In partnership with the Trinity College School of Law, the BAI is publishing an essay on the topic of EU media regulation prepared by the top student taking the module EU Digital Single Market: Media regulation as part of the postgraduate LL.M programme in Trinity College. This initiative is designed to promote public debate about media policy and practice. The 2020 winning essay focuses on the existing rules and initiatives fostering media pluralism in the European Union. It was written by İbrahim Barış Sayar and is edited by Dr Ewa Komorek assistant professor, Trinity College.

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**A CRITICAL ANALYSIS OF THE EXISTING RULES AND INITIATIVES FOSTERING MEDIA PLURALISM IN THE EUROPEAN UNION**

**Edited by: Dr. Ewa Komorek, assistant professor, Trinity College Dublin**

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**INTRODUCTION**

It was in 1787 that Edmund Burke, the well-known Irish philosopher, described the press as the fourth estate.[[1]](#footnote-1) After more than two centuries, today’s media plays a critical role in informing individuals, shaping public opinion, and watching over practices of the legislative, executive, and judicial powers of the state.[[2]](#footnote-2) In this respect, media freedom and pluralism have been treated as among the pillars of European democracy[[3]](#footnote-3) since they are integral parts of the right to freedom of expression and information (FoEI). In the absence of a free and diverse media, the right to FoEI of individuals will diminish, the public debate will not flourish, and the democracy will not function. Arendt, the leading political theorist of the 20th century, has underlined that:

“(…) The moment the press is no longer free, or when the press is forced to reveal its sources, then anything can happen. What really makes it possible for a totalitarian or any other kind of dictatorship to rule is that the people are not informed. How can anyone have an opinion who is not informed?”[[4]](#footnote-4)

While media freedom refers to its independence from public and private control and intervention, media pluralism is related to its diversity. Unlike media freedom, the latter is not a right but a policy, consisting of various aspects such as diversity of media ownership, sources of information, types of media as well as content available to the public.[[5]](#footnote-5) Hence, there are two main aspects of media pluralism: The external aspect which refers to the structural diversity of media entities and types and the internal aspect which points out the diversity of the media content.[[6]](#footnote-6)

This study will focus on the existing rules and initiatives promoting media pluralism at the European Union (EU) level. The lack of a concrete Treaty basis for direct legislation on media pluralism compels the EU to mostly rely on soft-law instruments along with a number of hard-law instruments to tackle threats to such.[[7]](#footnote-7) While the competition law is the strongest hard-law instrument to reduce concentration in the media sector, its contribution is indirect and there are doubts that its application *per se* can guarantee media pluralism.[[8]](#footnote-8) In this paper, along with the role of the competition law in fostering media pluralism, the legal framework at the EU level, from Charter of Fundamental Rights of the EU (Charter),[[9]](#footnote-9) Audiovisual Media Services Directive (AVMSD),[[10]](#footnote-10) Media Pluralism Monitor (MPM) to European Media Initiative will be analysed. The paper, following an evolution of the latest developments in the area, will be concluded with the position of the author.

1. **AN OVERVIEW OF THE ENDEAVOR FOR THE ADOPTION OF A SPECIFIC REGULATION**

From the 1980s up to today, the European Parliament (EP) has consistently urged the EC for regulatory action on media pluralism and particularly stressed the need for restrictions on media concentration at the EU level.[[11]](#footnote-11) The initial concerns had arisen from the Italian Anomaly (or Berlusconi’s Italy)[[12]](#footnote-12) – the high-level control of the Italian media by the then-Prime Minister - against which the EC took very little direct action.[[13]](#footnote-13) However, not only the everlasting discussions on the adoption of a media concentration directive at the EU level have failed, but also the concentration in the EU media market has increased over time.[[14]](#footnote-14) From 2010 onwards, in light of the lack of a legal basis for a concrete EU intervention on media pluralism, severe threats to such have started to emerge in the other Member States, for instance, the adoption of new media rules in Hungary[[15]](#footnote-15) and Poland[[16]](#footnote-16) or the hacking scandal in the UK which led to the closure of 168-year-old News of the World tabloid.[[17]](#footnote-17)

In this context, two independent advisory bodies, namely High-Level Group on Media Freedom and Pluralism (HLGMFP)[[18]](#footnote-18) and the Centre for Media Pluralism and Media Freedom (CMPF)[[19]](#footnote-19) have been established in 2011 and tasked to carry out relevant research and provide knowledge and recommendations to the EC with respect of protection, support, and promotion of media freedom and pluralism at the EU level. In 2013, both HLGMFP[[20]](#footnote-20) and CMPF[[21]](#footnote-21) published their reports on the question as to if the EU is, or should be, considered competent to regulate in this area.

The backbone of the HLGMFP report was the indispensable character of media pluralism and freedom for European democracy.[[22]](#footnote-22) Emphasizing “there can be no genuine democracy at the EU level if media freedom and pluralism are not guaranteed throughout the European political space” and stressing the need for more EU involvement by referring to serious threats to such in the certain Member States, the report, *inter alia*, recommended the EC that the (extensive) competency of the EU for taking actions fostering media freedom and pluralism should be recognised and justified based on the latter’s strong connection with EU democracy; further harmonisation of EU legislation is necessary for the effective functioning of the Single Market; the particular role of the media pluralism has to be paid greater attention in the enforcement of competition rules and establishment of an independent monitoring centre is crucial to monitor and assess risks to media pluralism at the EU level.[[23]](#footnote-23)

On the flip side, the essential aim of the CMPF report was to study the basis, if any, of the competence of the EU to legislate on media freedom and pluralism.[[24]](#footnote-24) In this respect, by emphasizing that the EU cannot be neutral on the subject, the CMPF has made five main suggestions to the EC. First, the report underlined the importance of the implementation of the EU competition law, the aim of which in the media market is to ensure a democratic communications system, in light of the fundamental objectives pursued by the Treaties including article 11(2) of the Charter.[[25]](#footnote-25) Specifically, pluralism-specific concerns have to be integrated into the assessment of media mergers.[[26]](#footnote-26) Secondly, the rules on media ownership, ownership transparency, libel, and copyright have to be harmonised in the EU.[[27]](#footnote-27) The CMPF then stressed the role of national regulatory authorities (NRA) in the audiovisual sector and recommended the establishment of independent NRAs which could help to develop common guidelines and soft regulation on media freedom and pluralism.[[28]](#footnote-28)

According to the CMPF, another means of EU intervention could be through the European Union Agency for Fundamental Rights (FRA), by assigning the FRA to monitor and propose common standards on the media freedom and pluralism or through the establishment of an *ad hoc* agency which can have naming and shaming role.[[29]](#footnote-29) Such a soft-law instrument has the potential to have a significant influence on developing awareness on the issue.[[30]](#footnote-30) However, the most groundbreaking recommendation in the CMPF report was the revision of the Treaties. The CMPF acknowledged that the fundamental threats to media freedom and pluralism come from two main sources: political power and private economic power.[[31]](#footnote-31) Therefore, incorporation of two main principles, namely the prohibition of the creation and maintenance of a dominant position in the media market and the prevention of any undue influence by governments and economic powers on media undertakings, have to be incorporated into the Treaties, particularly into the Treaty on the Functioning of the European Union[[32]](#footnote-32) (TFEU).[[33]](#footnote-33)

1. **HARD-LAW INSTRUMENTS PROTECTING MEDIA PLURALISM**
2. **Article 11 of the Charter**

Article 11(1) of the Charter, which has become legally binding that equal to the Treaties with the entry into force of the Lisbon Treaty,[[34]](#footnote-34) protects the fundamental right to FoEI and article 11(2) regulates that “The freedom and pluralism of the media shall be respected.” Thus, the Charter not only necessitates a pro-active approach of the Member States to safeguard media pluralism aside from not harming the existing conjuncture,[[35]](#footnote-35) but it also requires all the legislation at the EU level to be adopted by taking into consideration media freedom and pluralism principles.[[36]](#footnote-36) Nevertheless, article 11(2) of the Charter cannot constitute a legal basis for a binding media pluralism legislation at the EU level[[37]](#footnote-37) given that the Charter does not extend the competence of the EU beyond the framework of the Treaties.[[38]](#footnote-38)

1. **The Role of the Competition Law in Promoting Media Pluralism**

At present, competition law is the only instrument enabling the EU to take direct action in media concentration.[[39]](#footnote-39) In this context, articles 101 and 102 of the TFEU govern rules on the prohibition of anti-competitive agreements between undertakings and the prohibition of abuse of a dominant position within the internal market respectively. Besides, the EC has the power to control merges through the EU Merger Regulation.[[40]](#footnote-40)

A prime example, which has indirect effects on the promotion of media pluralism, is the BSkyB/Premier League case of the EC, enacted within the context of article 101 of the TFEU.[[41]](#footnote-41) The case was concerning a joint selling arrangement for the exploitation of media rights to Premier League matches, according to which a central agency will sell the media rights on behalf of individual clubs.[[42]](#footnote-42) Following the opposition of the EC based on competition concerns, the case was concluded with a settlement consisting of the commitments of the Football Association Premier League Limited.[[43]](#footnote-43) Although the essential aim of the EU intervention was to prevent the monopoly to broadcast live Premier League matches through ‘no single purchaser’ rule, the result (albeit limited)[[44]](#footnote-44) was the involvement of other broadcasters to this premium market.

As such, enforcing access to the football broadcasting market, which means a high-level audience and advertising revenue, makes an indirect but yet positive contribution to media pluralism in two aspects: It assists other companies to get their share of the cake, which otherwise would be possessed by the dominant player (in this case BSkyB) and reinforce its position even further and therefore, it leads to a potential increase in external pluralism.[[45]](#footnote-45) Besides, the additional pecuniary resource will possibly conduce the other broadcasters to produce fresh content or acquisition of new ones and therefore, contribute to internal pluralism by increasing the number of available content offered by various broadcasters.[[46]](#footnote-46) Indeed, the recent entry of Amazon to Premier League rights attracted a high number of audiences to its video-on-demand service,[[47]](#footnote-47) which will likely lead to an increase in the number of its content. Nevertheless, as noted by Komorek, it is crucial in the media sector to prevent monopolies from ever being established[[48]](#footnote-48) and therefore, to take adequate measures to preclude Amazon from being the new BSkyB.

Another rare example of an explicit mention of media pluralism in the EU legislation is article 21(4) of the EU Merger Regulation. In principle, the jurisdiction over concentrations, either in the form of a merger or acquisition, with a community dimension belongs solely to the EC.[[49]](#footnote-49) The ‘legitimate interest’ exception to the main principle allows Member States to review, prevent or set further conditions to media concentrations, even if they were approved by the EC on competition grounds, to protect the legitimate interest of media pluralism.[[50]](#footnote-50) While this exception presents a theoretical mechanism for the protection of media pluralism, which is not taken into account in the analysis of the EC on competition grounds, it has been rarely used in practice.[[51]](#footnote-51)

As yet, the only case in which article 21(4) of the EU Merger Regulation explicitly stressed by the EC is the *Newspaper Publishing* case.[[52]](#footnote-52) The EC, while clarifying the acquisition of joint control of Newspaper Publishing by PRISA, Espresso, and MGN on competition grounds, referred to the ‘legitimate interest’ exception and underlined that the proposed acquisition involves concerns on the accurate presentation of news and freedom of expression, therefore the formal consent of the U.K. authorities is required.[[53]](#footnote-53) The latter eventually prevented the acquisition due to media pluralism concerns.[[54]](#footnote-54) Komorek noted that the assessment of the EC, in this case, was also based on a pluralist perspective and as the EC cannot intervene itself, it drew the attention of the U.K. authorities and indeed, obliged the latter to act against media concentration.[[55]](#footnote-55)

While the competition law instruments, albeit indirect, are useful in fostering media pluralism by preventing the formation of monopolies, dispersing the existing ones or preventing the emergence of boundaries to access to content and distribution channels,[[56]](#footnote-56) it has not prohibited the media market in the EU from being highly concentrated in terms of ownership.[[57]](#footnote-57) According to a recent study in which the EU Member States are sorted on a scale from 10 (best) to 1 (lowest) on the extent of media ownership structure that ensures a pluralism of opinions, 9 Member States scored between 3 to 5, in which there exist oligopolistic ownership structure.[[58]](#footnote-58) The overall score of the EU is 6.5 on media pluralism and 6.6 on media freedom which analyses the extent of government influence on the media.[[59]](#footnote-59)

A paramount example concerning media mergers at the national level is the rules within the (revised) Competition Act 2002 of Ireland. Part 3A of the latter regulates media mergers or acquisitions, which have to be notified both to Minister for Communications, Energy and Natural Resources and the Competition and Consumer Protection Commission regardless of the turnover criteria. While the latter examines the media mergers on competition aspects, the Minister’s analyse is based on the diversity of content and ownership aspects. In parallel with the recommendations in the HLGMFP and CMPF reports, such a solution can be applied at the EU level which will ensure the consideration of media pluralism in the competition law context.

1. **Rules Upholding Media Pluralism under the AVMSD**

One of the most important hard-law instruments enhancing the media pluralism in the EU is the country of origin principle (COP) under the AVMSD.[[60]](#footnote-60) Regulated in articles 2 and 3 of the AVMSD, COP requires only the Member State of origin having jurisdiction over the audiovisual media service providers (AMSP) and obliges the receiving Member State to ensure freedom of reception, not to exercise secondary control and restrict retransmission on their territories. COP, as the core principle of the AVMSD, not only ensures the free flow of information and audiovisual programs but also strengths media pluralism throughout the EU,[[61]](#footnote-61) by supporting the growth of the European audiovisual sector, increasing the diversity in sources of news and entertainment as well as choice and price competition.[[62]](#footnote-62)

However, COP also has the vulnerability to be used by AMSPs for the circumvention of stricter rules of the country that their service is targeted at.[[63]](#footnote-63) The most obtrusive example of this phenomenon is the AMSPs which are originating in Russia, licensed in one Member State but targeting the audience in another, mostly Baltic states and their involvement in hostile political propaganda, misinformation, hate speech, and fake news.[[64]](#footnote-64) Indeed, a recent study demonstrated that in Estonia, Russian state channels have a monopolistic position among the country’s Russian-speaking audience since the country faces serious challenges in providing reliable (free from Russian state propaganda) content for them. Accordingly, while the COP and EU media policy aims to safeguard media pluralism, the country-specific circumstances of Member States shall also be considered both during the policy-making process and implementation of the rules to ensure the existence of a ‘healthy’ pluralist media environment.[[65]](#footnote-65) In this context, the 2018 amendments to the AVMDS[[66]](#footnote-66) strengthened the COP and improved the rules governing the anti-circumvention procedure.[[67]](#footnote-67)

Another significant amendment to the AVMDS in 2018 is that the Member States now may adopt rules to make the information on the ownership structure, including the beneficial owners of AMSPs accessible under their jurisdiction.[[68]](#footnote-68) Recitals 15 and 16 of the Directive 2018/1808 emphasised the direct link between the transparency of media ownership and freedom of expression, the legitimate interest of users to access information on the owners of AMSPs, and urged the Member States to ensure easy and direct accessibility of such information, which will promote media pluralism. Furthermore, the independence of national regulatory authorities or bodies has strengthened with the 2018 amendments. It has been regulated that each Member State shall designate one or more NRA (body or both) and ensure that they are distinct from the government and functionally independent.[[69]](#footnote-69) NRAs have to exercise their powers impartially, transparently and in accordance with the objectives of the AVMSD, particularly media pluralism and cultural & linguistic diversity.[[70]](#footnote-70)

Other rules under the AVMSD that promote media pluralism and cultural diversity in the EU are the broadcasting of events of major importance for society and quota for the promotion of European and independent works.[[71]](#footnote-71) The first measure allows the Member States to adopt measures for the prevention of major events from being monopolised, as it would prevent the majority of the public to follow such events freely.[[72]](#footnote-72) So far, eleven Member State notified a list of designated events to the EC under this tool.[[73]](#footnote-73) To contribute to the promotion of cultural diversity in the EU,[[74]](#footnote-74) article 16 of the AVMSD requires that AMSPs reserve for European works a majority proportion of their transmission time[[75]](#footnote-75) and article 17 requires the allocation of 10% of transmission time and programming budget for European works created by independent producers.

1. **SOFT-LAW INSTRUMENTS FOSTERING MEDIA PLURALISM**
2. **The Media Pluralism Monitor**

The MPM is a monitoring tool that has been created to assess the level of media pluralism and identify potential threats to such in the Member States.[[76]](#footnote-76) It stems from an independent study published in 2009 which was conducted for the EC by a group of academics and experts.[[77]](#footnote-77) It has been claimed that the initial prototype was the first step in the development of a standardised monitoring tool at the EU level, aiming to identify and measure threats to numerous aspects of media pluralism, from media ownership to plurality matters to cultural, political, and geographic aspects.[[78]](#footnote-78) However, the lack of obligation of the Member States using the tool initially prevented the formation of an EU-level monitoring mechanism.[[79]](#footnote-79)

In line with the recommendations in the HLGMFP and CMPF reports, the CMPF was tasked with the simplification and pilot implementation of the MPM in 2013.[[80]](#footnote-80) Following the initial simplification and test phrases in 2013 and 2014, the CMPF implemented the MPM at the EU level including the candidate countries twice in 2016 and 2017.[[81]](#footnote-81) The simplified tool concentrated on the analysis of news and current affairs and measured threats for media pluralism over four domains, namely Basic Protection, Market Plurality, Political Independence, and Social Inclusiveness.[[82]](#footnote-82)

The results of the MPM reports are quite alarming for the future of media pluralism in the EU. A comparison between 2016 and 2017 reports demonstrates that the average risk for the Basic Protection area increased from 28% to 32%, the Market Plurality area from 49% to 53%, and the Social Inclusiveness area from 47% to 54% while it remained the same for the Political Independence area.[[83]](#footnote-83) Not only none of the Member States and candidate countries are free from threats to media pluralism but also there exists either a stagnation or a deterioration in all areas analysed by the MPM.[[84]](#footnote-84) Particularly, the increase in the risks for the Basic Protection area, which covers the assessment of fundamental factors for a plural and democratic society including the right to FoEI,[[85]](#footnote-85) requires close attention and immediate action by the EU policymakers. The CMPF is currently implementing the 2020 MPM which has been improved to capture better the scope of contemporary risks, particularly on the online dimension, to media pluralism.[[86]](#footnote-86)

Turkey, the home country of the author, not only scored a high risk in all main four areas but also in all the indicators in the Basic Protection area, in which it is the only country that scored a high risk. The findings of the reports show that the very fundamental rights, first and foremost the right to FoEI, are systematically undermined and jeopardised in the country.[[87]](#footnote-87) Turkey is described as the “world’s biggest jailer of professional journalists”,[[88]](#footnote-88) where nine out of ten biggest media owners are politically affiliated with the ruling party, which openly impedes media pluralism.[[89]](#footnote-89)

1. **European Media Initiative**

A notable instrument of transnational participatory democracy in the EU is the European Citizens’ Initiative (ECI).[[90]](#footnote-90) It allows citizens of the Member States, upon the fulfillment of certain requirements, to submit a legislative proposal to the EC within the framework of its powers.[[91]](#footnote-91) In 2013, the European Initiative for Media Pluralism (EIMP), a coalition consisting of nearly 100 organisations,[[92]](#footnote-92) was launched with the main objectives of harmonizing national rules on media ownership and transparency and ensuring the independence of media supervisory bodies.[[93]](#footnote-93)

Although the proposal was ultimately unsuccessful let alone high possibility of being regarded as inadmissible,[[94]](#footnote-94) it demonstrated the utmost concern of European citizens on the deterioration of media pluralism, which is a threat to democracy,[[95]](#footnote-95) given that it was the first use of ECI instrument.[[96]](#footnote-96) Thus, it was a noteworthy effort as the importance of media pluralism voiced directly by the citizens at the European level which contributed to the development of public awareness on the issue.[[97]](#footnote-97) Today, the movement is renamed as the European Media Initiative and continues to advocate for media pluralism.[[98]](#footnote-98)

1. **Latest Developments at the EU Level**

In October 2017, Malta’s most famous investigative journalist, Daphne Caruana Galizia, was murdered, due to her investigations on the political corruption and organised crime.[[99]](#footnote-99) Soon after, in February 2018, another investigative journalist, Jan Kuciak, was murdered along with his fiancée, in Slovakia while he was investigating the same threats to the society.[[100]](#footnote-100) In the face of these appalling attacks to the media freedom and individual journalism, the EP published both a report[[101]](#footnote-101) and a resolution[[102]](#footnote-102) in early 2018 on media freedom and pluralism. In the 2018 report, the EP underlined that the political pressure and economic interest on the media freedom, pluralism, and independence in the EU have been on the rise and recommended that, *inter alia*, each Member State has to conduct an independent review of their national laws and practices to foster media freedom and pluralism; the MPM has to be strengthen and its results concerning candidate countries need to be taken into account during the negotiation process, and all public funding provided to media owners needs to be regularly monitored.[[103]](#footnote-103) Likewise, in the Resolution, the EP reminded the Member States of their positive obligation to adopt adequate regulations fostering the development of free, independent, and pluralistic media as well as emphasised the need for (further) EU intervention in the presence of increased pressure on and threats against journalists.[[104]](#footnote-104) Moreover, the EP stressed the need for EU-level action concerning the concentration of power of search engines, social media platforms, and other internet intermediaries as well as the high-level concentration on the ownership of traditional media.[[105]](#footnote-105)

In May 2018, the EC proposed a regulation establishing the Creative Europe Programme, the objectives of which include, *inter alia*, the promotion of a free, diverse, and pluralistic media environment, reinforcing Europe’s media sector and enhancing the pluralism of journalistic content.[[106]](#footnote-106) Furthermore, in April 2019, the EC launched an initiative to strengthen the rule of law in the EU[[107]](#footnote-107) and within this scope, published a Communication, based on three pillars for subsequent action, namely promotion, prevention, and response.[[108]](#footnote-108) The EC underlined that the right to FoEI as well as media freedom and pluralism are among the founding values of the EU and threats in the forms of attempts to weaken or pressure the civil society and independent media are a matter of significant concern for the Rule of Law.[[109]](#footnote-109) In this context, a chapter of the 2020 Rule of Law report will be dedicated to media freedom and pluralism and forthcoming European Democracy Action Plan will include further initiatives to strengthen such in the EU,[[110]](#footnote-110) counter disinformation and support free and independent media.[[111]](#footnote-111)

A joint civil society organisation recently published a recommendation document welcoming the latest initiatives by the EC on media freedom and pluralism, underlining the existence of severe threats to media pluralism due to media capture by state actors and ownership concentration by private powers and particularly the ever-increasing need for an independent, pluralist, and sustainable media sector at the time where the Covid-19 crisis is used by States to surpass the right to FoEI and recommending the adoption and enforcement of rules on the transparency of media ownership and the independence of the media.[[112]](#footnote-112)

**CONCLUSION**

“Scientia potential est.” While the well-known aphorism, meaning ‘knowledge/information is power’, is still valid, in today’s digital era where we are being bombarded by an excessive level of information from various sources each day, what actually matters is the widespread presence of ‘reliable’ and ‘diverse’ information. Without such, it will be just a matter of time before our fundamental rights are taken away one by one, starting with the right to freedom of expression and information. The position of media in this context is substantial, insomuch that promoting media freedom and pluralism is de facto stands for protecting the democracy itself.

While the Charter safeguards freedom and plurality of the media at the highest order, not only the lack of a legal basis for a direct EU intervention but also the various political and cultural approaches of the Member States to media pluralism resulted in the absence of specific legislation aimed solely at fostering media pluralism at the EU-level. Thus, the only existing hard-law instruments of the EU are the competition law measures and a number of rules under the AVMSD. However, the competition law cannot *per se* be a solution as its essential focus is distant and thus, its effect in promoting media pluralism is indirect and limited. Likewise, some of the rules under the AVMSD contributes to media pluralism, but they also have certain weaknesses in practice. Hence, the EU involvement in this field is mostly through soft-law instruments, notably the MPM and academic & parliamentary reports and recommendations. Although the EU-level applications of the MPM are particularly important to diagnose the existing threats, its overall effects cannot go beyond naming and shaming.

Not only the media conjuncture in certain Member States such as Hungary and Poland but also the conclusion of the MPM as none of the European countries are free from risks to freedom and plurality of media undoubtedly demonstrate that the Member States are not able to cope with the issues by themselves, in particular the ones arising from cross-border broadcasting and the involvement of global media players. Hence, the EU intervention through a specific regulation safeguarding media pluralism is a must, however, it is not likely to come into existence anytime soon due to the need for an amendment to Treaties and the current political conjuncture in the EU. The Covid-19 crisis only set such (possible) initiative even further back. Lastly, along with the already existing threats, the internet, social media platforms, and search engines bring new challenges to media pluralism, such as the high-level concentration in market players and their vast market power. In subsequent years, the EU will more and more have to address these new challenges to media freedom and pluralism.

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