



Council of the  
European Union

Brussels, 21 June 2023  
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LIMITE

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DIGIT 117  
CODEC 1129  
MI 528  
DISINFO 44  
FREMP 189  
COMPET 624  
EDPS 7  
DATAPROTECT 174  
JAI 853  
SERVICES 24  
POLGEN 64

**NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing a common framework for media services in the internal market (European Media Freedom Act) and amending Directive 2010/13/EU – <i>Statement by Hungary</i>

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Delegations will find attached the text of the statement by the HU delegation to the minutes of Coreper on 21 June 2023 on the above mentioned topic.

**Statement by Hungary on the Regulation of the European Parliament and of the Council  
establishing a common framework for media services in the internal market (European Media  
Freedom Act) and amending Directive 2010/13/EU**

Hungary is committed to the appropriate handling of the issues regulated in the EMFA proposal, such as ensuring editorial independence, excluding secret surveillance of journalists in relation to journalistic sources, or reforming the provisions on public media. We consider unrestricted access to diverse media contents as an important value. We welcome the regulation on giant platforms appearing in the proposal. However, given the different media structures of the member states, we still maintain our repeatedly stated position that it would be desirable to create only general, guaranteeing rules and principles for the legal areas regulated in the EMFA. Thus, a directive or a recommendation would be a more appropriate regulatory instrument than a regulation.

We also indicated several times during the negotiations that in our opinion, the proposal represents an intervention in the sovereignty of the Member States at many points, and the specified legal basis does not provide sufficient justification for the adoption of the regulation with regard to all its articles. The right of opinion of the European Board for Media Services to be established by EMFA violates the competence of the Member State authorities. In our opinion, the practical feasibility of the Board's independence from the Commission also raises questions. The provisions of criminal law nature contained in Article 4 may cause legal uncertainty due to the different criminal procedure systems in the Member States. In these provisions, more flexibility and room for interpretation is needed in order to deal with the differences in the criminal procedure systems of the Member States.

In our view, it is not timely to conclude the technical discussions and adopt a Council mandate at this stage, as there are a number of open issues that we would like to see discussed in more depth.