

INPUT ON THE EU DEMOCRACY SHIELD

The Media Freedom Rapid Response (MFRR) partners welcome the European Commission's initiative to introduce a comprehensive tool to defend democracy within the European Union and its neighbourhood under the EU Democracy Shield.

In a March 5, 2025 discussion with members of the Council of Europe's Safety of Journalists Platform, Commissioner McGrath outlined [four pillars](#) for addressing media in the EU Democracy Shield: economic viability, the safety of journalists, challenges and opportunities posed by AI, and media literacy.

Building on this, [MFRR](#)¹ partners are submitting this response to elaborate on aspects not fully covered in a [Joint Input](#)² led by the European Partnership for Democracy (EPD), particularly those relating to media resilience and journalist security, two vital components for promoting democracy and European values.

This paper will examine these priorities with a focus on strengthening media resilience by enhancing economic sustainability and journalists' safety, emphasising the need for the local authorities to engage in constant and productive conversations in following thematic areas.

1. Economic Viability

Media organizations, disrupted by the business models of Very Large Online Platforms (VLOPs), face a profound economic crisis marked by wholesale newsroom downsizing, a collapse in investigative journalism, reduced news diversity, and the proliferation of news deserts. This has created a vacuum where disinformation flourishes, eroding the integrity of information vital to a healthy democracy. The main driver is the collapse of the advertising model, long the backbone of media funding, with VLOPs now dominating the market and causing editorial media to lose an estimated [50–70% of their advertising revenue](#).

The EU Copyright Directive aims to address the economic imbalance by enabling platforms and publishers to negotiate compensation for journalistic content. However, platform dominance often results in unfair terms, with the threat of platforms removing all news content, which would have a devastating effect on their traffic and public access to information. Generative AI is set to deepen this power imbalance and media dependence on VLOPs. Moreover, in captured media environments, independent outlets face economic barriers like exclusion from state advertising and biased licensing, deepening an already unfair playing field. As a result, they often rely heavily on donor funding, making them vulnerable to [changing donor priorities](#).

The [USAID funding freeze](#) and threats posed by foreign agent laws, leave many uncertain about their future. In this context, the Democracy Shield must include a comprehensive policy to ensure the sustainability of public interest journalism and guarantees for an economically vibrant and pluralistic media sector. Our recommendations therefore are:

- **A commitment to reforming the media market by:**
 - **Ending the platform dominance of the advertising sector** and ensuring an equitable distribution of advertising revenue
 - Strengthening the bargaining position of media when negotiating with VLOPs through reform of the Copyright Directive and

¹ Created in 2020, and co-funded by the European Union, the MFRR is a European protection mechanism for journalists and media workers. Through its [Mapping Media Freedom](#) (MapMF) platform, MFRR tracks media freedom violations in EU member states and candidate countries, offers legal and practical support to journalists, and advocates for journalists' rights and press freedom. MFRR partners have been actively involved in consultations on EMFA, Anti-SLAPP Directive, the Rule of Law Mechanism, the DSA and the European Commission's Recommendations on journalists' safety.

² Acknowledging that the Shield does not focus solely on media freedom, most consortium members have participated in drafting a Joint Input on the document with a coalition of organisations working to support and develop democracy.

- Redrafting the AI Code of Practice for general purpose AI which in its current guise undermines current copyright rules.
- **Ensuring algorithm transparency** that protects public interests journalism.
- Introducing tax reforms to incentivise investments, advertising and subscriptions in news media as well as training and employment for journalists and newsroom innovation.
- Establishing **mechanisms to ensure long-term and core funding** for public interest journalism in member states. The mechanisms should come with robust governance structures to guarantee the integrity and independence of both the mechanism itself, and the supported groups. The support should be targeted and based on [existing assessments](#) of media pluralism and independence.

2. Safety of journalists

The safety of journalists is essential to safeguarding media resilience and integrity. In the 2024 super election year, journalists in EU Member States and candidate countries faced a **significant rise in threats**, from physical violence to legal intimidation. Between January and December 2024, MFRR's Mapping Media Freedom (MapMF) documented 1,548 press freedom violations affecting 2,567 media individuals or entities, up from 1,153 in 2023. The [MFRR's 2024 report](#) highlights risks of censorship, smear campaigns, and direct attacks.

Demonstrations were the primary setting for attacks, with police responsible for over half (51.6%) of the violations. Journalists covering environmental issues were frequently assaulted, obstructed, and subjected to legal threats like defamation lawsuits and SLAPPs, while politicians publicly discredited them. **Online attacks** increased with a total of 359 incidents (23.2%). These attacks mainly involve verbal assaults including several death threats, but also hacking and DDoS³ attacks, surveillance, as well as blocked distribution of journalistic content.

To protect journalists, we propose the following measure be taken:

- **Promote a robust infrastructure supporting media and journalism** by supporting media stakeholder groups. Self-regulatory bodies, journalists' associations and unions, are central to a healthy media environment and journalist safety.
- **Commit to supporting national safety programs** led by media stakeholders, while fostering a [secure national environment](#) for journalists and strengthening the Member State implementation of the [European Commission's recommendations on the safety of journalists](#).
- **Strengthen the European Protection Mechanism** to safeguard media, which monitors violations of press and media freedom, and ensure consistent and effective implementation of EU regulations. This protection plays a critical role in [supporting journalists](#) and media by offering legal and practical assistance.
- Encourage **cooperation between tech companies, law enforcement agencies and relevant media organisations and representatives** to tackle increased numbers of online attacks, including DDoS attacks. Such cooperation is essential to start establishing the necessary protections to counter the onslaught against journalists.

2.1. Legal safeguards for journalists and media freedom

Strategic Lawsuits Against Public Participation (SLAPPs) to silence journalists, activists, and public watchdogs continue to rise across Europe. Over 1000 SLAPP cases have been identified by CASE in the period 2010 - 2023 in 41 European countries, with 166 SLAPPs initiated in 2023 alone. Now that the EU Anti-SLAPP Directive has been adopted, the crucial work begins in Member States to transpose the Directive and implement effective anti-SLAPP measures.

As part of the Democracy Shield, we recommend that further actions are taken to ensure public participation is effectively protected from the threat of SLAPPs:

³ A distributed denial-of-service (DDoS) attack is an attempt to disrupt a server, service, or network by overwhelming it with excessive internet traffic.

- Foster a **sustainable support system** for journalists and media targeted with SLAPPs, ensuring that they are compensated for the damages incurred (including legal costs, time investment, psychosocial impact).
- **Equip the judiciary and legal community** with the knowledge to recognise and address SLAPPs while upholding public participation rights.
- Encourage **outreach campaigns** that inform and empower those most at risk.
- **Advocating for the adoption of national anti-SLAPP provisions** that extend protections and remedies to the domestic legal framework, encompassing all relevant proceedings.
- **Advocate for the decriminalisation of defamation** in the EU, in line with recommendations favouring civil remedies over criminal prosecution, and ensure defamation laws are not exploited to suppress public discourse.

Over the past five years, MapMF has recorded over [50 incidents](#) revolving around **foreign-agent style laws**⁴ across EU Member states and candidate countries, which disproportionately target independent media and media freedom groups. These Russian-style laws threaten media viability and freedom of expression, including in EU member states, where they are used to stigmatise independent outlets and impose burdensome reporting requirements.

In this climate, and as a consortium we do not support the proposed **EU Directive on foreign interest transparency** which raises serious concerns among media groups. Vague definitions of interest representation and third countries, and an overly broad economic scope fuel fears over how it may be transposed by different member states. Moreover, the **UN Special Rapporteur on Freedom of Assembly and Association** expressed that the document in its current form is „*neither a proportionate nor an effective*“ response to the threats it aims to tackle. The EU Democracy Shield must therefore include clear safeguards for media and civil society, including:

- **Reinforcing a strong stance against foreign-agent style laws**, acknowledging their chilling-effect to media freedoms and freedom of expression.
- Ensure **strong safeguards for media and civil society**, clearly stating that the Directive and EU Democracy Shield will not further restrict media and organisations promoting human rights and free expression.
- **Precise language** should be used to avoid misinterpretation. This includes clear language to protect organisations from being stigmatised as “foreign agents”.
- Define only direct interest representation, including clear, narrow definitions tied to financial transactions, to avoid vague interpretations.

3. AI challenges and opportunities

AI has introduced significant challenges to the media industry. Data scraping, used to train generative AI models, often [exploits journalists'](#) content. In this way independent media's work is [utilised](#) without generating revenue for these outlets, while search tools promote AI-generated summaries, diverting audiences from the original sources. This [undermines](#) readership and revenue for public interest journalism.

Furthermore, the threats posed by spyware and deepfakes have escalated relentlessly. For spyware alone, from January 1, 2020, to March 21, 2025, MapMF recorded 16 cases [directed at 35 media-related individuals](#) or entities across the EU and candidate countries. These numbers are indicative of the scale of threats, as [spyware](#) is deemed as one of the most sophisticated and invasive tools for targeted surveillance.

Although the impact of AI on journalism remains uncertain, some issues can be addressed immediately:

- Commit to **curbing the influence of corporate developers in decision-making** and limit Big Tech's lobbying power. When crafting AI policies, policymakers should prioritise

⁴ [Foreign Agent Law incidents](#) include the proposal and adoption of such laws, their use against journalists, as well as simple threats through digital or other channels announcing the adoption of such laws or smearing journalists. Currently, there are several laws in countries such as [Georgia](#), [Slovakia](#), Bosnia and Herzegovina (Republika Srpska), with pending drafts in [Hungary](#), Bulgaria, [Turkey](#), and [Moldova](#).

objective information, adopt a human rights-centered approach, and strengthen protections for authorship rights.

- Effective implementation of the EMFA and national case-law supporting journalists is crucial to ensure **protection against spyware** and other invasive, targeted surveillance, setting clear and firm limits on the use of such technology against journalists and the media. Simultaneously, adherence to **transparency regulations** on the access, use, and processing of personal data through spyware and other digital surveillance tools must be ensured, safeguarding individuals' rights to information and access to their processed data, in line with the EMFA, GDPR, and Directive (EU) 2016/680.
- **Regulations governing the production and sale of spyware** must be strictly enforced, with clear and severe penalties for manufacturers who sell this technology to governments and other actors that misuse it to target journalists, especially when they fail to provide a legitimate justification for its use.
- Commit to raising **awareness of embedded weaknesses of AI models**, such as their susceptibility to self-censorship, bias and [fictionalisation](#) of reality known as “AI hallucinations”; and educating the users, media and governments on the AI risks.
- Make **AI education integral to journalists’ and other media workers’ training** to prevent any misuse of generative AI. Support ethical development of **AI models designed for newsrooms** to assist in detecting disinformation.

4. Media and Digital Literacy

The growth of coordinated disinformation campaigns, cybersquatting, spoofing⁵, and other types of digital deception make it crucial to promote media literacy and informed digital engagement, as [MapME](#) recorded. Despite existing legislation and tools that address disinformation and digital threats partially⁶, the EU does not yet have specific legislation exclusively targeting spoofing and similar forms of cyber scams.

To address this issue, it is essential to establish international cooperation between government agencies, internet service providers, media outlets, and press and media freedom organisations.

- **Improving legislation to address spoofing and digital deception**, establishing more effective mechanisms for large platforms to detect and remove spoofed content. Tech platforms must take responsibility by building the capacity to identify spoofing campaigns, and investing in prevention measures.

The Media Freedom Rapid Response (MFRR) tracks, monitors and reacts to violations of press and media freedom in EU Member States and Candidate Countries. This project provides legal and practical support, public advocacy and information to protect journalists and media workers. The MFRR is organised by an alliance led by the European Centre for Press and Media Freedom (ECPMF) including ARTICLE 19 Europe, the European Federation of Journalists (EFJ), Free Press Unlimited (FPU), International Press Institute (IPI) and CCI/Osservatorio Balcani Caucaso Transeuropa (OBC Transeuropa). The project commenced in 2020 and is co-funded by the European Commission.

MEDIA FREEDOM RAPID RESPONSE



European
Federation of
Journalists



International
Press
Institute



⁵ “MapMF considers spoofing to be any form of impersonation or identity disguise targeting a given media worker or media outlet by falsifying data with the intention or effect of deceiving or manipulating. These involve altered photo, voice, or video material including artificial intelligence (AI) generated deep fakes, as well as fake websites and articles that appear to be published by legitimate news outlets or media professionals. These attacks were mainly carried out for propaganda purposes, to damage reputation, as well as to promote commercial products with fraudulent advertising.” MFRR Report 2024

⁶ Digital Services Act (DSA) and DSA-endorsed Code of Practice on Disinformation