lawsuits against public participation’) (OJ L 138, 17.5.2022, p. 30).

from manifestly unfounded or abusive court proceedings ('Strategic lawsuits against public participation'). Furthermore, the Commission has implemented several actions to support the recovery and transformation of the media and audiovisual sector, as part of the media and audiovisual action plan ⁽⁵⁾. The Commission also closely monitors the transposition and implementation of important pieces of legislation for the media sector, in particular the Audiovisual Media Services Directive ⁽⁶⁾ and the Copyright Directive ⁽⁷⁾.

- (6) The Commission has put forward a legislative proposal for a Regulation establishing a common framework for media services in the internal market (European Media Freedom Act). That proposal foresees a series of safeguards in Union law in order to protect media pluralism and editorial independence in the internal market. This Recommendation accompanies the proposed Regulation as a tool with immediate effect to foster editorial independence and media ownership transparency.
- (7) At the same time, complementary to legislation and as underlined in the European democracy action plan, the Commission has been actively supporting self-regulatory initiatives by the media sector itself. This Recommendation is part of these efforts.
- (8) The media industry has a long-standing tradition of self-regulation and has taken a number of initiatives in the field. Building on those initiatives and taking into account the diversity of legal traditions and approaches in the Member States, voluntary practices can be identified that could be followed by media service providers to improve their resilience and better withstand political and economic pressure. The sector could engage in a discussion on such voluntary practices while leaving it for the media service providers to decide freely which practices can fit into their individual needs and business models, particularly taking into account the specific needs of micro, small and medium-sized enterprises within the meaning of Article 3 of Directive 2013/34/EU of the European Parliament and of the Council ⁽⁸⁾.
- (9) Citizens need to be able to trust the information they receive in order to exercise their democratic rights. They need to have access to a plurality of views and reliable sources of information in order to form their own opinions and contribute to the democratic processes. Access to trustworthy information is equally important for businesses to be able to take informed decisions.
- (10) European media service providers are increasingly subject to undue interference in the individual editorial decisions, including from private owners and shareholders, with adverse effects on editorial freedom, capacity to provide independent news and thus the availability of trustworthy information for media audiences. The 2022 Media Pluralism Monitor shows a high risk of undue commercial and owner influence in several Member States ⁽⁹⁾. In the digital age, because of the increased possibility to easily access information provided by media service providers established in other Member States, it is essential to foster good practices at EU level to ensure that Union citizens and businesses receive independent and diverse news and current affairs content to form their views and make informed choices, contributing to a public sphere in the internal market.

⁽⁵⁾ Communication from the Commission to the European Parliament, the Council, the European economic and social Committee and the Committee of the Regions – Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation (COM (2020) 784 final).

⁽⁶⁾ Directive (EU) 2018/1808 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 (OJ L 303, 28.11.2018, p. 69).

⁽⁷⁾ Directive (EU) 2019/790 of the European Parliament and the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC (OJ L 130, 17.5.2019, p. 92).

⁽⁸⁾ Directive 2013/34/EU of the European Parliament and of the Council of 26 June 2013 on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, amending Directive 2006/43/EC of the European Parliament and of the Council and repealing Council Directives 78/660/EEC and 83/349/EEC (OJ L 182, 29.6.2013, p. 19).

⁽⁹⁾ Media Pluralism Monitor (2022) full report, p. 67.

- (11) Editorial independence shields editors and journalists from conflicts of interest and helps them to resist undue interference and pressure. Therefore, it is a prerequisite for the production and circulation of unbiased information and an essential facet of media freedom. It enables the provision and reception of independent and pluralistic media services by citizens and businesses across the Union. This is particularly relevant for media service providers providing news and current affairs content, irrespective of its format (including documentaries or magazines covering such issues). Therefore, the recommendations relating to voluntary measures on editorial independence are addressed to such providers.
- (12) In this context, some media service providers have already put in place corporate governance measures, standards or mechanisms, such as editorial charters or codes or committees of ethics to protect editorial independence. In some news outlets, journalists have a say on the selection of their editor-in-chief or even on media ownership changes. In certain media companies, journalists have the status of shareholders, and can participate in the strategic decision-making and in the division of the economic gains. In a few Member States, some of those corporate measures are legally required for specific types of media service providers ⁽¹⁰⁾. Those and other examples of safeguards should be used as sources of inspiration for voluntary measures and a basis for continuing stakeholder-led discussions on how to improve the protection of editorial independence.
- (13) While it is legitimate for private media owners to choose and decide the long-term editorial direction, it is important to ensure that editors can cover independently news and current affairs in their daily work. Indeed, editors should base individual editorial decisions on the journalistic research and assessment and on the relevance of the information for the readers; they should also be able to freely express critical views without fear of retribution. There is a need for a balanced industry-led approach, with a view to fostering editorial independence, while recognising the legitimate rights and interests of private owners of media service providers from the perspective of both business freedom and their own freedom of expression.
- (14) Media self-regulation and standards of journalistic ethics are effective tools to empower journalists and help them to resist undue pressure, including of a political and commercial nature, thus enhancing public trust in the media ⁽¹¹⁾. However, the application of journalistic standards across the Union can be improved. The 2022 Media Pluralism Monitor points to the deficiencies in the effective implementation of self-regulation ⁽¹²⁾.
- (15) Moreover, as identified by the Union-funded project 'Media Councils in the Digital Age', media or press councils operate in only over half of Member States ⁽¹³⁾. In those Member States, they differ with regard to their size, scope of activities as well as type of legal identity or recognition under national law, which can have a bearing on their effective role. In those Member States where media or press councils are not yet established, representatives of the media community often lack incentives to develop them.
- (16) This Recommendation proposes to media service providers a non-exhaustive and non-cumulative catalogue of voluntary measures and strategies with a view to guaranteeing the independent process of news content production. The recommended measures concern key elements of that process, starting from the conditions for independent creation of editorial content, through empowering journalists to participate in crucial decisions for the functioning of media outlets, to strategies for ensuring long-term stability of news content production.
- (17) Nothing in this Recommendation, which by definition is non-binding, should be interpreted as affecting the freedom to provide services in the internal market or the freedom of expression and information, including freedom of the press, or interfering in editorial freedom or freedom to conduct business. The internal safeguards should in no way

⁽¹⁰⁾ For instance in France, Law No 2016-1524 (so-called 'Loi Bloche'), and in Portugal, Law No 1/99 of 13 January.

⁽¹¹⁾ Recommendation CM/Rec(2018)1 of the Committee of Ministers to member States on media pluralism and transparency of media ownership.

⁽¹²⁾ Media Pluralism Monitor (2022) (full report), p. 82.

⁽¹³⁾ R.A. Harder and P. Knapen, Media Councils in the Digital Age: An inquiry into the practices of media self-regulatory bodies in the media landscape today, vzw Vereniging van de Raad voor de Journalistiek, Brussels, 2021.

be considered as depriving media owners of their role in setting strategic goals and fostering the growth and financial viability of their companies. In addition, the leading role played by media service providers and journalists in developing internal safeguards and self-regulatory instruments should be recognised.

- (18) This Recommendation is based on exchanges with concerned stakeholders, notably journalists, media companies and their associations. It builds on the discussions at the European News Media Forum ⁽¹⁴⁾, in particular the second edition held on 29 November 2021, which discussed the media sector's industrial transformation and related challenges ⁽¹⁵⁾. It also takes account of the existing industry initiatives, including the Journalism Trust Initiative (JTI) by Reporters without Borders and its partners, which aim to foster a healthier information space supported by industry standards.
- (19) The recommended measures build on initiatives that test new business models and collaborations, such as those financed under the journalism partnerships action supported by the Creative Europe programme ⁽¹⁶⁾. They also build on the financial support schemes and priorities outlined in the Media and audiovisual action plan, as part of EU-level efforts to support an industrial ecosystem for news media. Furthermore, certain media service providers have resorted to governance structures where non-profit entities, such as trusts or foundations, hold the entirety or a part of their capital and, in some cases, have an important role in appointing the management boards and the editors-in-chief, which are considered to serve to preserve the editorial independence of the provider in a long term. Other governance mechanisms with similar goals include journalistic shareholdership arrangements where members of the editorial staff or their representative bodies control part of the shares or have the power to refuse the entry of a new controlling shareholder that may affect editorial independence. Based on this, the recommended measures reference possible approaches that media service providers may consider to increase their sustainability, and thus resilience to political and market pressures, noting that they remain best placed, as economic operators, to develop the business models that fit their objectives and capacities, according to the market segments they target.
- (20) This Recommendation also aims to further promote media ownership transparency across the Union. Currently, international standards ⁽¹⁷⁾ and Union media legislation encourage Member States to adopt sector-specific measures to increase media ownership transparency. In particular, Article 5(2) of the Directive 2010/13/EU of the European Parliament and of the Council ⁽¹⁸⁾ recognises that Member States may require media service providers under their jurisdiction to make accessible information concerning their ownership structure, including information on their beneficial owners, consistent with the general rules on beneficial ownership transparency set out in Directive (EU) 2015/849 of the European Parliament and of the Council ⁽¹⁹⁾. The 2018 Council of Europe Recommendation on media pluralism and transparency of media ownership calls on member States to put in place frameworks for the disclosure of accurate and up-to-date information concerning direct and beneficial media ownership. Moreover, the Commission is co-financing the development of the Euromedia Ownership Monitor, which aims to design a searchable and scalable database to provide free and user-friendly information about media ownership across the Union.

⁽¹⁴⁾ The European News Media Forum was set up by the Commission under the Media and audiovisual action plan to strengthen cooperation with stakeholders on media-related issues.

⁽¹⁵⁾ See the recordings and summary of the event: <https://digital-strategy.ec.europa.eu/en/library/european-news-media-forum-industrial-transformation-glance>

⁽¹⁶⁾ Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013 (OJ L 189, 28.5.2021, p. 34).

⁽¹⁷⁾ Recommendation CM/Rec(2018)1 of the Committee of Ministers to member States on media pluralism and transparency of media ownership.

⁽¹⁸⁾ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 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) (OJ L 95, 15.4.2010, p. 1).

⁽¹⁹⁾ Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC (OJ L 141, 5.6.2015, p. 73).

- (21) Measures enhancing media ownership transparency vis-à-vis the general public would be important in light of the specific nature of media services as a public good ⁽²⁰⁾. Since media have a role in reporting on and holding to account political and economic interests, media ownership transparency is a necessary component of any ecosystem aiming at fostering investigative journalism, media diversity and public confidence in media reporting. The lack of media-specific transparency information has been flagged by stakeholders in the consultations carried out in the context of the preparation of this Recommendation.
- (22) It follows from the above that a comprehensive approach to media ownership transparency is appropriate. It would promote availability of information on media ownership (or its exercise) by the government, a state institution, state-owned enterprise or other public body, on the interests, links or activities of owners in other media or non-media businesses as well as any other interests that could influence the strategic decision-making of the media company or its editorial line. It is also appropriate to recommend publication of information on any changes to ownership or control over media, reflecting the importance of up-to-date information concerning the ownership structure for service recipients. The recommended approach should be adjusted depending on the type of media outlet and the nature of its ownership. In particular, in the case of journalist-owned media outlets, only information on the owners with a leadership role, for example, members of the board of directors, should be made available.
- (23) Consequently, this Recommendation seeks to promote high levels of media ownership transparency across the Union through voluntary actions that could be taken both directly by media service providers as well as by the Member States, without prejudice to the Union-level horizontal ownership transparency rules under Directive (EU) 2015/849 and the disclosure rules for companies under Directive (EU) 2017/1132 of the European Parliament and of the Council ⁽²¹⁾, as well as the existing Union-level systems of interconnection of registers.
- (24) In order to foster the follow-up on this Recommendation, the Commission will facilitate a regular dialogue with Member States and the representatives of media service providers and journalists in the relevant fora, in particular the European News Media Forum. The Commission will closely monitor actions taken by Member States and follow relevant measures taken by media service providers under the Recommendation. For this purpose, Member States should be invited to provide the Commission with the relevant information they can reasonably be expected to supply, to allow the Commission to monitor compliance with the relevant parts of the Recommendation addressed to them. The findings of the monitoring can feed into the stakeholder-led discussions,

HAS ADOPTED THIS RECOMMENDATION:

SECTION I

Purpose of the Recommendation

- (1) Without prejudice to existing and future Union rules, this Recommendation:
- (a) proposes to media service providers providing news and current affairs content a non-exhaustive catalogue of voluntary measures for potential uptake with a view to guaranteeing the independence of their individual editorial decisions;
 - (b) encourages media service providers and Member States to take actions to promote media ownership transparency in the internal market.

⁽²⁰⁾ See Council of Europe: 'transparency of media ownership can help to make media pluralism effective by bringing ownership structures behind the media – *which can influence editorial policies* – to the awareness of the public and regulatory authorities', preamble of Recommendation CM/Rec(2018)1 of the Committee of Ministers to member States on media pluralism and transparency of media ownership. See also European Audiovisual Observatory: 'The transparency of media ownership can stabilise and promote confidence that this power will not be abused for subversively advancing the respective owners' own political, economic and societal interests but instead used to *promote the common good*, namely, to carry out media-related fact checks', see M. Cappello (ed.), *Transparency of media ownership*, IRIS Special, European Audiovisual Observatory, Strasbourg, 2021.

⁽²¹⁾ Directive (EU) 2017/1132 of the European Parliament and of the Council of 14 June 2017 relating to certain aspects of company law (OJ L 169, 30.6.2017, p. 46).

SECTION II

Internal safeguards for editorial independence

- (2) When taking measures with a view to guaranteeing the independence of individual editorial decisions, media service providers are encouraged to give consideration to the catalogue below.
- (3) This catalogue serves as a source of inspiration for the media service providers. The potential choice of safeguards should be guided by their practicability and proportionality, taking into account the size of media service providers and the nature of the media services provided.
- (4) Media service providers are also encouraged to adhere to self-regulatory schemes and journalistic and media industry initiatives promoting editorial standards and standards of trustworthy and ethical journalism.

Safeguards to ensure the independence and integrity of editors

- (5) Media service providers are encouraged to lay down internal rules to protect editorial integrity and independence from undue political and business interests which may affect individual editorial decisions. Where such internal rules exist, it is encouraged that they are fully recognised and endorsed by the owners and management of the media company.
- (6) Such internal rules could be collected in charters, codes or other editorial guidelines and policy documents, which media service providers are encouraged to make publicly available and accessible, to the extent possible, also to persons with disabilities, on their websites.

Editorial integrity

- (7) The internal rules of media service providers referred to in point 5 could cover the following aspects:
 - (a) rules ensuring the integrity of the editorial content (concerning the production of content), including, for example, an editorial mission statement, policies to foster a diverse and inclusive composition of newsrooms, or policies on responsible use of sources;
 - (b) rules aimed to prevent or disclose conflicts of interest, including in particular requirements to inform the public about any business or professional links between the owners or entities in the ownership structure of or having a stake in the given media service provider and entities or individuals mentioned in its editorial content;
 - (c) policies on corrections, including complaint mechanisms;
 - (d) rules ensuring the separation between commercial and editorial activities, including, for example, requirements to ensure that the editorial content is separated and clearly distinguishable from advertising and promotional content.

Editorial independence

- (8) Media service providers are encouraged to establish mechanisms enabling members of the editorial staff to protect their editorial independence against any form of undue interference. Such mechanisms could include:
 - (a) by way of complement to the obligations laid down in national rules implementing Directive (EU) 2019/1937 of the European Parliament and of the Council ⁽²²⁾, procedures to signal any pressure they might be exposed to; they could provide options for anonymous or confidential signalling of instances of pressure;

⁽²²⁾ Directive (EU) 2019/1937 of the European Parliament and of the Council of 23 October 2019 on the protection of persons who report breaches of Union law (OJ L 305, 26.11.2019, p. 17).

- (b) a right of opposition enabling members of the editorial staff to refuse to sign articles or other editorial content which have been modified without their knowledge or against their will;
- (c) conscience clauses protecting against disciplinary sanctions or arbitrary dismissals of the members of editorial staff who refuse assignments that they consider to be against professional standards;
- (d) without prejudice to the rights and obligations laid down in labour law or other protective rules, the right for members of the editorial staff who believe that an ownership change regarding the media service provider may affect their editorial integrity and independence to leave that provider and retain all the benefits that apply in respect of time spent at the media outlet.

Internal bodies or structures

- (9) In order to support the implementation of policies or internal rules on editorial integrity and independence, media service providers are encouraged to set up appropriate internal independent bodies or structures that could include:
 - (a) ethics or supervisory committees, in charge of overseeing the correct implementation of charters, codes or other editorial guidelines and policy documents adopted within the media service provider, and ombudspersons responsible for ensuring compliance with the editorial integrity rules. Those bodies could receive complaints on possible violations of the policies and rules and seek to address them, for example through mediation;
 - (b) newsroom councils, editorial boards, or other bodies functioning as professional representation groups of the editorial staff in the media and as points of contact and dialogue between the management and the journalists and other media professionals. Their members could be elected by the journalists and other media professionals within the media service provider. Particularly, they could seek to ensure that the rights set forth in charters, codes or other editorial guidelines and policy documents adopted within the provider are effectively enjoyed by the journalists and other media professionals. They could also endeavour to ensure compliance with ethical principles;
 - (c) journalistic directors, appointed to the executive committees and responsible for ensuring that the policies of the media service provider respect the principles of independent journalism and freedom of the press;
 - (d) boards responsible for appointing the editor-in-chief and protecting his or her autonomy and independence;
 - (e) consultation or mediation committees, composed of representatives of the editorial staff and of the management or owners, to resolve conflicts between members of the editorial staff and members of the management or owners.
- (10) The rules governing the functioning of those bodies and structures, where they exist, as well as information on their activities, should, to the appropriate extent, be publicly available and accessible, to the extent possible, also to persons with disabilities.

Safeguards to promote the participation of journalists in decision-making of media companies

- (11) Media service providers are encouraged to foster the involvement of members of the editorial staff or their representative bodies in governance and decision-making processes. Such involvement could take the form of information rights, consultation rights, participation rights, or a combination thereof; this shall not affect Article 16 of the Charter.
- (12) Information rights could be envisaged particularly in the following cases:
 - (a) when owners or management of the media service provider decide to change the editor-in-chief;
 - (b) when the composition of the management board changes;

- (c) in cases of major changes concerning the legal form or the ownership of the media service provider, liquidation procedures or other structural changes.

(13) Media service providers are encouraged to ensure that members of the editorial staff or their representative bodies are consulted on the appointment of the editor-in-chief. The management and the editorial staff are encouraged to agree upon the applicable consultation procedure.

(14) Where compatible with the applicable national rules compliant with Union law, members of the editorial staff could be given the possibility to participate in the management of the media service provider by electing one or more representatives in the managing board.

Safeguards to improve the sustainability of media service providers and long-term investment in content production

(15) Media service providers are encouraged to promote the sharing of knowledge and to exchange best practices in the relevant forums with the goal of developing strategies to increase their long-term sustainability and resilience. The Commission will facilitate such a dialogue within the European News Media Forum.

(16) Discussions so far have indicated that relevant innovative actions could be explored in several areas, including:

- (a) business models that enable to effectively adapt to new consumption habits, including subscription-based schemes, reader-based schemes, crowdfunding or other new monetisation strategies that have proven successful in increasing revenues;
- (b) technological solutions instrumental in boosting engagement, including transparent algorithms used to improve content recommendations and adapt paywalls;
- (c) approaches aimed at retaining and increasing audiences, notably by proposing new formats, developing audience-listening and community building tools, as well as harnessing of data to better understand audience preferences and behaviour, which in turn enables targeting and diversification strategies;
- (d) corporate governance structures, including trusts or foundations, journalistic shareholdership arrangements, journalists' or readers' associations or any other structure that may help in fostering resilience of media service providers. In this context, recourse to such structures or mechanisms may be considered beneficial in preserving editorial independence and promoting quality journalism;
- (e) strategies or commitments to re-invest revenues or profits generated with a view to strengthen long-term investment in media content, digitalisation and independent journalism, in light of the increasing need to keep pace with innovations in the attention economy.

(17) Media service providers are encouraged to develop policies ensuring transparency and fair use of donations. This could encompass, for example, the disclosure of donors making donations above a certain threshold or rules on donations from persons or entities whose donation could jeopardise the editorial independence.

(18) Media service providers are also encouraged to explore possibilities for structural cooperation, including across borders, in order to exploit the opportunities offered at the European level by the internal market and reaching further audiences. Likewise, media service providers are encouraged to explore structured partnerships, for example aimed at pooling and exploiting data and boosting their innovation capacities.

(19) Media service providers are encouraged to promote professional education and training opportunities for their journalists and other media professionals, including retraining and reskilling. This can be done in cooperation with media self-regulatory bodies, professional organisations and associations, as well as educational institutions.

SECTION III

Media ownership transparency

- (20) Media service providers are encouraged to ensure that detailed, comprehensive and up-to-date information on their ownership is easily and directly accessible to the public, including, to the extent possible, to persons with disabilities. In particular, it is recommended that media service providers ensure access to the information related to:
- (a) whether and if so to what extent their direct or beneficial ownership is held by the government, a state institution, state-owned enterprise or other public body;
 - (b) the interests, links or activities of their owners in other media or non-media businesses;
 - (c) any other interests that could influence their strategic decision-making or their editorial line;
 - (d) any changes to their ownership or control arrangements.
- (21) Member States are encouraged to take action to effectively implement the Recommendation CM/Rec(2018)1 of the Committee of Ministers to member States on media pluralism and transparency of media ownership. In particular, Member States are encouraged to entrust a relevant national regulatory authority or body with developing and maintaining a dedicated online media ownership database, containing disaggregated data about different types of media, including at regional and/or local levels, to which the public would have easy, swift and effective access free of charge, and producing regular reports on the ownership of media services under the jurisdiction of a given Member State.
- (22) Member States and their national regulatory authorities or bodies are encouraged to hold regular exchanges of best practices in the area of media ownership transparency. In particular, such exchanges should focus on identifying and promoting the most effective measures or tools to increase the transparency of media ownership and to improve administrative cooperation in this area.

SECTION IV

Monitoring and final provisions

- (23) To allow for the monitoring of the measures and actions taken to follow up on this Recommendation, Member States should – 18 months after its adoption and subsequently on request – submit to the Commission all relevant information regarding the measures and actions specified in section III.
- (24) The Commission will hold discussions on the measures and actions taken to follow up on this Recommendation with Member States and stakeholders, in particular representatives of media service providers and journalists, in relevant fora, in particular the European News Media Forum.
- (25) If necessary, the Commission will consider adopting a new Recommendation, replacing this Recommendation, taking into account the European Media Freedom Act, as adopted by the co-legislators, as well as discussions with Member States and stakeholders. For the avoidance of doubt, in the case of any overlap between the provisions of this Recommendation and the Regulation establishing a common framework for media services in the internal market (European Media Freedom Act), as finally adopted by the co-legislators, the relevant provisions of this Recommendation will cease to apply when the provisions of that Regulation become applicable.

This Recommendation is addressed to media service providers established in the Union and, as regards actions specified in Section III, also to the Member States.

Done at Brussels, 16 September 2022.

For the Commission
Thierry BRETON
Member of the Commission
