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Hermed innspill fra Meta.

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## **Introduction**

- Thank you for the opportunity to share Meta's preliminary views on the EC's proposal for the European Media Freedom Act.
- We at Meta agree that media independence and media pluralism are cornerstones of European democracy and freedom. Well-functioning and stable media ecosystem are a key pillar to ensure that these values are promoted and preserved for the benefit of all EU citizens.
- It's encouraging to see that the EMFA proposal contains a number of references to the already adopted Digital Services Act, which already creates a comprehensive framework of rules for the content moderation by intermediary services (relevant to their categorisation).
- This holistic approach ensures that the EMFA does not land in a vacuum, but in a regulatory environment where a variety of frameworks, including Digital Services Act and Audiovisual Media Services Directive, overlap and interplay.
- It is essential that co-legislators take this broad regulatory framework into account when working to improve the current proposal to achieve a healthier and more resilient media ecosystem in the EU - and that any regulatory efforts don't lead to unnecessary duplications

## **Media service providers - definitions**

- In our view, media service provider definition is overbroad/vague and based on self-declaration by each entity, without virtually any check point on the side of the third party over whether declarations are valid and accurate. Responsibility is left to VLOPs whether or not to accept a declaration.
- We would recommend that the definition aligns with the wording provided by already existing law, in particular with the Audiovisual Media Service Directive
- Guidelines to be issued by the Commission as to criteria that help to identify whether or not a body qualifies as an MSP should be clear and practical.
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## **Content of Media Service Providers on very large platforms - obligations under the Article 17)**

- Article 17 creates a separate procedure to deal with suspension or restriction of content from "media service providers" on very large online platforms. Meta believes that, as a matter of principle, media actors should not be granted special treatment when it comes to content moderation and that policies should be applied in a fair manner to users. Meta's policies on what content is and is not prohibited are applied globally and seek to balance considerations including safety, voice and privacy. We

recognise that public interest and newsworthy content is important to share widely. However, we are concerned that the proposals would allow certain privileges for MSPs over other users and that it could raise issues around bad actors disguising as media as well as around misinformation and graphic violence circulating on the platforms.

- In particular, the “prior warning” proposal may not be feasible or advisable in the event where the content implicates safety concerns.
- We welcomed that an attempt to exempt the media from the content moderation rules in the Digital Services Act was rejected by the European Parliament and the Council.

### **Transparency obligations (attached to Article 17)**

- VLOPs already have to follow a number of transparency obligations for the removal of content under the Digital Services Act. It is important that policy makers avoid creating any further obligations which could duplicate and lead to confusion and additional complexity of reporting.

### **Governance model**

- The EMFA proposes to set up the European Board for Media Services that, besides monitoring how national regulatory decisions affect the overall European media landscape, will be tasked with tackling disinformation on online media platforms, in line with the EU Code of Practice on Disinformation.
- Meta fully supports the purpose and goals of the Code, also as one of the primary signatories to it from the very beginning
- But in our view the focus of the new Board under EMFA should be rather on providing guidance on how to further increase media literacy among EU citizens. We would like to encourage placing the focus of the Board activities around media literacy, by inserting a clause in the draft regulation giving the Board a duty to promote media literacy through educational activities and guidance. These activities are an essential component and Meta supports programmes that educate and empower internet users across the Union in this regard.