

| Working group 1 – 2025 Terms of Reference (ToR) | |
|---|---|
| Name of the working group 1 (WG1) | AV media matters |
| WG Chair, NRA | Karim Ibourki, CSA (Belgium) |
| Background | <p>One of the key aims of the Media Board, and previously ERGA, has been to ensure the coherent implementation of the revised Audiovisual Media Services Directive (AVMSD). This remains one of its core commitments, as clearly expressed in the Statement of Purpose of the Media Board¹.</p> <p>The Media Board’s multi-annual strategy² envisions a proactive role for the Board in the legislative debate on the AVMSD, should a revision of the directive be considered by the Commission, by providing its expertise resulting from its experience in enforcing and implementing the regulatory framework.</p> <p>In its strategical priorities, the Media Board also foresees to foster fair conditions between the various players and media subsectors in the broader media market, which includes the effective promotion of European Works, as well as monitoring the update to the consumer protection framework, especially when it comes to vloggers and influencers.</p> <p>Additionally, the Media Board set as a strategic priority for the upcoming years ensuring a high level of protection for minors, both in the traditional audiovisual environment and in the digital world.</p> <p>In a view to advance these strategic objectives, in 2025, the Media Board’s Work Programme³ established a dedicated Working Group to AV matters to support the implementation of the AVMSD at national level and to foster the exchange of best practices throughout the EU. These collaborative efforts will provide valuable practical insights in the context of the European Commission’s ex-post evaluation of the impact of the AVMSD, scheduled for the 19th of December 2026 at the latest, and its added value, and its potential revision.</p> |

¹ https://media-board.europa.eu/document/download/9d53d77b-48ad-44f3-9e9b-446e58ef6059_en?filename=Media%20Board%20-%20Statement%20of%20purpose.pdf

² https://media-board.europa.eu/document/download/4b3a42e3-06b5-4836-8209-a9c7b7a1aaac_en?filename=Media%20Board%20-%20Multiannual%20strategy%202025-2027.pdf

³ https://media-board.europa.eu/document/download/17741ffc-4795-407e-a7bf-fd4a55d6dd58_en?filename=Media_Board_2025_Work_Programme.pdf

**Working group
scope and
purpose**

In 2025, this Workgroup will continue consolidating efforts achieved by ERGA towards an enhanced enforcement of the European legal framework for audiovisual media services. It will gather relevant evidence for the implementation and contribute to the potential future development of this framework. The workstreams will build on previous work done by ERGA, and if necessary, complement it. The working group will cooperate closely with other working groups, including the ad-hoc Taskforce to be established by the Media Board and WG4 in order to avoid duplication of work and will aim at gathering and elaborating the Media Board's views to support the ex-post evaluation of the Audiovisual Media Services Directive.

1. The Promotion of European works

With regard to the promotion of **European works** and their prominence, the work initiated by ERGA in 2023 and continued in 2024 proposes an in-depth follow through, consolidating findings, best-practices and possible recommendations. It also explores some of the insights and recommendations from the latest European Commission report on the application of articles 13, 16 and 17 of the AVMSD for 2020-2021. WG1's work stream 1 will continue to focus on the promotion of European works (including the definition of European works and monitoring/financial contribution), with the aim of identifying discrepancies and best practices in the implementation of the directive and suggesting possible recommendations in the context of the upcoming evaluation of the AVMSD by the European Commission. WS1's deliverable will aim to create a dialogue amongst NRAs and stakeholders in form of a workshop and provide a paper reflecting the views of NRAs and building on the conclusions of the workshop.

2. The protection of minors

On **minors' protection**, workstream 2 will build on ERGA's work in 2024 on age verification tools, criteria for content flagging and parental control. Its focus will be on identifying, where possible, common indicators and descriptors for classifying and categorising harmful content that could negatively influence the cognitive, emotional or psychological development of minors. This work will support the Media Board in refining and enhancing its recommendations while fostering a dynamic, continuous learning environment. The workstream should take into consideration art 4(1) of the directive, and the ability of Member States to remain free to require media service providers under their jurisdiction to comply with more detailed or stricter rules.

Moreover, WG 1 will be responsible for drafting the Media Board's inputs on the European Commission's consultations regarding the protection of minors (when required) and in cooperation with WG4 if necessary.

In line with the above-mentioned objectives, WG1 will collaborate with WG4 to ensure a coordinated workflow within the Media Board.

3. Influencers and vloggers

When it comes to the topic of **influencers and vloggers**, the working group will seek to continue the sharing of best practices in the regulation, application and enforcement of the legal framework for influencers. A central objective of workstream 3 will be to update previous ERGA reports on vloggers and aiming to promote a harmonised approach. It may also provide input to the forthcoming Digital Fairness Act if necessary, aiming to offer insights on issues where media services intersect with consumer protection.

Finally, work group 1 will look into other aspects of the AVMSD not covered by the other work streams, and to be confirmed by members (including services of general interest in cooperation with WG5, events of major importance, content related commercial communications rules, NRAs' tasks/requirements/resources, the scope of the directive, and the mapping of topics and provisions stemming from the transposition of the AVMSD) in order to identify the implementation challenges and opportunities for improvement. Where possible, this should be done by collecting and summarising work previously done by ERGA. This would help the Media Board provide comprehensive feedback for the Commissions' evaluation of the AVMSD, and if needed, contribute to the future position of the Media Board regarding the eventual revision of the AVMSD. The specification of this part of the WG's work will be subject to a close coordination between WGs 1 and 4 throughout the working year.

Working group 1 Deliverables

| WORKSTREAM 1 – European Works | | |
|---|-------------------|--|
| Deliverable 1 | Deliverable type | Expert and stakeholder workshop/roundtable on the promotion of European works provisions in the AVMSD and its concluding report |
| | Deliverable title | (to be decided) |
| | Due date | Q2-Q4 2025 |
| | Publication | Report to include materials and conclusions of the workshop |
| WORKSTREAM 2 – Protection of Minors | | |
| Deliverable 2 | Deliverable type | EBMS reply to Commission’s consultation on Minors’ protection (art.28 DSA) (tbc) |
| | Deliverable title | The Media Board’s input to the European Commission’s consultation on minors’ protection |
| | Due date | Q2 2025 |
| | Publication | Yes |
| Deliverable 3 | Deliverable type | Report on the protection of minors |
| | Deliverable title | (to be decided) |
| | Due date | Q4 2025 |
| | Publication | Yes |
| WORKSTREAM 3 – Influencers (content creators) | | |
| Deliverable 4 | Deliverable type | Analysis of the consultation on the Digital Fairness Act, and EBMS input if necessary |
| | Deliverable title | (to be decided) |
| | Due date | Q2 2025 |
| | Publication | To be confirmed |
| Deliverable 5 | Deliverable type | Exchange of best practices on influencer and vloggers regulation aiming to provide potential update of previous ERGA reports on vloggers |
| | Deliverable title | (to be decided) |
| | Due date | Q4 2025 |
| | Publication | To be confirmed |

| Deliverable 6 | Deliverable type | Analysis and recommendations on the other articles of AVMSD in light of the ex-post evaluation (including summary of past ERGA reports where available) |
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| | Deliverable title | (to be decided) |
| | Due date | Q4 2024 |
| | Publication | To be decided |

Allocated Resources WG1

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|-------------------------|---------------------------------------|
| Drafters | Chair: Karim Ibourki CSA (Belgium) |
| Members | |
| Observers | |
| CEM (Bulgaria) | |
| Arcom (France) | |
| DLM (Germany) | |
| Agcom (Italy) | |
| CvdM (Netherlands) | |
| ERC (Portugal) | |
| CMS (Slovakia) | |
| CNMC (Spain) | |
| KommAustria (Austria) | |
| Medienrat/VRM (Belgium) | |
| AEM (Croatia) | |
| RRTV (Czechia) | |
| SLKS (Denmark) | |
| TTJA (Estonia) | |
| TRAFICOM (Finland) | |
| NCRTV (Greece) | |
| NMHH (Hungary) | |
| CnaM (Ireland) | |
| NEPLP (Latvia) | |
| RTCL (Lithuania) | |
| ALIA (Luxembourg) | |
| BAM (Malta) | |
| KRRiT (Poland) | |
| CNA (Romania) | |
| AKOS (Slovenia) | |
| Memy (Sweden) | |
| CRTA (Cyprus) | |
| IMC (Iceland)* | |
| NMA (Norway)* | |
| EFTA* | |

* Without voting rights (Article 1 of the Media Board Rules of Procedure)

Workflow for Working Group1 (internal and external milestones)

| Date | Action/Deliverable | Internal Working Group only, drafters | External CN, Plenary, Publication |
|--|---|--|---|
| 2025 | | | |
| March | 1 st proto-WG1 meeting - Presentation and organisation of the WG1 work and deliverables | All members | |
| 11th of April | Media Board Plenary Meeting - Official adoption of ToRs and election of the WG Chairs | | Plenary |
| April | 2 nd WG1 meeting - Exchange and preparation of the deliverable | All members | |
| | Workshop on the promotion of European works | All members | Relevant stakeholders |
| May | 3 rd WG1 meeting - Discussion and presentation of draft deliverables | | |
| 04 th or 5 th of June | Contact Network | | CN |
| 26 th or 27 th of June | Media Board plenary meeting - Presentation of the first outline of reports | | Plenary |
| Autumn | 4 th WG1 meeting - Exchange on the first draft reports | All members | |
| 19 th or 20 th of November | Contact Network | | CN |
| 9 th and 10 th of December | Media Board plenary meeting - Adoption of deliverables | | Plenary |