

SOCIETAT CATALANA DE COMUNICACIÓ POSITION PAPER

Response to the European Commission's call for evidence on the Audiovisual Media Services Directive. December 21, 2025

1. Presentation

Based on the call for evidence launched by the European Commission for the evaluation of the Audiovisual Media Services Directive (AVMSD), the Catalan Communication Society (SCC) has prepared this document, with the aim of contributing to an open and plural debate on the possible updating of the AVMSD.

This document only aims to draw attention and provide reflections on different key points, on the understanding that soon, when the European Commission conducts the public consultation on the revision of the AVMSD, the different stakeholders will have the opportunity to make specific proposals.

As for the SCC, it is a subsidiary of the Institut d'Estudis Catalans (Catalan Studies Institute, IEC), an academic corporation whose purpose is high scientific research. The SCC aims to cultivate studies that aim at social communication, extend their knowledge, and publish the academic work dedicated to research, for which reason it maintains regular relations with researchers and communication studies from all universities in their linguistic field.

From a legal point of view, the IEC is a public law corporation, with a private base, without any organic dependence on the Public Administration. Now it has 175 members.

It is based in Barcelona (Catalonia, Spain), and its area of action are the lands of Catalan language and culture (including Andorra and the Catalan-speaking places of France and Sardinia).

2. Prominence of Public Service Media

Article 5 of the AVMSD provides that Member States may adopt measures to ensure the appropriate prominence of audiovisual media services of general interest. This provision does not explicitly include Public Service Media (PSM), which in our view should be considered audiovisual media services of general interest for all purposes throughout the European Union, especially in the case of the prominence of their content. The update of the AVMSD should harmonise this aspect, without leaving it to the discretion of Member States.

We do not share the objections of sectors that consider to be exaggerated the number of public value services protected by the obligation of prominence in some country, because most of these services are regional and do not compete, but rather each one is addressed to its own audience, in its own region. It is up to the NRAs to regulate this reality and for technologies to provide solutions to grant prominence to the corresponding services in each territory.

In fact, throughout the European Union Public service media (PSM) is broadcasting made, financed and controlled by the public, for the public. Their output, whether it be TV, radio or digital, is designed to inform, educate and entertain all audiences. PSM broadcasters are usually established by law but are non-partisan, independent and run for the benefit of society. Well-funded and strong public service media are the cornerstones of democratic societies and have been shown to correlate with higher degrees of press freedom, lower levels of extremism and better control of corruption. With the proliferation of fake news and hate speech in the world today, an independent, trusted source of news and information has never been more important.

The PSM are a guarantee of universality, independence, excellence, diversity, accountability and innovation, as defended by the European Broadcasting Union (EBU), and are based on values such as cultural diversity, tolerance, solidarity, human rights, freedom of expression and democracy, as CIRCOM Regional assumes.

3. European Works

The possible update of the AVMSD is an excellent opportunity to assess the state of the audiovisual content industry in the European Union and to revise upwards, if appropriate, the 30% quota of European works in the catalogues of audiovisual on-demand services, provided for in Article 13 of the directive. An increase of five points in this quota, to 35%, would undoubtedly have positive effects both from the point of view of creation and production, but also from a cultural point of view.

Let us recall, in this regard, the recent resolution of the European Parliament, which “stresses that the measures laid down under the AVMSD constitute a legitimate regulation in the public interest, aimed at safeguarding cultural diversity by encouraging the production and dissemination of European works and at protecting freedom of expression, media pluralism and democratic values”. Significantly, the European Parliament “considers that any backtracking on the principles of the AVMSD would seriously undermine the European cultural model, particularly in the context of intense international competition in the audiovisual media sector”¹.

4. Disinformation

It is necessary to ensure that the content of an updated AVMSD, if applicable, fully aligns with the Digital Services Act (DSA) Code of Conduct on Disinformation, especially to keep pace with the growing exposure of the young population –and young voters– to false or misleading information spread through social media.

According to the research “Information consumption and misinformation perceptions in Spain during crisis situations: Legacy and social media”, which we published this year, 66% of those aged 18-24 use social media to obtain information during a crisis, a fact that contrasts with the

¹ European Parliament resolution of 23 October 2025 on Audiovisual Media Services Directive obligations in the transatlantic dialogue (2025/2776(RSP))

hand information sources in crisis situations for the Spanish population are television (37.5%), social media (26%), and the digital press (18%)².

5. Net neutrality and signal integrity

It is also important that an updated AVMSD reinforces the effectiveness of Net Neutrality Regulation 2015³ in the field of distribution of audiovisual content, so that market biases do not undermine the rights of audiovisual content producers or those of consumers and users.

While waiting to learn about the proposal for the Digital Networks Act that the European Commission is due to adopt soon, it is necessary to watch this issue from the perspective of the AVMSD and avoid that the regulation of audiovisual communication services and the regulation of the network follow parallel paths, instead of following convergent paths.

In a similar sense, it is necessary to insist on the need for platforms and distribution systems to respect the integrity of the signal of audiovisual content produced by communication service providers, both in the case of video and audio, subtitling, APIs (Application Programming Interfaces), and the EPG (Electronic Programme Guide). This is both to protect the editorial responsibility of providers and to respect the right of consumers and users to receive complete, quality content, especially in the cases of general interest or public service.

6. Simplification, harmonization, and influencers

As the European Commission itself proposes in the call for evidence, one of the main objectives of updating the AVMSD should be to simplify the legal web that audiovisual regulation has become, with a view to clarifying and facilitating its application by Member States. In this respect, therefore, we find that the Commission's approaches are completely correct and necessary.

In a similar sense, it is important that the review of the AVMSD addresses the regulation of new activities in the digital and audiovisual landscape such as those of influencers, which must conform to appropriate and proportionate rules to guarantee the quality of the content, the honesty of the activity, and the protection of consumers.

<https://scc.iec.cat/>

²Martí-Danés, A., Cuartielles, R., & Pont-Sorribes, C. (2025). Information consumption and misinformation perceptions in Spain during crisis situations: Legacy and social media. *Comunicació. Revista de Recerca i d'Anàlisi*, 42(2), 9-28. Retrieved from <https://revistes.iec.cat/index.php/TC/article/view/156270>

³ Regulation (EU) 2015/2120 of the European Parliament and of the Council of 25 November 2015 laying down measures concerning open internet access and amending Directive 2002/22/EC on universal service and users' rights relating to electronic communications networks and services and Regulation (EU) No 531/2012 on roaming on public mobile communications networks within the Union.