

RadioMedia Position Paper ***Evaluation and Update of the Audiovisual Media Services Directive (AVMSD)*** ***April 2026***

RadioMedia is the umbrella organisation for Finnish commercial radios. It promotes and safeguards the operating conditions of commercial radio in Finland and participates in legislative and policy discussions affecting the radio sector. RadioMedia is a member of both the Association of European Radios (AER) and the Finnish Media Federation (Finnmedia).

Commercial radio is a licensed, editorially responsible and nationally regulated medium. It provides trusted news, entertainment, emergency information, local and national cultural content, and an important advertising channel for Finnish businesses. Its ability to reach audiences increasingly depends not only on terrestrial broadcasting and direct digital distribution, but also on platform-controlled gateways such as smart speakers, voice assistants, connected car interfaces, audio aggregators, app stores, operating systems, recommender systems and video-sharing platforms.

RadioMedia supports a targeted and future-proof evaluation of the AVMSD. The review should improve fairness, media pluralism and consumer protection in the digital environment. Most importantly, it must not extend AVMSD scope to radio or create any new AVMSD obligations for licensed radio broadcasters. The regulatory gap lies not with radio broadcasters, which are already subject to national regulation and editorial responsibility, but with powerful digital intermediaries that increasingly control access, visibility, routing and monetisation of radio and other professional media services. Prominence rules should therefore safeguard radio's effective access to audiences, while remaining obligations for platforms, user interfaces and other gatekeepers.

RadioMedia stresses that this distinction must be maintained throughout the review: the AVMSD must not create direct or indirect new compliance, reporting, content, advertising, prominence or other obligations for radio broadcasters as media service providers. Where radio is taken into account in prominence or access rules, the obligations must apply to platforms, user interfaces, device manufacturers and other gatekeepers.

Executive summary

The central premise is clear: radio must remain outside the scope and obligations of the AVMSD, while the rights of licensed radio services to effective prominence, findability and correct routing must be recognised in platform-facing prominence frameworks.

- Licensed radio broadcasters should remain definitively outside the scope and obligations of the AVMSD. The AVMSD revision must not introduce new AVMSD-derived compliance, reporting, content or advertising obligations for radio. Applying audiovisual regulation to radio would create legal uncertainty and disproportionate burdens without improving consumer protection.
- The AVMSD review should nevertheless address platform-related regulatory gaps where video-sharing platforms, user interfaces and other intermediaries affect the accessibility, visibility, integrity or monetisation of professional media content.
- Prominence and findability rules should be platform-facing. They should ensure that editorially responsible media services, including commercial radio, can be found, accessed, correctly routed

and clearly attributed on digital interfaces without being replaced, hidden or disadvantaged by gatekeepers. Radio's rights to effective access and service integrity must be taken into account in any Article 7a-type framework.

- Such rules should recognise the rights of licensed radio services in practice: users must be able to find, identify and access the radio service they choose, including through search, voice commands, connected-car interfaces, smart speakers, aggregators and app stores, without substitution, misleading redirection or loss of brand attribution.
- Digital intermediaries should not insert, replace or overlay advertising in or around radio services without the explicit consent of the relevant radio service provider.
- Commercial fairness mechanisms are needed to address unilateral platform terms, discriminatory access conditions, revenue-sharing practices, routing restrictions, data control and charges linked to visibility or access.
- The AVMSD, DSA, DMA, EMFA and consumer-protection acquis should operate as complementary frameworks. Platforms should not be able to avoid responsibility by falling between legal regimes.

1. Scope of the AVMSD: keep licensed radio outside AVMSD obligations and safeguard radio in prominence rules

RadioMedia considers that the existing AVMSD definitions remain broadly workable for the audiovisual sector. The Directive should remain focused on audiovisual media services and video-sharing platforms. Radio services, whether linear or non-linear, should not be brought within AVMSD scope and should not be made subject to new AVMSD-derived obligations through the back door of prominence or platform regulation.

This should also apply where prominence-type measures are extended to audio or other non-audiovisual media services. Extending the benefit of platform-facing prominence rules to radio must not be treated as a basis for imposing AVMSD duties on radio broadcasters.

Extending AVMSD obligations to radio would be a fundamental misalignment. Radio is an audio medium with different consumption patterns, distribution infrastructures, licensing arrangements and regulatory traditions. Finnish commercial radio broadcasters already operate under national rules and editorial responsibilities. Additional AVMSD obligations would risk disproportionate administrative burdens and legal uncertainty.

The core market failure is different: digital platforms and device ecosystems increasingly act as gateways between radio services and listeners. They may control search, voice commands, default services, routing, app visibility, in-car interfaces, data access, monetisation and advertising presentation. Any new regulatory intervention should therefore focus on gatekeeper conduct rather than on imposing new duties on radio broadcasters.

2. Platform gateways and unfair commercial practices

RadioMedia is concerned that a limited number of digital intermediaries increasingly control access to audiences. This is particularly acute in environments where users no longer tune directly to a radio frequency or a broadcaster-controlled app, but access audio through a third-party interface, voice assistant, connected car dashboard, aggregator or platform search function.

These intermediaries may be able to impose unilateral terms, prioritise their own competing audio services, make licensed radio services difficult to find, require payments for visibility or access, interfere with direct audience relationships, restrict data or route users through intermediary-controlled services. Such practices affect not only commercial radio, but the sustainability and pluralism of professional media more broadly.

RadioMedia therefore supports platform-facing safeguards requiring relevant gatekeepers and intermediaries to comply with transparency, non-discrimination and fair access principles. In particular, digital intermediaries distributing or facilitating access to licensed radio services should ensure that:

- radio services can be reliably selected and played through search and spoken commands;
- the user is routed to the radio service chosen by the user, without platform substitution or misleading redirection;
- the broadcaster retains control over the service, brand presentation and direct commercial relationship with the audience;
- access to a relevant radio service is not made conditional on unfair, discriminatory or disproportionate charges;
- contractual terms, ranking criteria and monetisation conditions are transparent and non-discriminatory.

3. No unauthorised advertising insertion, replacement or overlay

A particular concern for commercial radio is unauthorised advertising insertion, replacement or overlay by intermediaries. User interfaces, voice assistants, audio aggregators, connected devices and video-sharing platforms may be technically capable of placing their own advertising immediately before, during or around a radio stream, replacing the broadcaster's advertising, or associating harmful or misleading ads with broadcaster content. Such practices may degrade the listener experience, distort the advertising market, harm brand integrity and divert revenue away from the media service provider that invests in the content and bears editorial responsibility. They may also mislead users as to the origin, endorsement or responsibility for the commercial communication.

RadioMedia therefore calls for a clear principle: digital intermediaries should not insert, replace, overlay or otherwise associate advertising in or around radio services without the explicit consent of the relevant media service provider. This principle should be implemented through the most appropriate combination of AVMSD, EMFA, DMA, DSA and consumer-protection tools, depending on the type of intermediary and service concerned.

4. Prominence, findability and effective access

RadioMedia supports measures to improve the visibility and accessibility of editorially responsible media services in digital environments. Such measures should be medium-neutral, proportionate, transparent and non-discriminatory. They should protect radio's effective access, findability, routing and attribution, while making clear that no new obligations are imposed on radio broadcasters or other media service providers themselves.

The purpose of such rules should be to protect the right of audiences to access trusted media services and the right of licensed radio services not to be hidden, displaced, misattributed or routed through substitute platform-controlled services. This is a platform-access issue, not a basis for regulating radio as an audiovisual media service.

Prominence should not be understood narrowly as visual placement. For radio, effective prominence also means findability and practical access: reliable voice access, accurate search results, non-discriminatory routing, clear attribution of the media service provider, protection against service substitution, and appropriate access points in connected devices.

Connected cars are a particularly important example. Radio remains a key service for information, emergency communication, local content and everyday media use while driving. In-car interfaces should therefore ensure simple and direct access to radio services, including through appropriate hard or soft access points. Similar principles are relevant for smart speakers, app stores, operating systems, audio aggregators and recommender systems.

Where Article 7a-type prominence measures are developed, extended or interpreted to benefit radio, they should expressly take account of radio's rights to effective access, findability, correct routing, service attribution and protection against substitution. These measures should be framed as obligations on user interfaces, device manufacturers, platforms and other gatekeepers. They must not be construed as bringing radio services within the scope of AVMSD obligations or creating any new AVMSD compliance burden for radio broadcasters.

In other words, the regulatory addressees should be the gatekeepers controlling access. Radio should be a beneficiary of effective prominence and access safeguards, not a regulated AVMSD service provider as a consequence of those safeguards.

5. Video-sharing platforms and platform-distributed radio content

Video-sharing platforms are increasingly important for younger audiences and for radio-related content such as video podcasts, clips, live events and social video extensions of radio brands. They are already within the logic of AVMSD platform regulation and should be subject to effective obligations concerning advertising transparency, harmful advertising, recommender systems, minors' protection and fair treatment of professional media content.

VSPs should not prevent radio broadcasters from monetising their own advertising inventory or from preserving their brand integrity and editorial responsibility. Qualitative advertising rules should be effectively enforced where advertising is placed around professional radio content to prevent scams, fake ads and misleading commercial associations.

6. Influencer marketing and advertising transparency

Commercial radio competes for advertising revenues with influencer marketing and platform-native commercial content that is not always subject to equivalent practical enforcement. RadioMedia supports clearer and more consistent enforcement of commercial disclosure rules for influencers and

other professional platform-based commercial actors, especially where their content targets minors or competes directly with regulated media advertising.

Any clarification should be narrowly targeted at professional or organised commercial activity and should not unintentionally capture ordinary non-professional users. The objective should be transparency, accountability and a level playing field, not an unnecessary reopening of core AVMSD definitions.

7. Interplay between AVMSD, DSA, DMA, EMFA and consumer protection

The challenges described above cannot be solved by one instrument alone. The AVMSD, DSA, DMA, EMFA and consumer-protection acquis should be treated as complementary and mutually reinforcing frameworks.

- The AVMSD should remain the sector-specific framework for audiovisual media services and VSP-specific obligations.
- It should not become the legal basis for new obligations on radio broadcasters. Any AVMSD-related measures relevant to radio should be limited to platform-facing access, prominence and integrity safeguards.
- The DSA should provide horizontal due-diligence, transparency, notice-and-action and systemic-risk rules for online intermediaries.
- The DMA should address the conduct of designated gatekeepers where they control access to audiences, data, advertising markets or device ecosystems.
- The EMFA should support media pluralism, editorial independence and fair access to media services in digital environments, including where user interfaces affect access to media services.
- The UCPD and broader consumer-protection framework should address misleading practices, hidden advertising, brand confusion, substitution and commercial practices that distort users' choices.

The Commission should ensure that these instruments are applied coherently so that platforms cannot avoid responsibility by falling between legal regimes. At the same time, regulatory action must protect radio broadcasters from unfair platform practices, ensure that prominence rules take account of radio's effective access and service integrity, and confirm that radio services remain outside AVMSD obligations.

8. Conclusion

RadioMedia calls on the Commission to use the AVMSD evaluation to strengthen media pluralism, platform accountability and fair competition in a manner that is proportionate and legally coherent. The key objective should be to regulate the conduct of platforms and digital gatekeepers where they control access to radio and other professional media services, not to impose new AVMSD obligations on radio broadcasters. Prominence regulation can and should protect radio's access to audiences, but only as a platform-facing safeguard.

This distinction is essential. RadioMedia does not ask the Commission to regulate radio through the AVMSD. It asks the Commission to ensure that, where prominence rules are developed, the rights of

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radio services to effective access, findability, correct routing and service integrity are protected against gatekeeper practices.

A future-proof EU media framework should ensure that licensed radio services remain accessible, findable, correctly routed, clearly attributed, fairly treated and commercially sustainable across digital environments. This is essential for media pluralism, emergency information, local culture, trusted journalism and a competitive European media ecosystem.

Radiomedia is registered in the Transparency Register under the REG number 634654736043-36.

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