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Audiovisual Media Services Directive obligations in the transatlantic dialogue

European Parliament resolution of 23 October 2025 on Audiovisual Media Services Directive obligations in the transatlantic dialogue (2025/2776(RSP))

(C/2026/2103)

The European Parliament,

— having regard to the competences of the Member States in developing ambitious cultural policies in the audiovisual field, in line with Article 3 of the Treaty on European Union and Articles 6 and 167 of the Treaty on the Functioning of the European Union (TFEU),

— having regard to Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) in view of changing realities ([1]),

— having regard to the UNESCO convention of 20 October 2005 on the Protection and Promotion of the Diversity of Cultural Expressions,

— having regard to the Council conclusions of 2 May 2025 on the assessment of the legal framework for audiovisual media services and video-sharing platform services ([2]),

— having regard to the question to the Commission on Audiovisual Media Services Directive ([3]) obligations in the transatlantic dialogue (O-000026/2025 – B10-0010/2025),

— having regard to Rules 142(5) and 136(2) of its Rules of Procedure,

— having regard to the motion for a resolution of the Committee on Culture and Education,

A. whereas the Audiovisual Media Services Directive (AVMSD) is the cornerstone of the EU's audiovisual policy, aiming to create a single market for audiovisual media services in the EU while promoting cultural diversity;

B. whereas the AVMSD aims to ensure fair conditions for all in the audiovisual sector, including TV broadcasters, on-demand services and video-sharing platforms; whereas the AVMSD includes provisions to protect minors and consumers and to prevent violence, hate speech and terrorist content; whereas the AVMSD supports European works, improves accessibility and aims to ensure the independence of national regulatory authorities;

C. whereas the exclusion of audiovisual media services from the scope of trade negotiations is crucial for the EU and its Member States to preserve and strengthen their capacity to design and implement cultural and audiovisual policies aimed at promoting and protecting cultural diversity;

D. whereas the AVMSD requires the Member States to ensure that on-demand audiovisual media service providers under their jurisdiction broadcast at least a 30 % share of European works and give these works appropriate prominence; whereas the AVMSD also allows the Member States to require foreign audiovisual media service providers targeting audiences in their territory to contribute financially to the production of European works;

E. whereas the Digital Services Act and the e-Commerce Directive set out general rules for online intermediaries, while the AVMSD lays down specific rules for audiovisual content; whereas the AVMSD should remain the key legal framework for supporting a diverse, fair, safe and competitive audiovisual media market in the EU and promoting independent and culturally rich European content;

([1]) OJ L 303, 28.11.2018, p. 69, ELI: http://data.europa.eu/eli/dir/2018/1808/oj.
([2]) OJ C, C/2025/2954, 26.5.2025, ELI: http://data.europa.eu/eli/C/2025/2954/oj.
([3]) Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (OJ L 95, 15.4.2010, p. 1, ELI: http://data.europa.eu/eli/dir/2010/13/oj).

F. whereas US President Donald Trump's memorandum of 21 February 2025 entitled 'Defending American Companies and Innovators From Overseas Extortion and Unfair Fines and Penalties' aims to list practices considered discriminatory to US companies, including obligations targeting streaming services; whereas the United States Trade Representative has listed the AVMSD as a foreign trade barrier in the 2025 US National Trade Estimate Report;

G. whereas the US administration's designation of the AVMSD as a trade barrier is based on a flawed assessment, given that the directive's provisions apply in a neutral and non-discriminatory manner to all operators, both domestic and foreign, thereby ensuring fair competition and a level playing field;

H. whereas President Trump has also stated his intention to impose a 100 % tax on films made outside the United States;

I. whereas US films accounted for 69 % of cinema admissions in Europe in 2023; whereas 9 of the 10 leading television and video on-demand groups operating in Europe are owned by US companies; whereas 85 % of the time spent by Europeans on subscription video on-demand platforms is concentrated on three US streaming services;

J. whereas the EU concluded a trade agreement with the United States on 27 July 2025, which does not include any clauses relating to EU digital or audiovisual regulation; whereas, nevertheless, subsequent statements by President Trump seem to indicate that he wishes to further his attempts to oppose the regulation of US companies by the EU;

1. Calls on the Council and the Member States to support the Commission in defending the AVMSD and the EU's cultural exception in the context of international trade negotiations, ensuring that audiovisual media services remain excluded from commitments under trade agreements, in order to preserve and develop the capacity of the EU and its Member States to define and implement cultural and audiovisual policies aimed at promoting and protecting cultural diversity;

2. Stresses that the measures laid down under the AVMSD constitute a legitimate regulation in the public interest, aimed at safeguarding cultural diversity by encouraging the production and dissemination of European works and at protecting freedom of expression, media pluralism and democratic values; considers that any backtracking on the principles of the AVMSD would seriously undermine the European cultural model, particularly in the context of intense international competition in the audiovisual media sector;

3. Recalls that, under Article 167 TFEU, cultural policy is primarily a competence of the Member States; underlines that the principle of subsidiarity constitutes not only a rule on the allocation of competences but also an essential safeguard for protecting cultural diversity within the Union and countering the concentration of economic and technological power by external actors, in particular American companies;

4. Welcomes the Council conclusions of 2 May 2025 on the assessment of the legal framework for audiovisual media services and video-sharing platform services, in which the Council underscores the crucial role of the AVMSD in providing the legal basis for safeguarding and promoting a diverse, fair, safe, trustworthy and competitive audiovisual media market in the EU, while also ensuring the availability of independent, reliable and culturally diverse European content;

5. Urges the Commission to firmly reject any attempt to consider the AVMSD a trade distortion, and to defend it as a legitimate regulatory instrument that is essential for ensuring the protection of the EU's cultural diversity, sovereignty and soft power, both in the negotiation and implementation of trade agreements with the United States and in the framework of the evaluation and potential revision of the AVSMD in 2026;

6. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the Member States.