

Section I - Scope and enforcement

Definitions

Questions:

- *To what extent do you think that the existing definitions of the AVMSD are still accurate and relevant in light of the latest market and technological developments (e.g. increasing role of video-sharing platforms and on-demand services), entry of new players (such as influencers) and shift of viewers towards the digital environment? To a large extent / To some extent / To a small extent / Not at all / I do not know*
- *If possible, please explain your answer and provide specific examples.*

Finnmedia response:

To a large extent. The AVMSD's core definitions remain broadly workable, but the audiovisual services market has shifted decisively towards platform-mediated distribution and new commercial actors (including provision of audiovisual content by influencers financed typically by advertising). Any review should therefore prioritise closing enforcement gaps concerning large online platforms and video-sharing platforms (VSPs), while preserving legal certainty, the country-of-origin principle and a stable framework for established audiovisual media services. In particular, the review should recognise that professional media content is increasingly accessed through platform-controlled gateway environments, including video-sharing platforms, app stores, user interfaces, voice assistants, connected cars and aggregators. Any additional obligations should be directed at such gatekeepers and intermediaries where necessary, rather than extending AVMSD scope or obligations to radio, press or other established editorial media service providers.

Influencer definition

Questions:

- *In your opinion, is it sufficiently clear that the current AVMSD includes influencers in its scope, despite the fact that their activities are not explicitly covered in the legal definition of "audiovisual media service"?*

Yes / No / I do not know

- *With regard to a possible clarification of the status of influencers under the AVMSD, what would be your preferred option?*
- *With regard to the AVMSD rules applicable to influencers, what would be your preferred option?*

Finnmedia response:

Finnmedia's primary message is that radio broadcasters and press publishers should remain outside the scope and obligations of the AVMSD. For influencers and other platform-based commercial actors distributing audiovisual content, the priority is a clearer guidance and more consistent enforcement across Member States—especially on advertising transparency and consumer protection—rather than reopening core AVMSD definitions. If clarification is needed, it should be narrowly targeted, avoid overlaps with horizontal rules (notably the DSA), and focus on commercial activity (professional/organised provision and intent) so that non-professional users are not inadvertently captured.

In audiovisual and news media / press sector in particular, influencers increasingly shape media consumption. Their responsibility should therefore be aligned with professional activity and commercial intent, without redefining the AVMSD in a way that would unintentionally capture non-professional users. Where influencers operate as commercial actors (i.e. selling for example space for advertisement and commercial cooperation), existing rules on advertising transparency and consumer protection should apply more consistently.

Legal certainty, regulatory stability and consistent enforcement for established audiovisual media service providers should be maintained; reopening core AVMSD definitions without clear evidence of market failure should be avoided.

Instead, Finnmedia calls for targeted clarification regarding influencers and improved enforcement vis-à-vis platform-based actors, while preserving legal certainty for established media services. This is also important from a level-playing-field perspective, as professional media services across formats compete for advertising revenues with platform-native commercial actors that are not always subject to equivalent transparency or accountability in practice.

Section II – Audiovisual commercial communications

Advertising regulation and level playing field

Questions:

- *To what extent do you consider that the following provisions on audiovisual commercial communications have effectively protected viewers against inappropriate, hidden or excessive audiovisual commercial communications?*
- *With regard to the AVMSD rules on audiovisual commercial communications, please select your preferred option:*
- *Based on your experience or knowledge, do you have concerns related to online platforms acting as gateways to media content through distribution agreements and general terms and conditions, including (advertising) revenue-sharing agreements?*
- *In your opinion, is there a need for any mechanisms to ensure the financial sustainability and fairness of those agreements for media service providers and, consequently, the diversity of content on offer?*

Finnmedia response:

Across privately owned, advertising funded editorial media, advertising regulation should be modernised to reflect today's asymmetric market where major platforms and influencers compete for advertising revenues under lighter or differently enforced rules. A reopened AVMSD should therefore aim at simplification, legal clarity and competitive neutrality—maintaining robust qualitative protections, avoiding national gold-plating that fragments the Single Market, and strengthening transparency and enforcement for platform-distributed advertising (including influencer marketing and scam/fraud ads). We believe that the simplification approach foreseen by the European Commission (EC) is the appropriate one, should the AVMSD be reopened - one that keeps the AVMSD future-proof, fosters investment and safeguards media pluralism.

The review should also address advertising practices by platforms and intermediaries that may undermine the integrity and monetisation of professional media services. Digital intermediaries should not insert, replace or overlay advertising in or around editorial media services without the explicit consent of the relevant media service provider. Nor should they otherwise associate advertising with such services in a way that undermines editorial control, brand integrity or monetisation. This principle is relevant across media formats and is particularly concrete in environments such as audio streams, video-sharing platforms and connected interfaces, where the intermediary can technically affect the commercial presentation of the media service.

News media emphasise that any AVMSD advertising changes should not create spill-over obligations for press publishers' editorial or ancillary audiovisual activities and should not add new sector-specific burdens for professional media. Efforts should be to simplify and update the AVMSD advertising framework, in line with the European Democracy Shield. However, this should not lead to new advertising obligations or additional restrictions on (editorial) media services such as for example press' media

services but instead focus on reducing unnecessary constraints to achieve a level playing field in an asymmetric market.

The common denominator for media sector views is that platform asymmetries should not be solved by tightening rules for regulated media; instead, ensure effective transparency, accountability and enforcement for digital gatekeepers and influencer marketing. In addition, the Commission should examine contractual and commercial imbalances between media service providers and platform gatekeepers, including unilateral changes to terms and conditions, discriminatory access conditions, revenue-sharing arrangements, charges linked to visibility or access and restrictions affecting routing, data, monetisation or direct audience relationships.

Influencer marketing and platform-distributed audiovisual advertising remain key enforcement gaps. Finnmedia supports clearer, enforceable requirements for identifying commercial communications and tackling harmful/fraudulent advertising on platforms, applied in a manner that delivers a level playing field with regulated editorial media and avoids duplicating horizontal consumer-protection rules. (Social media platforms including VSPs must be subject to more stringent qualitative advertising rules, to protect audiences from the placing of harmful ads around broadcaster content. This is also required in order to protect the reputation of broadcasters. Harmful ads include fake ads and scams.)

Section III – Protection of viewers

Audiences and minors

Questions:

- *In your view, what is the most appropriate option for addressing risks resulting from the proliferation of harmful content and for protecting minors on VSPs within the scope of the AVMSD?*
- *Article 28b requires VSPs to put in place measures to protect minors from harmful content. To that end, it allows VSPs a degree of flexibility in selecting which measures to put in place. These include age verification mechanisms, parental controls, content rating and reporting and flagging mechanisms. In your view, what would be your preferred regulatory approach to ensure that the measures effectively protect minors from harmful content?*
- *In your opinion, is there a need for the standardisation of content rating and/or labelling across the EU for VSPs and/or audiovisual media service providers, e.g. through an EU-wide industry-led content rating and labelling system or a European repository of content rating indicators, age labels and content descriptors?*

- *In your view, are there any other measures that should be put in place to protect minors from harmful content online within the AVMSD?*

Finnmedia response:

A risk-based approach is the most effective: maintain strong protection standards for regulated broadcasters and focus additional regulatory attention and enforcement on high-risk online environments—especially VSPs/social media and influencer-driven distribution—where harmful content and uneven compliance persist.

Traditional television broadcasters underline that they already apply robust editorial standards, scheduling rules and protection mechanisms for minors. By contrast, several media service contributions highlight that the most significant risks to minors arise in platform-based environments, including social media, video-sharing services and influencer-driven content, where enforcement remains uneven. Regulatory attention should therefore be directed towards these services. There should not be any additional, new obligations to television broadcasters or other media service providers.

Media Literacy (Articles 28b and 33a)

Questions:

- *To what extent do you consider that measures taken by media market players under the current provisions on media literacy (Art. 28b and Art. 33a) are effective for the achievement of the following objectives?*

Finnmedia response:

For audiovisual media services all measures under the current AVMSD provisions are effective to a large extent (protection of minors, promotion of trustworthy media content, combating disinformation) whereas for video-sharing platforms (VSPs) level of effectiveness is only partial to some extent.

Editorial media already contributes substantially to media literacy through professional journalism, accountability and self-regulatory practices, helping audiences identify trustworthy content and counter disinformation.

By contrast, platform measures remain fragmented and largely voluntary; algorithmic distribution can undermine media-literacy objectives, which supports introducing clearer minimum obligations for VSPs alongside the DSA. Minimum obligations for VSPs should therefore also support the visibility, contextualisation and recognisability of

editorially responsible media content, without creating new obligations for media service providers themselves.

- *With regard to the development of media literacy skills in the online environment, please select your preferred policy option:*
 - **Minimum specific obligations for VSPs:** The status quo is insufficient. Minimum, clearly defined AVMSD based media literacy obligations for VSPs are needed, complementary to the Digital Services Act. These could include accessible and age appropriate media literacy tools, better content contextualisation and improved visibility of editorial media.

- *With regard to the reporting obligation of Member States on the implementation of the media literacy provision, please select your preferred policy option:*
 - **Standardisation of Member States' reporting:** Reporting obligation under Article 33a Standardisation of Member States' reporting is needed. Harmonised reporting tools and templates would improve transparency, comparability and sharing of best practices across the EU.

From the perspective of Finnish media, the clear view is that media literacy should be a core element of EU democracy and media policy with a following actions: recognise the role of professional journalism, strengthen complementary platform obligations (including visibility and contextualisation tools), and standardise Member States' reporting to improve comparability and best-practice sharing.

Section IV – Strengthening media diversity in the internal market

Prominence of Audiovisual Media Services of general interest (Article 7a)

Questions:

- *In your opinion, to what extent is the current regulatory framework within the AVMSD effective in ensuring prominence of audiovisual media services of general interest?
To a large extent / To some extent / To a small extent / Not at all / I do not know*
- *Do you consider that audiovisual media services of general interest are sufficiently visible and easily accessible via the user interfaces commonly used to access such services, for example smart TVs, or via video-sharing platforms?*

- *In view of the objectives to safeguard media pluralism, freedom of speech, cultural diversity, media sustainability, and coherence with the European Media Freedom Act, do you consider that prominence rules would be needed also for non-audiovisual media services, such as audio (radio and podcast) and press publications?*
- *In your opinion, is there a need for any mechanisms to ensure prominence of content produced by media services of general interest in the context of recommender systems or news feeds of platforms and user interfaces?*
- *With regard to this provision, please indicate your preferred policy option:*

Finnmedia response:

Prominence/discoverability should be addressed in a medium-neutral way that supports media pluralism and ensures domestic, editorial media services can be found on all relevant interfaces and devices where media content is accessed or can be accessed (e.g. connected TVs, app stores, smart speakers and in-car interfaces). Prominence obligations should apply to gatekeepers (whether they are device manufacturers, operating systems, app stores, platform interfaces and recommender systems), and not to media service providers themselves. Effective prominence should cover not only visibility, but also findability and practical access to the media service. Depending on the interface, this may include reliable selection through search or voice commands, non-discriminatory routing to the user's chosen media service, protection against service substitution, misattribution or dilution of the media service provider's brand identity, and appropriate access points in connected devices such as cars, smart speakers and other user interfaces.

Across media sectors, there is support for service-neutral and non-discriminatory prominence rules that safeguard the visibility of domestic media without distorting competition or expanding AVMSD scope to radio or press media services as a whole. Platform power and algorithmic influence should be addressed horizontally. Where prominence measures benefit audio services, including radio, they should be framed as platform-facing obligations and should not be construed as bringing radio services within the scope of AVMSD obligations. The same principle should apply to press and other non-audiovisual editorial media services.

Where conflicts arise with horizontal e-commerce rules, duly adopted prominence measures should be effective in practice; legal coherence should ensure that media-pluralism objectives are not neutralised.

Any prominence framework should align with the EMFA's service-neutral concept of "media services", based on transparent, objective, proportionate and non-discriminatory criteria, and must treat publicly and privately owned media services equally, therefore

be inclusive of privately owned domestic media—not only public service broadcasters' media services.

Interplay with other EU legislation

The AVMSD, DSA, DMA, EMFA and the EU consumer-protection acquis should operate as complementary and mutually reinforcing frameworks. The AVMSD should remain focused on audiovisual media services and VSP-specific obligations; the DSA should provide horizontal due-diligence, transparency and systemic-risk rules for online intermediaries; the DMA should address the conduct of designated gatekeepers where they control access to audiences, data, advertising markets or device ecosystems; and the EMFA should support media pluralism, editorial independence and fair access to media services in digital environments. This combined framework should ensure that platforms cannot avoid responsibility by falling between legal regimes, while also ensuring that professional media services, including press and radio, are not made subject to inappropriate AVMSD obligations.

It should be also noted in this context, that although the review of the AVMSD may have a positive impact on the media business environment, the ongoing transformation of the media sector is driven less by individual legislative revision but more by how the wider EU regulatory framework evolves. The review of the AVMSD should be seen as one important element within a broader set of initiatives that are critical for the future of trustworthy media— such as AI and copyright as well as the Digital Omnibus and ePrivacy/cookie rules. Decisions taken in these areas will strongly influence whether media companies can continue to invest in professional content, reach audiences directly, and compete on fair terms with very large online platforms.

It is therefore essential that the Commission maintains a coherent and holistic approach, recognising the specific role of media in democratic societies and ensuring that new initiatives do not impose additional, fragmented regulatory burdens on editorially responsible media. Safeguarding fair competition—particularly vis-à-vis dominant online platforms—should remain a core objective across all relevant policy areas.

Within the AVMSD review itself, priorities should focus on prominence, fair advertising conditions across market actors, media literacy as a most sustainable means for minors' protection and consistent effective enforcement of existing obligations.

Summarized Finnmedia conclusions from the questionnaire:

In a nutshell, the media sector contributions convey a cautious and evidence-based approach to any possible revision of the AVMSD. There is broad agreement that:

- Scope and legal certainty: do not extend AVMSD scope/obligations to radio or press; avoid reopening core definitions without evidence of market failure. Platform-facing safeguards may nevertheless be needed to address gatekeeper

conduct affecting the access, visibility, integrity and monetisation of professional media services

- Platforms and influencers: prioritise targeted clarification and consistent enforcement (incl. advertising transparency), focusing on commercial activity and gatekeeper responsibilities. This should include platform practices that affect access, routing, contractual fairness, advertising transparency and the ability of media service providers to maintain direct relationships with their audiences
- Advertising: simplify and modernise rules for editorial media; prevent national gold-plating; tackle harmful/scam advertising and uneven rules on platforms. In addition, platforms and intermediaries should not insert, replace or overlay advertising in or around professional media services without the explicit consent of the media service provider.
- Minors' protection and media literacy: focus on additional obligations where risks are highest (i.e. in platform environments), while recognising the existing, important contribution by editorial media; improve and standardise reporting by the Member States.
- Prominence/discoverability: medium-neutral, non-discriminatory measures that include privately owned domestic media services and primarily bind all device manufacturers, gatekeepers and user-interface providers. These measures should cover both visibility and effective access, including findability, search and voice-based access, non-discriminatory routing and connected-device interfaces where relevant.

We remain at your disposal should you need additional information and contacts in Finland relating to the themes discussed in this contribution.

Finnmedia - The Federation of the Finnish Media Industry is the advocacy organisation for Finland's media and graphic industries. It represents around 600 companies operating in news and magazine media, book and learning material publishing and printing, as well as radio and television broadcasting and distribution. The sectors represented by Finnmedia employ approximately 21,000 people in Finland and generate a combined annual turnover of about EUR 3.2 billion. The Finnish Media Federation (Finnmedia) (EU Transparency Register ID: 910162617573-84)

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Please find information about The Finnish Media Federation (Finnmedia) on <https://www.medialiitto.fi/finnmedia/>