

ARTICLE 19



ARTICLE 19 RECOMMENDATIONS

PRIORITIES FOR THE NEW
EU COMMISSION 2024–29



First published by ARTICLE 19, April 2024.

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ARTICLE 19 is an international think–do organisation that propels the freedom of expression movement locally and globally to ensure all people realise the power of their voices.

Together with our partners, we develop cutting-edge research and legal and policy analysis to drive change worldwide, lead work on the frontlines of expression through our nine regional hubs across the globe, and propel change by sparking innovation in the global freedom of expression movement. We do this by working on five key themes: promoting media independence, increasing access to information, protecting journalists, expanding civic space, and placing human rights at the heart of developing digital spaces.

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INFORMATION INTEGRITY CHALLENGES

For over a [decade](#), the flow of information and how people see, read, hear, say, and share information, has been controlled by a handful of private companies. This concentration of information power presents several serious threats to civic space, fundamental rights and democracy including, inter alia, disinformation and state-backed propaganda, hate speech, the polarisation of opinions, the marginalisation of minority voices, the silencing of dissenting narratives and the limiting of user choice and access to services. The egregious 'shadow banning' of voices by large platforms in the Israel-Hamas conflict and the proliferation of hate speech in platforms in advance of elections are just two prominent examples.

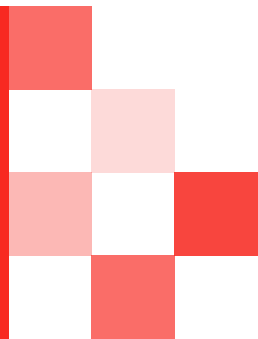
[ARTICLE 19](#) considers **the EU to be a leader in promoting freedom of expression and access to information within and outside of its**

borders. As the largest trading bloc in the world, the EU has significant economic and regulatory leverage which we as a [global organisation](#), can help it maintain by assessing the impacts of EU legislation both internally, as well as regionally and globally.

We believe that the European Commission must focus its next term on **the effective implementation and enforcement of the legislation** passed in the last 5 years. Many EU rules and regulations, those already applicable or those impending, have an impact in shaping online and offline information environments and we believe that multi-stakeholder engagement (including with civil society organisations and research institutions) can provide critical support to the Commission in its role as the main enforcer.

OUR VISION

A European Union where the information environment is open, decentralised, fair, diverse, and inclusive.



OUR VISION AND 'ASKS' FOR THE EUROPEAN COMMISSION 2024–2029

ARTICLE 19 believes that the new European Commission must strive for our vision of a European Union where the information environment is open, decentralised, fair, diverse, and inclusive.

To achieve this vision, we believe that the new EU Commission must adopt the following four **key priorities**:

1 The EU creates the conditions for an open, fair, pluralistic, and decentralised communication environment.

2 The EU embeds human rights throughout the technology stack, the mainstay of the information ecosystem.

3 The EU is more transparent.

4 The EU is a strong advocate for all these goals in international fora, contributing to the establishment and support of an open, diverse, and resilient information ecosystem worldwide.

PRIORITY 1

AN OPEN, FAIR, DIVERSE AND DECENTRALISED COMMUNICATION ENVIRONMENT

ARTICLE 19 believes that the new European Commission should focus on effective implementation and enforcement of legislation applicable to the digital communication environment. We therefore strongly encourage the European Commission to:

1 Address the concentration of power that distorts the information environment through effective implementation of the **Digital Markets Act (DMA)**:

- The Commission must fully implement DMA rules which can be used to open social media networks to intra-platform competition.
- By providing people with choice in a variety of markets, gatekeepers will no longer determine innovation and quality standards, including those on fundamental rights, and will have less power over the information flow across society. People will be provided with viable alternatives and re-gain some bargaining power towards the supply side of the market.
- The Commission must include civil society and other relevant stakeholders in the enforcement of the rules, to make sure a variety of perspectives are considered and to ensure the full potential of the DMA is realised.

2 Ensure that the enforcement of the **Artificial Intelligence Act (the AI Act)** limits and delegitimises the surveillance activities that have major implications for fundamental rights:

- The Commission must support the implementation and enforcement of rights-based safeguards and red lines, including banning technologies that are fundamentally incompatible with international human rights standards, such as emotion recognition.
- The Commission must create the conditions for civil society engagement in the implementation, and enforcement of the AI Act (e.g. participation of civil society in discussions with CEN-CENELEC for AI standards).

3 Ensure that the enforcement of the **Digital Services Act (DSA)** fully respects fundamental rights:

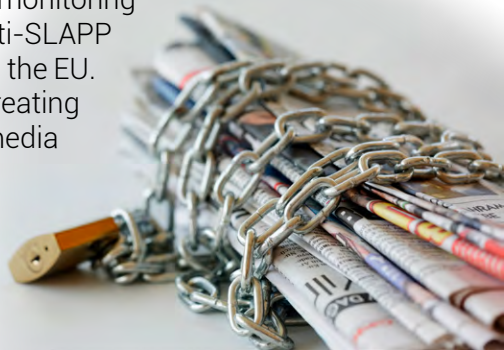
- The Commission must enforce the DSA consistently and effectively across all platforms, focusing on the risks to democracy, society and individuals posed by the business model of many of the largest platforms, including their advertisement and monetisation systems. Enforcement proceedings must be based on evidence and carried out in a way that will further, not restrict, freedom of expression and fundamental rights online.
- The Commission must formalise the involvement of civil society organisations in the implementation and enforcement of the DSA and consider how funds may be directed from the Commission to the civil society community for specific research.
- The Commission must ensure that the DSA lives up to its promise of bringing increased platform transparency, including through access to data by researchers, which is key to ensure scrutiny and accountability.

4 Ensure that the enforcement of the European Media Freedom Act (EMFA) promote media independence and pluralism across member states:

- The Commission must ensure that the European Board for Media Services ('the Board') is supported by a fully and adequately resourced Commission secretariat.
- The Commission, in its role in drawing up guidelines on the application of the media plurality test for media mergers under Article 21, must rely on international and regional standards on media freedom, plurality and diversity, and on substantive input from the Board and other relevant stakeholders, particularly civil society.
- The Commission, with the help of the Board, must monitor the consistent and effective implementation of the media plurality test across the EU.

5 Continue to address the growing threats to media freedom and protection of journalists in the EU through the **Anti-SLAPPs Directive**:

- The Commission must, within the two-year transposition period, provide support for the training of judges, lawyers, and journalists in member states. Such training can help judges in their decision-making, improve lawyers' ability to recognise and engage with SLAPPs, and help journalists recognise when they are being targeted by SLAPPs.
- The Commission must provide monitoring assistance to ensure that the anti-SLAPP Directive is applied consistently across the EU.
- The Commission must continue creating robust protections for journalists and media freedom and ensure that providing protection of journalists, including against SLAPPs, remain a central component of its new agenda.



PRIORITY 2

HUMAN RIGHTS EMBEDDED IN INFRASTRUCTURE

ARTICLE 19 believes that the new European Commission should contribute to promoting the integration of human rights in the design, development, and deployment of the infrastructure of the internet. In particular:

- The Commission must consider the human rights implications of infrastructure technologies (including but not limited to biometrics, IoT, cloud services, data security, DNS, and others) when monitoring the implementation and enforcement of regulatory frameworks for infrastructure providers, including internet registries and registrars, service providers, and network operators.
- The Commission must financially support research on the human rights impact of infrastructure technologies and support effective and sustainable civil society participation in technical standard setting processes.



PRIORITY 3

MORE TRANSPARENT EU INSTITUTIONS

ARTICLE 19 believes that the EU institutions must open up to the public and improve access to information and their own transparency. This is essential not only for their credibility with the public but is also in the interest of the EU itself, and the interests of its member states. In particular:

- The Commission must build on last year's progress – the reform of the Statute of the Court of Justice whereby written submissions of the parties must be made public after the judgment – by promoting increased transparency and public access at the European institutions. This should include, for instance, the reform of Regulation 1049/2001 by extending public access to documents from the Court of Justice, the European Central Bank, and the European Investment Bank.
- The Commission must respect rulings from the Court of Justice on trilogue transparency.



PRIORITY 4

EU IN THE WORLD – COOPERATION WITH MULTILATERAL AND MULTISTAKEHOLDER ORGANISATIONS

ARTICLE 19 urges the new European Commission to promote an open, decentralised, fair, pluralistic, diverse, resilient, and inclusive information environment globally. It must be present at UN and other relevant multilateral and multistakeholder fora and contribute to initiatives impacting freedom of expression and related rights online and offline. These should include relevant resolutions at the Human Rights Council, the UN General Assembly, the UN Security Council, and the work around the [Summit of the Future](#), including the Pact for the Future and the Global Digital Compact (GDC).



ABOUT ARTICLE 19

[ARTICLE 19](#) is an international non-governmental organisation that combines advocacy, research, campaigning, and cutting-edge legal analysis to strengthen people's right to free expression and access to information. Our successes range from [assessing States protection of freedom of expression, successfully campaigning](#) to [free journalists, shaping State constitutions, ensuring the right to information is enshrined in national law](#), to [pioneering the integration of human rights within the infrastructure of the internet](#).

In the European Union, our work focuses on seven key themes:

1

Promoting media freedom and independence

2

Increasing transparency and promoting access to information

3

Protecting journalists

4

Expanding civic space

5

Placing freedom of expression at the heart of the internet infrastructure and new technologies, including artificial intelligence

6

Promoting open, fair, decentralised, and diverse digital markets and services

7

Ensuring that social media platforms respect users' freedom of expression by improving their transparency, accountability, and decision-making

In addition to providing technical and legal input to EU legislation, ARTICLE 19 is represented in an extensive range of working groups convened by the Council of Europe, the UN, technical standards setting bodies and various academic institutions in the EU and globally.

ARTICLE 19's European headquarters is in Amsterdam, and we have a presence in Brussels (overseeing EU advocacy). Our international office is based in London, and we have offices in Bangladesh (South Asia), Brazil (South America), Kenya (East Africa), Mexico (Central America), Tunisia (Middle East and North Africa), New York (North America), and Senegal (West Africa).



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