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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(12.2.2025)

The Commission remains vigilant to any legislative developments that may negatively impact the legal standards of independence of national regulatory authorities set out in EU law, in its role as guardian of the Treaties.

The European Media Freedom Act¹ (EMFA) foresees that national regulatory authorities must be subject to the requirements set out in Article 30 of the Audiovisual Media Services Directive² (AVMSD). This Article requires Member States to ensure the independence of such national authorities, firstly by ensuring that they are legally distinct and functionally independent of their respective governments, or any other public or private entity, and secondly ensuring that they exercise their powers impartially and transparently.

Pursuant to the Digital Services Act³ (DSA), Member States shall ensure that their Digital Services Coordinators perform their tasks under the DSA in an impartial, transparent and timely manner.

The 2024 country chapter for Slovakia states that ‘a legal framework and autonomous budget permit the Council for Media Services to operate autonomously’⁴. Any changes to the current framework should aim to strengthen the independence of the national regulatory authorities, in line with the requirements set out in AVMSD and referred to in EMFA. In particular, the potential changes to the structure of the Council, aimed at transforming it from a collegiate body to a single-person body, should not affect the possibility for the Council to exercise its powers impartially and transparently and not to seek or take instructions from any other body in relation to the exercise of its tasks, while ensuring that the appointment and dismissal procedures guarantee the requisite degree of independence of the Council.

¹ 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), OJ L, 2024/1083, 17.4.2024, <https://eur-lex.europa.eu/eli/reg/2024/1083>

² Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU concerning the provision of audiovisual media services (Audiovisual Media Services Directive), OJ L 303, 28.11.2018, p. 69–92, <https://eur-lex.europa.eu/eli/dir/2018/1808/oj/eng>

³ Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market for Digital Services and amending Directive 2000/31/EC (Digital Services Act), OJ L 277, 27.10.2022, p. 1–102, <https://eur-lex.europa.eu/eli/reg/2022/2065/oj/eng>

⁴ 2024 Rule of law report, https://commission.europa.eu/publications/2024-rule-law-report-communication-and-country-chapters_en