

EASA response to the Commission’s call for evidence

Audiovisual Media Services Directive – evaluation and review

Key points and recommendations:

- There is no ground for reopening the AVMSD, since the AVMSD remains fit for purpose.
- Existing rules fully apply to influencer marketing.
- Enforcement, awareness-raising & self-regulation are of the essence to protect viewers and minors.
- If the AVMSD were nonetheless to be reopened, Article 4a should be preserved and reinforced, being a key incentive for collective advertising self-regulation.

About EASA

Established in 1992, the European Advertising Standards Alliance (EASA) represents and coordinates the collective advertising self-regulatory systems across Europe.

EASA’s membership is composed of 28 independent advertising self-regulatory organisations (SROs), which ensure the enforcement of advertising self-regulatory and co-regulatory codes of conduct at national level, 14 advertising industry associations (advertisers, agencies, the media) and 2 digital pure players, which all commit to these self-regulatory systems and their principles.

EASA’s impact

Self-regulatory systems provide a framework for ongoing development and effective enforcement of collective commitments, ensuring alignment with market realities. This impact is demonstrated by the following:

- In 2025, the EASA self-regulatory network analysed over 2 million publications of influencers. This shows how online monitoring’s efficiency is soaring as tech-driven tools enable more accurate and scalable filters
- Furthermore, in 2024, SROs processed over 52,000 complaints and delivered nearly 100,000 pieces of “copy advice”, an advisory evaluation of the compliance of the ad with the self-regulatory codes, before dissemination
- 97% of all advertisements viewed by the EU population fall under the EASA system
- 96% of the complaints received by SROs are handled within 2 months, 82% in 3 weeks and 56% in one week
- EASA is operating an efficient cross-border complaints system throughout Europe, to ensure that every complaint is handled by the competent SRO
- Training, copy-advice and other preventive tools strongly contribute to the safety of commercial communications

Feedback to the call for evidence

1. About the envisaged policy options

Three scenarios are envisaged under the call for evidence: the status quo, some targeted adjustments (including scope clarification, advertising and minors protection), or a full review and transformation into an EU content Directive or Regulation.

The AVMSD remains fit for purpose when properly enforced and complemented by self-regulatory systems as per Article 4a. The advantages of option 1 (status quo of the AVMSD) should be fully taken into consideration. Claims that options 2 and 3 offer greater simplification are unfounded. Even a “targeted” reopening risks unintended, extensive revisions due to political dynamics. Status quo preserves case law, regulators’ guidance, and academic interpretation – all key assets for legal certainty.

A lot can be achieved with enhanced and more consistent enforcement of the Directive across Europe. Self-regulation, as recognised in the Commission’s Better Regulation Toolbox, is another driver of stability for the implementation of the AVMSD, in line with Article 4a, Article 6a, Article 9(3) and (4), and Article 28b(2) and (4), to protect viewers and minors from misleading and harmful commercial communications.

Self-regulation is not an alternative but a complement to legislation. Articles 4a and 9 exemplify this synergy, aligning with the BR Toolbox’s principle that self- and co-regulation are effective policy instruments. Resorting to self-regulation can help striking the right balance in terms of subsidiarity and proportionality.

EASA and its network are committed to ensuring that all advertising practices remain legal, decent, honest, and truthful – principles enshrined in the ICC Advertising and Marketing Communications Code and in EASA’s Charter. Such principles are applicable across all forms of marketing communications, media, and platforms.

EASA recommendations:

- There is no ground for reopening the AVMSD, since the AVMSD remains fit for purpose
- Even in the case of a reopening of the Directive, it is crucial to preserve and reinforce Article 4a

2. Influencers: the “new” market player

The call for evidence notes that the audiovisual media environment and the audiovisual market have evolved since the latest revision of the AVMSD. The document identifies influencers as a new category of market players, in the light of which the AVMSD evaluation should look into the scope of the Directive.

Influencers engaging in advertising practices are required to comply with the same rules as any other type of advertising. Influencer marketing is already well-regulated by EU law, both by the UCPD and by the AVMSD. Furthermore, both the ICC Code and all SROs have clear rules for the disclosure of the commercial nature of a

communication, applying to influencers. In 2023, EASA updated its Best Practices Recommendations on Digital Marketing Communications and on Influencer Marketing, to best reflect this new trend.

EASA has been at the forefront in addressing the lack of influencers' awareness regarding applicable rules, while also supporting the professionalisation of the field by onboarding the European Influencer Marketing Alliance (EIMA) within the network. Advertising self-regulatory organisations make training, awareness-raising material, and certification available to influencers, under the auspices of the [adEthics](#) programme.

With over 7000 influencers trained in 11 countries, adEthics is delivering results and preparing for wider European coverage. The first programme took place in France, where the rate of full compliance with disclosure obligations has jumped from 32% to 81% from 2020 to 2024, and certified creators commit three times fewer breaches than non-certified creators.

AdEthics enjoys broad endorsement – from influencers' representatives, industry, platforms, and the EU Commissioner for Consumer Protection, Michael McGrath.

In line with the recently adopted parliamentary INI report on the Protection of minors (point 66), any outcome of the AVMSD evaluation should encourage the voluntary certification of influencers that engage in marketing practices, and should urge the Member States to promote such voluntary certification at national level.

EASA's key points: influencer marketing is covered by existing rules. Enforcement, awareness-raising and collective self-regulation are key.

3. Protection of children

Children deserve special protection. In accordance with AVMSD Article 9(4), advertising self-regulatory systems bring a valuable contribution to achieve such protection. The long-standing self-regulatory systems, whose codes are also recognised in the UCPD, play an important role in ensuring a high level of consumer protection and trust. They clarify and operationalize rules while avoiding disproportionate burdens on industry.

EASA encourages particular attention to be paid to the clarity of the message, when advertising is likely to reach children or when it features them. Advertising codes enforced by self-regulatory bodies are based on the International Chamber of Commerce's [Advertising and Marketing Communications Code](#), the latest edition of which (2024) dedicated an entire chapter to the protection of children. SROs develop and enforce additional rules aimed at protecting children, including recommendations against advertising products deemed unsuitable to them, such as alcoholic beverages, gambling, or HFSS foods and drinks.

EASA's key points: current rules and self-regulatory framework are a robust basis to protect minors

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