



## Commission takes further steps to promote European audiovisual works and protect vulnerable viewers

Brussels, 2 July 2020

Today, the Commission adopted [guidelines](#) to help Member States implement the revised Audiovisual Media Services Directive. The guidelines will offer a practical tool to ensure the promotion of European works in media content, thereby supporting cultural diversity and greater choice for European consumers. They will also help better protect users of video-on-demand and video-sharing platforms, particularly minors, against hate speech and harmful content.

Executive Vice-President for A Europe Fit for the Digital Age, Margrethe **Vestager**, said: *"The revised audiovisual rules will be a tool to safeguard users against harmful content. They will also enable European companies, films and other media ventures to create and promote European produced content, for consumers to enjoy cultural diversity and a more varied choice of products and services."*

Commissioner for Internal Market, Thierry **Breton**, added: *"We are making the most of our vibrant audiovisual media sector for us all – citizens, businesses, creators and authors – by transforming our media industry towards more innovative services, promoting our European culture in on-demand catalogues, and protecting our children and other vulnerable users from illegal and harmful online content."*

EU Member States have until 19 September 2020 to transpose the revised Audiovisual Media Services Directive into national law. The guidelines, while not binding, are expected to contribute to its harmonised implementation and enforcement. They provide the Commission's views on how specific concepts should be applied in order to ensure a consistent implementation of the media rules across Member States.

The guidelines are part of the Commission's broader work to define clearer responsibilities and accountability for social media and online platforms, and are complementary to the upcoming Digital Services Act package, on which a [public consultation](#) is ongoing.

The Commission today adopted two sets of guidelines:

### **Guidelines on European works**

The Audiovisual Media Services Directive has reinforced the obligations to promote European films and TV shows in on-demand services, which need to ensure at least a 30% share of European content in their catalogues and give prominence to such content. It also allows Member States, under certain conditions, to require media service providers that are established in another Member State, but target audiences in their territories, to contribute financially to the production of European works.

The guidelines also include a recommended methodology for the calculation of the 30% share of European content in each national catalogue, based on the titles of films and seasons of television series. They also clarify the definition of 'low audience' and 'low turnover', in view of exempting smaller providers from the obligations concerning the promotion of European works and, thus, not undermining market development nor inhibiting the entry of new market players.

### **Guidelines on video-sharing platforms**

The revised Audiovisual Media Services Directive extends EU standards on illegal and harmful content to video-sharing platforms, including services like social media where the provision of audiovisual content is not the principal purpose of the service, but it still constitutes an essential functionality thereof. As a result, online players will have to ensure, in a similar way to traditional media players, that users are protected against hate speech and that minors are protected from harmful content. Online platforms must take action against flagged content, which incites violence, hatred and terrorism, and ensure appropriate advertising and product placement in children's programmes.

In this context, the guidelines provide a toolkit for Member States to help them assess which online

services should fall under the scope of the European media framework. They also identify a list of relevant indicators that Member States can use when evaluating whether audiovisual content is an essential, and not only a minor or ancillary, part of the online platform. Moreover, they take into consideration the dynamic nature of the online platform environment and thus aim to ensure flexibility in this area.

## Background

The [revised Audiovisual Media Services Directive](#) was adopted in 2018 to address changes in the media landscape in Europe. It contributes to the fairer regulatory environment for all audiovisual media players across the EU and ensures a better protection of viewers when accessing audiovisual media content, including online.

In addition, it extends certain EU rules to video-sharing platforms, including some social media and other services where an 'essential functionality' of these services is to provide audiovisual content. These services are required to take measures to protect their users from illegal and harmful content. It includes reinforced obligations to promote European works for on-demand services, which need to ensure at least a 30% share of European content in their catalogues and give prominence to such content.

The Directive requires the Commission to provide, where necessary, guidelines on the practical application of the "essential functionality" criterion in the definition of video-sharing platforms, on the calculation of the share of European works as well as the definition of low audience and low turnover for applying the related exemptions. Two sets of guidelines were therefore issued today, following consultation with relevant representatives of the EU Member States (so-called Contact Committee). The views of stakeholders, especially with regard to specific technical issues, were collected during a targeted public consultation in February and March 2020.

## For more information

[Guidelines](#) on the revised Audiovisual Media Services Directive

[Questions and Answers](#) - Guidelines on the revised Audiovisual Media Services Directive

[Audiovisual Media Services Directive](#)

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