NEELIE KROES

VICE-PRESIDENT OF THE EUROPEAN COMMISSION

Brussels, December 23rd 2010.
D (year) 394201

Dear Minister,

I am writing concerning the recently adopted New Media Act. I understand that the Act primarily aims to transpose the Audiovisual Media Services Directive (Directive 2010/13/EU) and contains certain structural changes that are beneficial for competition. I would be grateful if you could ensure that the required communication of this Act to the Commission is completed as soon as possible.

As you know, freedom of expression constitutes one of the essential foundations of our democratic societies. The European Commission has always defended this fundamental right at the European Union level and will continue to promote it untiringly. Media pluralism, freedom of expression and press freedom are underlying elements of European democracy guaranteed by the Charter of Fundamental Rights.

Independent regulatory authorities for the broadcasting sector have an important role to play to ensure the existence of a wide range of independent and autonomous media. Concerns have been expressed by numerous commentators that the recently adopted Media Act risks jeopardising these rights by giving very broad competences to the Media Authority. These same commentators also allege that the composition of the Media Authority does not seem to guarantee its independence. In addition, doubts have been raised about some of the provisions of the Act which apparently are applicable to broadcasters established in other Member States, which raises potential questions of coherence with one of the basic principles of the Audiovisual Media Services Directive.

I look forward to receiving your communication in the coming days and am available to discuss the issues above in order to find a mutually acceptable solution.

Yours faithfully,

Tibor Navracsics
Deputy Prime Minister
Minister of Public Administration and Justice
Vam u.5-7
H-1011 Budapest

cc: Permanent Representation of the Republic of Hungary to the European Union