



## **Input into the call for evidence on the European Democracy Shield**

The European Board for Media Services – hereafter the Media Board – as established by the European Media Freedom Act (2024), is an independent advisory body at European Union level. The Media Board is composed of independent national regulatory authorities (NRAs) of the audiovisual media sector from all EU Member States. It builds upon and replaces the European Regulators' Group for Audiovisual Media Services (ERGA), which was created in 2014. The Media Board aims at fostering a European regulatory framework allowing a free, pluralistic, trusted and competitive European media ecosystem that reflects cultural diversity, while guaranteeing the protection of fundamental rights and empowering European citizens to forge informed opinions and participate effectively in the social and democratic debate.

As stated in the Media Board's 2025-2027 Multiannual Strategy<sup>1</sup>, in case new EU legislation is considered, the Media Board will engage in European legislative (and non-legislative) debates by providing its expertise resulting from its experience enforcing and implementing the regulatory framework. The Media Board acknowledges the importance of the fight against disinformation and foreign manipulation, the integrity of electoral processes, the strengthening of societal resilience and the importance of citizens' participation and engagement. This statement aims to provide feedback on the European Democracy Shield<sup>2</sup>, a non-legislative instrument proposed by the European Commission, aiming to respond to the challenges mentioned above, and increasing the resilience of our democratic systems and process, at EU and national level.

### **Area-specific input**

#### ***Enforcement of existing legal framework***

With the 2020 Democracy Action Plan<sup>3</sup>, the European Commission, acknowledged the impact of digital transformation on democracy, the rule of law and fundamental rights, and revealed a number of initiatives to be taken, within the following years, with a view to protecting the EU's democratic values. Since then, several legislative and non-legislative actions have been taken, which, amongst other objectives, aim to strengthen media freedom, media transparency and media pluralism, counter disinformation, empower citizens and strengthen their participation in the political discourse. The new legal framework (e.g. the Digital Services Act – DSA, together with the recently converted Code of Conduct on Disinformation – CoC, the European Media Freedom Act – EMFA and the Regulation on the transparency and targeting of political advertising – TTPA), as well as the revised Audiovisual Media Services Directive (AVMSD), which remains the cornerstone of the audiovisual media regulation

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<sup>1</sup> [https://media-board.europa.eu/document/download/4b3a42e3-06b5-4836-8209-a9c7b7a1aaac\\_en?filename=Media%20Board%20-%20Multiannual%20strategy%202025-2027.pdf&prefLang=sk](https://media-board.europa.eu/document/download/4b3a42e3-06b5-4836-8209-a9c7b7a1aaac_en?filename=Media%20Board%20-%20Multiannual%20strategy%202025-2027.pdf&prefLang=sk)

<sup>2</sup> [https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14587-European-Democracy-Shield\\_en](https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14587-European-Democracy-Shield_en)

<sup>3</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52020DC0790>

in the EU, provide new tools and cooperation mechanisms that contribute to achieve these goals. More peripheral, the AI Act will also play a role in countering disinformation, when it is disseminated through AI-generated contents and deepfakes. However, as ERGA (now the Media Board) has put it in its 2024 report<sup>4</sup> for these instruments to be effective, it is necessary to properly enforce them and to clarify the interplay between different instruments. It is also necessary to establish a cooperation mechanism among relevant authorities responsible for different regulations to ensure optimal and consistent results in individual cases.

Rather than introducing additional regulatory obligations, it is imperative to **focus efforts on the effective implementation of the existing legislation across Member States and industry players**. The Media Board stresses the need to maintain and respect the specificities of sectoral media regulation within this increasingly complex legal environment. Horizontal instruments, particularly the DSA, and transversal instruments, particularly the AI Act, complement media-specific frameworks such as the AVMSD and EMFA. The AVMSD ensures that citizens are well-protected through countering illegal content and implementing measures regarding harmful content, including on video-sharing platforms (VSPs), while safeguarding freedom of expression and media pluralism, through specific audiovisual rules.

In this regard, the Media Board notes that the efficient implementation of the existing legal instruments is directly dependent on several factors, such as the powers granted at national level to NRAs (which in some cases may include the power to issue notice and take down orders under Art. 9 of the DSA), the operational capacities and the human and technical resources of NRAs. Additionally, the consistent use of the newly established collaboration mechanisms (under the DSA and EMFA) for addressing requests for information and assistance will require the existence of streamlined communication channels and processes and most importantly the willingness of NRAs, but also the European Commission to share experiences, good practices and knowledge relating to the implementation of the regulatory framework. This requires the provision of sufficient resources to regulators at the national level, as well as efficient mechanisms to support cooperation, information exchange, and coordinated enforcement actions among competent authorities (particularly between the Media Board, the European Board for Digital Services, and the European Commission) and relevant stakeholders.

To support effective enforcement, it is essential to **address the growing public mistrust in traditional media and institutions**. Initiatives under the European Democracy Shield can play a key role in identifying and actively proposing measures and actions to respond to these concerns. Greater emphasis should be placed on how stakeholders communicate about the implementation of the existing regulatory obligations – particularly in demonstrating how they benefit end users and citizens. Transparency and consistent communication are vital to building public trust and ensuring the effectiveness of these measures.

### ***Disinformation***

Disinformation poses a serious and growing threat to democratic societies, undermining public trust and distorting democratic discourse. There are increasing concerns on the impact of coordinated inauthentic behaviour, the use of fake accounts, and the spread of deceptive content such as

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<sup>4</sup> [https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report\\_European-legal-framework-for-digital-services\\_final.pdf](https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report_European-legal-framework-for-digital-services_final.pdf)

deepfakes, which are often designed to manipulate public opinion. In response to threats posed by disinformation and connected tactics, the European Democracy Shield should prioritise **support for initiatives that empower users** to distinguish between high-quality, trustworthy information and manipulative or misleading content. Given the central role of very large online platforms (VLOPs) in the spread of disinformation, the European Commission should focus on robust enforcement of existing frameworks to hold VLOPs accountable and ensure they actively mitigate the risks associated with disinformation and manipulative behaviour on their platforms. Building on ERGA's previous recommendations<sup>5</sup> and experiences in the monitoring of the CoC (previously Code of Practice), the Media Board calls on the European Commission and the European Board for Digital Services to continue **monitoring of platform compliance with existing co-regulatory frameworks**, particularly the CoC, also in cooperation with researchers that can provide an independent assessment of adopted measures. Where voluntary commitments prove insufficient, the consideration of stronger regulatory measures must remain an option to ensure the resilience of European democracies.

Additionally, it should be considered, as part of the European Democracy Shield, to introduce initiatives that **promote and financially support fact-checking efforts, while safeguarding their independence**, and help such organisations develop sustainable business models. This would not only enhance the availability of fact-checking content and promote pre-bunking efforts but also ensure that such resources reach users.

### ***Protection of free, pluralistic, and independent media***

Protection of free, pluralistic, and independent media is important in terms of the integrity of the elections and the democratic process. Under the European Democracy Shield, the European Commission can consider proposing **targeted initiatives and additional funding mechanisms to support the sustainability of editorially independent media**. Dedicated funding opportunities for news media and media development, particularly for the outlets operating at the local or community level, could support the development of a media landscape that fosters democratic values. At the same time, consistent application and enforcement of the existing legal framework, particularly provisions to **ensure strong, properly funded, and independent public service media** (Art. 5 EMFA), safeguarding content available on VLOPs developed under editorial standards, such as the Journalism Trust Initiative (JTI) norms (Art. 18 EMFA), and transparency of the recommender systems is crucial. The challenges of generative AI, in particular the risk of an increasing number of synthetic media should be addressed.

One crucial element to diverse an independent media is the promotion and preservation of the economic sustainability of the media sector. As ways of distribution and consumption of media and news content diversified due to the digitalisation, the **prominence of audiovisual services of general interest** may be crucial for a free opinion-forming process as they guarantee findability of audiovisual content in line with professional journalistic standards. The prominence of such services also ensures media pluralism, freedom of expression, and cultural diversity are upheld. The market has made it increasingly challenging to identify content that plays a meaningful role in shaping public opinion, amidst the abundance of available options. This trend is further amplified by algorithmic techniques that influence how such content is prioritised and delivered online.

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<sup>5</sup> [https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG3-Statement-CoP\\_final.pdf](https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG3-Statement-CoP_final.pdf)

Art. 7a of the AVMSD acknowledges that Member States may take measures to ensure the appropriate prominence of audiovisual services of general interest to ensure that Europeans have easy access to trustworthy news and media content when navigating in the ever-evolving information landscape. Since the national transposition of Art. 7a of the AVMSD is not mandatory, only a few Member States have chosen to implement this provision. Experience from these countries shows that to ensure more effective enforcement of prominence provisions, Art. 7a of the AVMSD should be scrutinised in the evaluation process and potential review with the aim of having a sufficiently flexible framework while remaining compatible with Union law. The Media Board therefore encourages the European Commission to explore ways to facilitate the enforcement of prominence rules regarding services classified as “of general interest”, particularly in cases involving platforms and/or user interfaces based in other Member States. More broadly speaking, the Commission is encouraged to address the encountered challenges linked to the interplay of this AVMSD provision with other EU instruments (such as eCommerce Directive, DSA).<sup>6</sup> From the Media Board’s perspective, the enforcement of prominence measures (which may have been implemented in one Member State in a cross-border scenario) can be essential to ensure findability of media services to provide for reliable information in the opinion-forming process and to ultimately counter the spread of disinformation.

### ***Third-country broadcasters***

As a group of NRAs with extensive experience in overseeing audiovisual media services, the Media Board and its predecessor ERGA have followed developments in the distribution, targeting, and manipulation of information, both in traditional broadcasting and online environments. In recent years, there have been increasing attempts to **influence the opinion-forming process in Member States through foreign state-controlled media** as well as manipulative techniques for spreading disinformation narratives online. As audiovisual regulators, the Media Board’s expertise related to foreign information manipulation and interference (FIMI) mainly lies within the regulation of third-country broadcasters. Article 17 of the EMFA, which enables cooperation – including through Media Board’s coordination of national measures – between national regulators when media services from third countries prejudice – or present a serious and grave risk of prejudice to – public security, is a positive step towards enabling more effective enforcement to protect European audiences from foreign interference. However, the full impact of this provision will likely depend on its practical implementation and enforcement in the coming years. Following thorough analysis<sup>7</sup>, ERGA therefore pointed out that an analysis and possible **reconsideration of the jurisdiction criteria related to satellite distribution** under Art. 2 par. 4 AVMSD to complement the regime under Art. 17 EMFA may be relevant to address procedural shortcomings of the existing provisions.<sup>8</sup> Aligning initiatives under the European Democracy Shield with these regulatory issues will be crucial to safeguarding Europe’s democratic discourse and information space.

For the European Democracy Shield, the European Commission should therefore consider adding a specific section on the targeted manipulation of the information space performed by third countries.

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<sup>6</sup> [https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report\\_European-legal-framework-for-digital-services\\_final.pdf](https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report_European-legal-framework-for-digital-services_final.pdf)

<sup>7</sup> <https://erga-online.eu/wp-content/uploads/2023/12/ERGA-SG1-Report-2023-Cross-Border-final-version-for-publication.pdf>

<sup>8</sup> <https://erga-online.eu/wp-content/uploads/2024/07/ERGAs-views-on-the-future-priorities-for-media-policy.pdf> ; [https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report\\_European-legal-framework-for-digital-services\\_final.pdf](https://erga-online.eu/wp-content/uploads/2024/12/ERGA-SG4-Report_European-legal-framework-for-digital-services_final.pdf)

It is also important to reflect how appropriate solutions can be integrated into the European legal framework for media. It will be of particular importance to acknowledge that democratic systems need effective rules and procedures to defend themselves from foreign information manipulation and interference. These rules always need to be based on clear, objective and impartial procedures, and applied carefully, weighing them against the freedom of expression.

### ***Vloggers***

The Media Board has established a dedicated line of work in 2025 on vloggers, acknowledging their growing influence on public opinion and the need for consistent regulatory approaches. This work builds on the efforts previously carried out by ERGA which in recent years published several reports on vloggers' supervision and regulation. The 2021 report focused on qualifying vloggers as audiovisual media service providers and included recommendations for defining "mass medium" and "economic service" per the AVMSD.<sup>9</sup> The 2022 report addressed identification of vloggers and transparency in commercial communication.<sup>10</sup> The 2023 report shared practical experiences of ERGA members.<sup>10</sup> A recent report by the EAO indicates that the regulation and supervision of influencers has now taken off in EU countries.<sup>11</sup>

The AVMSD rules on vloggers focus mainly on protecting minors and regulating commercial communications. However, as political figures increasingly bypass traditional media by turning to vloggers and other content creators, the role of these actors in shaping public opinion becomes more central and consequential. They have a significant influence over their audiences. A study by the IMCO committee of the European Parliament<sup>12</sup> identified four key features of influencer marketing: 1) content creation, 2) commercial intent, 3) monetisation, and 4) trust and authenticity. The last feature distinguishes influencers from traditional commercial media because their perceived authenticity is based on parasocial relationships with their online audience. From a democratic perspective, this is particularly relevant when considering political advertising and the dissemination of disinformation. Younger audiences, in particular, gather their news and information online and follow content creators and vloggers.<sup>13</sup> According to international research on news consumption by the Reuters Institute for the Study of Journalism, there is concern about the accuracy of online news.<sup>14</sup> The decline in trust on traditional media and journalism, alongside the rise in online news and information gathering, is concerning from a democratic perspective.

The regulation and supervision of vloggers within the EU under the existing AVMSD framework can play a key role in combating disinformation by promoting transparency and accountability for commercial and political communication. Training modules and certification systems<sup>15</sup> are being introduced to **encourage influencers to be more transparent and meet professional and ethical**

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<sup>9</sup> <https://erga-online.eu/wp-content/uploads/2021/12/ERGA-SG1-2021-Report-Vloggers.pdf>

<sup>10</sup> <https://erga-online.eu/wp-content/uploads/2023/12/ERGA-SG1-Vloggers-report-2023-final-version-for-publication.pdf>

<sup>11</sup> <https://rm.coe.int/national-rules-applicable-to-influencers/1680b5540c>

<sup>12</sup> [https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL\\_STU\(2022\)703350\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2022/703350/IPOL_STU(2022)703350_EN.pdf)

<sup>13</sup> <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2024/dnr-executive-summary>

<sup>14</sup> This concern has increased by 3 percentage points in the last year, with approximately six out of ten (59%) individuals expressing their concern. See: <https://reutersinstitute.politics.ox.ac.uk/digital-news-report/2024/dnr-executive-summary>

<sup>15</sup> <https://erga-online.eu/wp-content/uploads/2023/12/ERGA-SG1-Vloggers-report-2023-final-version-for-publication.pdf>

**standards**, but more could be done at EU level to support and harmonize these efforts. The European Democracy Shield could enhance this effort by focusing on this important and increasingly professionalised group within the media ecosystem. Key areas of concern include identification of vloggers, the transparency of commercial communication, and political advertising.

### ***Media and Information Literacy***

Media literacy, as a core pillar of societal resilience and preparedness, empowers citizens to navigate today's complex information environment, identify manipulation, gain awareness toward AI-generated contents and participate responsibly in democratic processes. In line with the objectives of the European Democracy Shield, advancing media literacy is essential to safeguard democratic values and public trust in the digital age. The Media Board believes that the European Democracy Shield should support a **systemic, multidimensional, EU-wide approach to media literacy**, grounded in the principles and best practices established by ERGA and the Media Board.<sup>16</sup> Many NRAs already have an existing role in supporting media literacy initiatives at the national level, in line with their responsibility to reflect national specificities and facilitate cooperation between local stakeholders and EU-level actors. This includes contributing to reporting and knowledge exchange and ensuring that media literacy campaigns and platform-led actions are grounded in local democratic contexts and national societal needs.

Building on those experiences, the Media Board suggests considering if it would add value to developing a comprehensive EU-level media literacy strategy. It should be – building on work already carried out in this area – composed of a framework defining key media literacy competences and learning outcomes and accompanied by a toolkit with adaptable and accessible educational resources for various stakeholder groups (e.g. teachers, librarians, influencers) and a measurement and evaluation system to assess effectiveness, inclusion and support evidence-based improvement. A strategy “knotting the dots” could facilitate development of national media literacy strategies, adapted to national needs and specificities.

It is important to integrate media literacy into school curricula from an early age and extend it throughout life via inclusive, intergenerational outreach. Such education must build broader democratic competencies such as understanding journalism ethics, civic responsibility, and the detection of manipulative tactics and techniques. Citizens should learn how trustworthy information is produced and how to distinguish facts from opinions or propaganda. School education shall be accompanied by a lifelong learning effort, especially for potentially vulnerable groups like the elderly or low-literacy adults, promoting critical thinking, respectful debate, and an understanding of freedom of speech and its limits.

As VLOPs have a major societal impact, efforts under the European Democracy Shield should promote measures to embed “**media literacy by design**” principles into their products and services. These should include algorithmic transparency in recommender systems, informational integrity cues (e.g. verified source indicators), and user empowerment by interface (e.g. embedded learning tools). Media literacy efforts should not be isolated from these structural conditions that shape how users' access, interpret, and trust information. Media literacy should also aim to rebuild the trust in the media and

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<sup>16</sup> This includes the six key principles for media literacy defined in the ERGA AG3 2021 Media Literacy Report: transparency, multi-stakeholder cooperation, a focus on the user/citizen, reach, localisation, and evaluation. See: <https://erga-online.eu/wp-content/uploads/2021/12/ERGA-AG3-2021-Report-on-Media-Literacy.pdf>

public discourse. This includes promoting cohesion, civic solidarity, and the ability to recognise the intent behind divisive or sensationalist content. The European Democracy Shield should also focus on **encouraging efforts to include non-traditional actors, such as vloggers and influencers, in promoting media literacy and democratic values**, using e.g. partnership-based approaches. These actors should be incentivised to take greater responsibility in fostering their audiences' media and information literacy. This includes reflecting on their role in shaping the information environment and adopting media literacy by design principles in their content practices, such as transparency about sources, ethical communication, and active reinforcement of critical thinking. Ultimately, media literacy should be seen not only as a protective measure against disinformation but also as a foundation for active, informed, and responsible democratic participation.

## **Conclusion**

In conclusion, the Media Board reaffirms its commitment to contributing meaningfully to the development and implementation of the European Democracy Shield. The Media Board emphasises that the resilience of democratic societies relies not only on the adoption of new measures but also on the effective enforcement of existing legislation, cross-border cooperation, and the promotion of a pluralistic and viable media environment. A comprehensive and coordinated approach grounded in media freedom, regulatory expertise, and fundamental rights is essential in safeguarding European democracy.