

(English version)

**Question for written answer E-002172/24
to the Commission**

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(18 October 2024)

Subject: Spanish Government measures' compatibility with press freedom defended by the EU

The Socialist Spanish Government intends to set up a media register as part of a democracy action plan to combat disinformation. Oversight of the register will fall to the National Markets and Competition Commission, led by Cani Fernandez, former adviser to prime minister Pedro Sánchez. The measure has raised concerns about the government indirectly exercising control over critical media.

The plan comes about at a time when the prime minister's wife is under investigation for influence peddling and corruption. During the investigation, Mr Sánchez refused to testify before the courts and labelled news outlets covering the story as 'far-right' media.

The action plan raises a number of questions, particularly with regard to Article 11 of the Charter of Fundamental Rights of the European Union, which guarantees freedom of the press.

1. Is the Commission aware of the measures taken by the Spanish Government, which have the potential to undermine press freedom?
2. Has the Commission looked into the compatibility of these measures with Spain's freedom of expression and freedom of the press obligations under EU law?
3. What steps does the Commission intend to take to ensure that the fundamental principles of freedom of the press are upheld in Spain?

Submitted: 18.10.2024

Answer given by Vice-President Jourová on behalf of the European Commission
(30 November 2024)

The Commission is aware that the Spanish Government has presented an action plan⁽¹⁾ that includes several measures, including on transparency of media ownership and state advertising.

Article 6(2) of the European Media Freedom Act⁽²⁾ (EMFA) requires Member States to entrust national regulators or competent authorities to develop media ownership databases with updated information on media service providers, including their legal name and contact details, the name of their direct, indirect, and beneficial owner, and the total annual amount of public funds for state advertising and of advertising revenues received from third-country public authorities or entities.

Such information is necessary so that the recipients of media services can understand and are able to enquire about potential conflicts of interest as a pre-condition for their ability to assess the reliability of the information they receive.

These databases would work as a one-stop shop for recipients of media services to check the relevant information related to a given media service provider.

Under Article 6(2) of the EMFA, it is for Member States to decide which authority or body will be in charge of setting up and managing such media ownership databases.

The Commission will continue assessing all relevant developments related to media freedom and pluralism in all Member States, including Spain, under the annual Rule of Law Report⁽³⁾.

⁽¹⁾ https://www.mpr.gob.es/prencom/notas/Documents/2024/2024-3002_Plan_de_accion.pdf

⁽²⁾ Regulation (EU) 2024/1083 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), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32024R1083>

⁽³⁾ https://commission.europa.eu/strategy-and-policy/policies/justice-and-fundamental-rights/upholding-rule-law/rule-law/annual-rule-law-cycle_en#rule-of-law-report