



GIGAEurope, ETNO & GSMA seek greater clarity on the media concentration screening mechanism in the European Media Freedom Act

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Industry associations representing fixed and mobile connectivity providers in Europe, GIGAEurope, ETNO and GSMA, wholly support the objectives of the European Media Freedom Act (EMFA) to protect media independence and plurality, which are essential for functioning democracies and markets. As the legislative process advances, however, we would like to take this opportunity to recall the importance of ensuring that procedures for screening concentrations in Articles 21 and 22 provide the requisite legal certainty for companies with media-related services in their portfolios.

Drawing on related EU instruments,¹ GIGAEurope, ETNO and GSMA respectfully propose to reinforce Articles 21 and 22 of the EMFA proposal with the following technical details to ensure efficiency, predictability, and a clear division of responsibilities across the different regulatory bodies involved in this process.

- **In Article 21 EMFA, we propose the:**
 - ✓ Inclusion of a new sub-bullet Article 21(1)(e) specifying maximum timelines for the assessment of media market concentrations under this screening mechanism.
 - ✓ Inclusion of a new sub-bullet Article 21(1)(f) ensuring that confidential information, including commercially-sensitive information, made available to the relevant national regulatory authority for the purposes of the screening assessment, shall be protected.
 - ✓ Clarification in Article 21(5) that, where the Board is consulted, it shall draw up an opinion within 30 calendar days of receipt of the request.
 - ✓ Streamlining of Article 21(6) to ensure that only one EU body, i.e. the Board, is competent to deliver opinions on media pluralism in potential media market concentrations.
- **In Article 22 EMFA, we propose the:**
 - ✓ Streamlining of Article 22(2) & (3) to ensure that only one EU body, i.e. the Board, is competent to deliver opinions on media pluralism in potential media market concentrations.

As investors and operators of Gigabit and 5G connectivity networks across Europe, our members play an important role in delivering audiovisual media services to EU citizens. The absence of the above procedural details on assessment timelines and safeguards for commercially sensitive information in the EMFA's concentration screening mechanism could contribute to substantial delays and divergent procedures. This may lead ultimately to a more fragmented business landscape and unintentionally disincentivise valuable investment in the EU.

¹ See, for example, the [EU Merger Regulation](#) and the [FDI Screening Regulation](#).

About GIGAEurope

[GIGAEurope](#) brings together private operators that build, operate and invest in Gigabit and 5G communications networks across Europe. Our members support Europe's green and digital transition by providing reliable and secure gigabit-speed connections to over 340 million mobile customers and over 40 million fixed broadband customers in 19 European countries (including 16 EU Member States). As leaders in the Internet of Things (IoT), our members connect more than 142 types of devices and platforms. GIGAEurope highlights the importance of EU policies that support a strong and harmonised Digital Single Market, with a clear focus on enabling regulatory and market conditions that allow for sustainable investment, competition and innovation in gigabit-speed infrastructure and IoT.

About ETNO

[ETNO](#) (European Telecommunications Network Operators' Association) is the principal policy group for Europe's telecommunications network operators. ETNO's primary purpose is to promote a positive policy environment allowing the EU telecommunications sector to deliver best quality services to consumers and businesses. Follow ETNO on Twitter [@ETNOAssociation](#) and find out more at [etno.eu](#).

About GSMA

[The GSMA](#) is a global organisation unifying the mobile ecosystem to discover, develop and deliver innovation foundational to positive business environments and societal change. Our vision is to unlock the full power of connectivity so that people, industry, and society thrive. Representing mobile operators and organisations across the mobile ecosystem and adjacent industries, the GSMA delivers for its members across three broad pillars: Industry Services and Solutions, Connectivity for Good, and Outreach. In Brussels, [GSMA Europe](#) represents and leads mobile network operators in Europe and the Commonwealth of Independent States (CIS). In this region, more than 160 mobile network operators provide connections to 730 million unique subscribers. We use our combined expertise to give the mobile communication industry a single and powerful voice.



For questions or clarifications on this joint statement, please contact:

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