

**CALL FOR EVIDENCE
FOR AN EVALUATION AND IMPACT ASSESSMENT RUN IN PARALLEL**

This document aims to inform the public and stakeholders about the Commission's work so they can provide feedback on the intended initiative and participate effectively in consultation activities.

We ask these groups to provide views on the Commission's understanding of the problem and possible solutions, and to give us any relevant information they may have, including on the possible impacts of the different options.

TITLE OF THE INITIATIVE	Audiovisual Media Services Directive – evaluation and review
LEAD DG – RESPONSIBLE UNIT	DG CNECT, Directorate I, Unit I1
LIKELY TYPE OF INITIATIVE	Legislative proposal
INDICATIVE PLANNING	Q3-2026
ADDITIONAL INFORMATION	https://digital-strategy.ec.europa.eu/en/policies/audiovisual-and-media-services

A. Political context, evaluation, problem definition & subsidiarity check

Political context

The Audiovisual Media Services Directive (AVMSD) is a cornerstone of EU media regulation. It aims to foster the cross-border circulation of media content and the competitiveness of European media companies, while protecting viewers (off- and online), including minors, as well as enhancing cultural diversity and media pluralism across the internal market.

The audiovisual media environment is evolving very rapidly. Since the last revision of AVMSD in 2018, the market has changed considerably:

- a major new category of market players - influencers - has become established
- there are new distribution technologies
- viewers access audiovisual media content in new ways, mainly online.

Under Article 33 of AVMSD, by 19 December 2026, the Commission is required to assess the impact and added value of the AVMSD and present an ex-post evaluation report, accompanied where appropriate by proposals for reviewing the Directive.

Evaluation

The evaluation of the AVMSD will assess its effectiveness, efficiency, relevance, EU added value, and (internal and external) coherence. It will look at a wide range of important areas of the Directive, including its scope, prominence of media services of general interest, audiovisual commercial communications, protection of minors rules applicable to video-sharing platforms and promotion of European works.

The Commission will consider the relevance of the current rules of the Directive and assess whether its provisions are still fit for purpose, taking into account the developments in the EU audiovisual media market and the new technological realities. This evaluation will help the Commission identify potential shortcomings in the existing framework.

It will assess how the Directive contributes to the competitiveness and fairness of the media ecosystem, the appropriate visibility of European media and adequate protection of viewers, particularly younger ones, when they access audiovisual content in the digital environment, including that created or made available by influencers.

It would look into potential scope for simplifying the legal framework, taking into account for instance the Report on the interaction between the Digital Services Act (DSA) and other legal acts, including AVMSD, under Article 91 of the DSA.

Based on the outcome of the ex-post evaluation, which will take into account the evolving regulatory environment and market conditions, the Commission plans to present a proposal for the review of the Directive. Such a proposal would aim at updating and simplifying the legal framework.

Problem the initiative aims to tackle

The audiovisual media environment has experienced dramatic changes since the AVMSD was last revised in 2018. Linear media services like television broadcasting have been losing their relevance, giving way to other media services and consumption channels, in particular video-on-demand services and user-generated content on smart TVs, smartphones and online platforms.

Although this shift had already been visible before 2018, and is acknowledged in the current AVMSD, today these services and technologies have become preponderant in the market. Moreover, new players - influencers - have become established, and media content distribution techniques based on personalised, targeted, shorter, faster and less curated formats have become an important part of the European audiovisual ecosystem.

The evaluation will analyse the extent of those developments and assess the continued relevance of the rules, in particular whether they meet the set objectives.

The Commission will specifically examine potential imbalances between competing market players, such as excessive regulatory burden for certain media market players, distortions on advertising markets or difficulties for certain providers to feature prominently on smart TVs and user interfaces.

We will also assess whether there is uneven protection of viewers, in particular minors, across different distribution platforms. For example, some Member States now regulate new market players, such as influencers, while others do not, which results in regulatory fragmentation and uneven costs for different players. The issues described above may consequently lead to a lack of level playing field in the media market, the erosion of visibility, relevance, economic sustainability and the competitiveness of European media providers, and have a negative impact on media pluralism and cultural diversity across the EU.

Moreover, the proliferation of harmful content online and the increasingly difficult access to reputable media content in the digital environment undermines trust in media, social cohesion and, overall, democratic institutions. The evaluation will help to assess the magnitude of these risks and how they impact the framework's integrity.

At the same time, EU legislation on digital matters evolved significantly during the last Commission mandate, in fields adjacent or related to the AVMSD. These developments call for us to explore possibilities for simplifying or streamlining AVMSD rules. The evaluation should help to identify, in particular, areas where AVMSD rules could be rendered more complementary to the existing EU digital rulebook.

Basis for EU action (legal basis and subsidiarity check)

Legal basis

[Directive 2010/13/EU](#), as amended by [Directive \(EU\) 2018/1808](#), was adopted on the basis of Article 53(1) and Article 62 TFEU. The review of the AVMSD will be based on the same legal basis.

Article 33 of the AVMSD requires the Commission to submit to the European Parliament and the Council (by 19 December 2026 at the latest) an ex-post evaluation, accompanied where appropriate by proposals for reviewing the Directive and its impact and added value.

Practical need for EU action

Compared to individual action by Member States, EU intervention is likely to be more effective and efficient in regulating the rules on audiovisual services in the internal market. Those services are often cross-border in nature, and users increasingly access them online.

Moreover, the Directive is based on the country-of-origin principle, which ensures freedom to retransmit across borders. National action would therefore not effectively and efficiently regulate the provision of these services, nor ensure a harmonised level of adequate protection of users, including minors.

In addition, several Member States have recently regulated certain matters differently, such as the prominence of services of general interest or influencers' activities. This leads to market fragmentation and increased regulatory complexity as well as compliance costs for providers who offer their services in more than one Member State, thus justifying the need for EU action.

B. Objectives and policy options

The overall objective of the ex post evaluation of the AVMSD would be to assess the functioning of the AVMSD since 2018, in particular whether the Directive is still fit for purpose and fosters a competitive, diverse and fair media ecosystem, where appropriate visibility of European media is ensured, and in which viewers, particularly

younger ones, are adequately protected when consuming audiovisual content online.

At this stage of reflection, the Commission is considering the following policy options:

1. Maintaining the status quo (baseline scenario): no change to the AVMSD.
2. Targeted regulatory intervention: this could consist of targeted adjustments to several rules in the Directive, to better reflect technological, market and regulatory developments. This would concern in particular the scope of the Directive - to clarify the applicability of the rules to new market players such as influencers - as well as rules on prominence, advertising and protecting viewers, in particular minors, from harmful content.
3. Full review and transformation of the Directive regulating audiovisual media services into an EU content directive/regulation.

Options 2 and 3 would also consider possible ways to simplify the Directive and reduce unnecessary regulatory burden, while at the same time ensuring compliance with EU law and improving complementarity and synergies with the legal frameworks established since the last revision of the Directive in 2018 (the Digital Services Act, European Media Freedom Act and Digital Markets Act), as well as consumer legislation, including future initiatives, such as the Digital Fairness Act.

C. Likely impacts

As regards economic impact, the simplification or streamlining of certain provisions is likely to reduce compliance costs for media service providers. Strengthening the internal market by promoting a consistent regulatory space and level-playing field which fosters fair competition between market players with proportionate regulatory and administrative burdens for service providers is likely to reduce compliance costs. Additional compliance or administrative costs may derive from new or enhanced obligations, e.g. for influencers. However, these are likely to be mitigated by benefits associated with the reduction in regulatory fragmentation.

Social impacts may include better protection of viewers of audiovisual content, in particular minors, including online, as well as effective promotion of content that reflects European values and cultural diversity. This would help ensure freedom of information and media pluralism across the EU.

Legal impacts may include the simplification of audiovisual media rules and balanced regulation for all relevant actors in the audiovisual media market.

Impacts on fundamental rights may include enhanced compliance with fundamental rights, in line with the principles recognised by the EU Charter of Fundamental Rights, in particular its Article 11.

D. Better Regulation instruments

Impact assessment and evaluation

An impact assessment, supported by desk research and stakeholder consultations, would be carried out in 2026 to inform the Commission's proposal. It would shed light on possible impacts and compare policy options, fully in line with the European Commission's Better Regulation guidelines. Since this would be a 'back-to-back' evaluation and impact assessment, the results of the evaluation would immediately feed into the problem analysis of the impact assessment. The impact assessment would also benefit from the findings of a dedicated on-going study. The contractor carrying out this study will engage with stakeholders through surveys and workshops in 2025 and 2026.

Consultation strategy

The Commission will consult widely to gather key information and ensure that the perspectives of a wide variety of stakeholders are duly considered and well reflected in the evaluation and review of the Directive. The consultation activities will aim to collect the views of all relevant stakeholders.

This call for evidence aims to collect stakeholders' views to evaluate the application of the current Directive and collect input on possible regulatory amendments to the Directive. Following the call for evidence, a public consultation will be launched in Q1 2026, in time to support both the evaluation and the impact assessment of the planned review of the Directive.

A factual summary report will be published on the Commission's website approximately 8 weeks after the public consultation is closed. In addition, targeted consultations with experts covering different domains will be carried out by the external contractor, through the study supporting both the evaluation and impact assessment.

The study will also encompass a broader stakeholder workshop. The Commission will summarise and weight the findings of the consultation activities in a synopsis report which will be annexed to the impact assessment.

Why we are consulting?

Through this consultation, the Commission would like to collect in-depth evidence, information, data and feedback from stakeholders on the impact of the current AVMSD and its planned review.

Target audience

The public consultation will aim to collect the views of audiovisual media regulators and other national authorities, relevant EU bodies, research bodies and academia, public and private broadcasters, providers of on-demand audiovisual media services, video-sharing platform providers, influencers, advertisers, audiovisual industry representatives, small and medium firms, other industry representatives, content producers and distributors, associations or organisations representing the interests of rights holders, consumer associations, cultural organisations, civil society, individual respondents and any other relevant actors.