

EU-LEGISLATION

Who Will Set the Standards in the Media Market?

Frankfurt am Main, 25 February 2026 – With the adoption of the European Media Freedom Act (EMFA) in 2024, the European Union explicitly recognised independent, transparent and cross-platform audience measurement as an integral component of well-functioning media markets. At the same time, the Digital Omnibus - currently under legislative consideration - aims to redefine the technical framework governing data access and consent mechanisms.

AGF considers it essential that the interaction between these two legislative initiatives be carefully aligned. In a dedicated special meeting, AGF's Supervisory Board endorsed the management's assessment: the key question is whether audience measurement standards will continue to operate independently and across platforms in practice - or whether the underlying market architecture may shift as a result of asymmetric implementation conditions.

Standards Shape Markets

Audience reach determines visibility, advertising investment and the economic viability of media offerings.

What matters, therefore, is not only who measures, but according to which rules measurement takes place.

A uniform and independent standard ensures that all market participants are evaluated on the basis of the same methodological criteria. This comparability underpins market transparency, investment decisions and the assessment of media pluralism.

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New Technical Framework – Risk of Unequal Conditions

The Digital Omnibus will significantly alter the technical and organisational framework for the collection and management of media usage data. In practical terms, this may result in proprietary first-party measurement remaining structurally easier to implement than independent, cross-platform measurement models.

The proposal does not formally prohibit independent measurement. However, it may give rise to unequal implementation conditions in practice.

Those who control key technical access points - such as operating systems, browsers or login infrastructures - also shape the conditions under which standards can be effectively applied.

“This is not about whether measurement is permitted. It is about the conditions under which an independent standard can realistically operate. If implementation conditions become asymmetric, market architecture shifts - not through prohibition, but through practical feasibility,”

says Kerstin Niederauer-Kopf, CEO of AGF.

Comparability Is Democratic Infrastructure

A transparent media market depends on an independent and comparable data foundation.

Where parallel proprietary systems operate side by side, diverging measurement realities emerge instead of uniform benchmarks. Comparability becomes relative – and with it the basis for fair competition and robust assessments of media pluralism.

A Call for Regulatory Coherence

AGF advocates a coherent and carefully aligned approach to European digital legislation. Data protection and independent measurement infrastructure should not be framed as competing objectives.

If the EMFA recognises the importance of independent standards, the technical and regulatory framework must ensure that these standards remain practically viable under the new legislative environment.

AGF's Supervisory Board - comprising representatives of broadcasters, marketers and the industry associations OWM and Die Mediaagenturen e.V. - expressly supports this position.

About AGF Videoforschung GmbH (www.agf.de)

AGF Videoforschung GmbH is Germany's neutral authority for video audience measurement. AGF continuously and quantitatively measures the consumption of video content in Germany and analyses the data collected. The company invests several million euros annually in the ongoing development of its measurement systems in order to provide the market with reliable daily data on video usage. AGF works closely with all market stakeholders, including licensed broadcasters, advertisers and media agencies.



Pressekontakt:

AGF VIDEOFORSCHUNG GMBH
Gärtnerweg 4-8
D-60322 Frankfurt am Main
T +49 69 955 260-0
F +49 69 955 260-60
presse@agf.de | www.agf.de