

ACT POSITION ON AGORAEU

CONTEXT

The Association of Commercial Television and Video on Demand Services in Europe ([ACT](#)) is the voice of commercial television and video on demand services in Brussels. We directly represent 26 commercial broadcasters and their video on demand services operating across the European Union and beyond. Our members finance, produce, promote, and distribute content and services that reach millions of Europeans across all platforms. They provide European citizens with high-quality, trusted news and information that supports democratic engagement, and they curate a rich audiovisual experience reflecting Europe's cultural and linguistic diversity.

EXECUTIVE SUMMARY

The ACT strongly supports the European Commission's AgoraEU proposal ([COM\(2025\)550](#)). The draft regulation represents a balanced, forward-looking, and coherent approach to strengthening Europe's media ecosystem. ACT welcomes the new programme as a timely and positive signal. It sends the right message that Europe recognises the strategic importance of its media and cultural sectors. We also welcome its open and inclusive design, which reflects market realities, builds on existing frameworks, and avoids unnecessary rigidity. It is also encouraging that the overall budget for the media component of the programme is expected to be significantly increased. Stable and predictable funding remains essential for the media sector's long-term viability and competitiveness. We **urge policymakers to uphold the proposal as tabled**, preserving its simplicity, structure, and long-term vision for Europe's media sector.

A WELCOME INCLUSIVE APPROACH

ACT commends the Commission's AgoraEU proposal for its clarity, coherence, and inclusivity. The initiative strengthens Europe's democratic, cultural, and industrial resilience by ensuring that the full spectrum of media actors - from broadcasters to cinemas, journalists, producers (affiliated and independent), distributors, and other media workers - can contribute to a sustainable and pluralistic media landscape.

The proposal's design is:

- **Open and flexible**, reflecting the diversity of Europe's audiovisual and news ecosystems;
- **Future-proof**, enabling adaptation to emerging technologies and business models;
- **Complementary** to existing frameworks such as the Audiovisual Media Services Directive (AVMSD), the European Media Freedom Act (EMFA), and the Digital Services Act (DSA).

By avoiding duplication and fragmentation, AgoraEU enhances policy coherence across Europe's media governance architecture. It provides a unifying platform that supports the audiovisual and news sectors - recognising that they operate in overlapping markets and share common challenges related to investment, innovation, and trust.

ACT particularly welcomes the simplicity of the proposal's structure and its pragmatic, market-aware orientation. It avoids prescriptive definitions or categorical exclusions that could distort competition or discourage collaboration. Instead, it builds on Europe's proven strengths: openness, diversity, and cross-sector cooperation.

ACT emphasizes that AgoraEU's inclusive design has real-world significance. In difficult markets where media freedom is threatened, it is often broadcasters, alongside their journalists, who are on the frontline defending independent journalism. Any approach that excludes categories of media actors undermines the very democratic resilience AgoraEU seeks to strengthen.

Broadcasters also underpin Europe's production ecosystem. A recent report by the European Audiovisual Observatory¹ showed that broadcasters play a key role in financing original content. In 2024, broadcasters' spend on European original content represented 66% of all spending. Moreover, broadcasters commission a wide range of content including lower budget shows that are more likely to employ those at the start of their career. As such, broadcasters play a pivotal role supporting the development of skills and experience that are the foundation of our successful and world-beating audiovisual production ecology.

MAINTAINING THE PROPOSAL'S BROAD AND OPEN APPROACH

ACT cautions against calls to introduce an "independent production" or "independent producer" criterion. These calls serve narrow commercial interests and reflect a specific cultural policy approach, rather than the broader health of Europe's media ecosystem. Such a criterion would narrow AgoraEU's scope, distort competition, contradict the Commission's analysis of market concentration in the production sector and fail to reflect the collaborative realities of today's European audiovisual ecosystem.

Why an independent production requirement would harm AgoraEU

- A definition of independent production should not be included in AgoraEU. The concept lacks a consistent definition and would introduce legal uncertainty and administrative complexity - contradicting the programme's core principles of simplicity and openness. In order to foster cooperation and optimise the funding of EU productions, we welcome the Commission proposal which builds on the strength of having a simple and open mechanism to access EU funds, rather than focusing on a narrow definition of beneficiaries.
- Outdated categories do not reflect market realities. The Commission's 2025 Media Outlook highlights that growing concentration among major production groups² ("super indies") and big tech, now dominate parts of the market with operations and power exceeding national broadcasters. In this transformed landscape, rigid ownership-based definitions fail to capture competitive dynamics or ensure genuine diversity.
- Excluding affiliated producers would undermine European production. Broadcasters and their affiliated producers finance and produce the overwhelming majority of audiovisual works, supporting thousands of creative professionals, and driving cultural diversity. Artificially segmenting the sector would distort competition and reduce investment in European content.
- Europe's strength lies in collaboration across all producer types. AgoraEU rightly ensures equal treatment for all contributors - affiliated and independent, large and small, broadcasters and tech platforms - preserving the open, diverse partnerships that underpin Europe's competitive media ecosystem.

¹ European Audiovisual Observatory [report](#) on "Audiovisual services spending on original European content 2014-2024 data"

² See p. 36 and table 3 of the [2025 Media Outlook Report](#), which underline the growing concentration and dominance of major production companies like Mediawan and Banijay, which are much larger than most European broadcasters.

To be clear: this is not about broadcasters seeking a large share of AgoraEU funding - they do not expect to claim all, the majority, or even as much as independent producers. The point is one of principle: media companies should not be excluded from a programme designed to strengthen Europe's entire audiovisual and media sector. If non-content creators like distributors and exhibitors qualify for the media+ strand, content-creating media companies unquestionably do.

KEEPING AUDIOVISUAL AND NEWS TOGETHER

ACT strongly supports the Commission's integrated approach to audiovisual and news media, by including them both objectives in the media+ strand. The two cannot be meaningfully separated: broadcasters produce both, hybrid formats blend journalism and entertainment, and splitting them would fragment what audiences experience as integrated content.

Moreover, Europe's most impactful content defies categorization. News and current affairs programming, investigative documentaries, political talk shows all are both audiovisual and journalism. These hybrid formats are core to European media, not edge cases. Separating audiovisual and news would fragment what is inherently integrated.

The two objectives are naturally aligned: investigative journalism is a good illustration of this. Under EU law, investigative journalism documentaries can be recognized as European audiovisual works, demonstrating how these objectives overlap and reinforce one another in practice.

The two objectives naturally overlap: the news objective supports "investigative journalism" while the audiovisual objective supports "European audiovisual works across multiple formats and genres." Investigative journalism documentaries can qualify as European audiovisual works under EU law, demonstrating that content can simultaneously fulfil both objectives.

Audiovisual media services are also news outlets. Broadcasters invest heavily in both scripted entertainment and trusted journalism, using one to cross-subsidize the other. Splitting these streams would artificially separate interdependent sectors, fragment regulatory oversight and funding support, and undermine broadcasters' ability to finance journalism.

By keeping audiovisual and news media under one umbrella, AgoraEU reflects today's converging media environment and mirrors how audiences consume content and how media companies and the sector actually operate.

SUPPORTING EDITORIAL INDEPENDENCE AND ARTISTIC FREEDOM

ACT commends the Commission for enshrining editorial independence in the news objective and artistic freedom in the audiovisual objective. However, applying both principles to both objectives could further improve the proposal. European media content - be it classified as audiovisual or news - requires both editorial independence and artistic freedom to thrive. News programming demands creative expression, while audiovisual content often serves journalistic functions.

Applying both principles across Media+ aligns with AgoraEU's broader principle-based approach and reinforces that news and audiovisual are two sides of the same media ecosystem.

ENSURING LOCAL AND REGIONAL BUY-IN

EU-wide funding structures can be complex to navigate. Notably because they often require participation from multiple Member States. While this has strengthened cooperation, it can be challenging for media organisations whose remit is primarily national or regional production. We would therefore welcome further simplification and flexibility in this regard to ensure the programme is as efficient as possible and accessible for local and regional stakeholders.

CONCLUSION

The AgoraEU proposal is a well-calibrated, inclusive, and future-proof vision for Europe's media sector. It is pragmatic yet ambitious, balancing flexibility with coherence.

ACT urges policymakers in the European Parliament and Member States to:

- **Uphold the proposal's simplicity and inclusivity as proposed**, avoiding amendments that would upset its balance by introducing restrictive definitions or artificial divisions;
- **Support a competitive, diverse, and resilient European media ecosystem**, by enabling collaboration across all actors in the value chain.

By endorsing the Commission's approach, policymakers will reinforce the principles that make Europe's media strong: diversity, cooperation, and inclusion.