[DE] Broadcasting Commission publishes key points for new state digital media treaty

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On 22 October 2025, the *Rundfunkkommission* (Broadcasting Commission) of the federal states adopted key points for a reform of the *Medienstaatsvertrag* (state media treaty – MStV), the aim of which is to safeguard the communication-related foundations of a free and democratic society in Germany. The new *Digitale Medien-Staatsvertrag* (digital media state treaty – DMStV) focuses on strengthening content providers and refinancing of journalistic offerings, guaranteeing free communication spaces, organising effective supervision, enabling economic growth and safeguarding diversity of opinion.

The reforms under the DMStV are divided into two parts. The first part, published in June, mainly concerns the implementation of EU law, in particular the European Media Freedom Act (IRIS 2025-8:19). The second part is intended to introduce substantive rules that promote media diversity and ensure freedom of expression and information, especially in the digital space. It divides the proposed package of measures into three blocks, in which no specific legal rules are proposed, but objectives and possible considerations are initially defined.

The first block, entitled “Strengthening content providers and refinancing of journalistic offerings”, is primarily concerned with establishing an economic level playing field for journalistic offerings. To this end, the federal states want to examine current advertising regulations, particularly with a view to liberalising and loosening advertising restrictions, and strengthen local and regional reporting. They also want to make media regulation fit for the AI age, with a particular focus on sharpening transparency and liability when AI offerings present themselves as media- and opinion-relevant services. Possible measures and instruments include mandatory source citations and links, as well as plausibility checks for AI responses based on reliable sources. The findability of journalistic content in the digital environment will also be further promoted, with existing public value criteria to be strengthened and new positive obligations introduced, along with anti-discrimination provisions for certain stakeholders. Finally, journalistic standards will also be raised (e.g. harmonisation of due diligence obligations of broadcasters and online media) and investments in the achievement of such standards will be rewarded through incentives (e.g. by benefiting from findability rules or bans on the restriction of such content vis-à-vis platforms).

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The second block of measures, “Guaranteeing free communication spaces and organising effective supervision”, deals on the one hand with the protection of communication spaces from manipulative content and dissemination techniques, the implementation of bans on associations, including in the area of media regulation, and the protection of editorial independence, particularly with regard to the transparency of paid and editorial content. On the other hand, the federal states want to make supervision more efficient and effective. This could involve expanding powers in relation to certain content relevant to criminal law (in addition to the content relevant to criminal law that the media regulators can already prosecute), strengthening supervision to protect minors in the media and/or principles of leadership within Germany’s federal structures. This block also tackles the need to reduce bureaucracy and deregulation, especially by removing reporting obligations and expanding the digitalisation of supervisory activities.

The third block of measures is entitled “Enabling business growth and safeguarding diversity of opinion”. These measures include evaluating how future risks can be recognised and dealt with at an early stage, for example by expanding the monitoring tasks of various stakeholders. Another key point is the further development of media concentration law, which should also include platforms in particular.

The aforementioned measures are essentially enshrined in the MStV or *Jugendmedienschutzstaatsvertrag* (state treaty on the protection of minors in the media – JMStV), and therefore fall under the jurisdiction of the federal states. However, a number of possible measures are also mentioned that do not or do not solely fall within their jurisdiction because they would need to be addressed at federal or even EU level. These include, for example, the primacy of audiovisual media regulation under the Audiovisual Media Services Directive over platform regulation and problems linked to the country of origin principle, copyright in connection with the strengthening of journalistic content and AI, and competition law in connection with media cooperation and the power of platforms.

Beschluss der Rundfunkkommission

https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/Beschluesse/2025_10_22_RFK_Beschluss_zu_Eckpunkten_DMStV_Teil_2.pdf

Decision of the Broadcasting Commission

https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/Beschluesse/2025_10_22_RFK_Beschluss_zu_Eckpunkten_DMStV_Teil_2.pdf

Vorschläge und Optionen für ein Maßnahmenpaket zur Sicherung der kommunikativen Grundlagen einer freiheitlich-demokratischen

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Gesellschaft u.a. im Rahmen eines „Digitale Medien-Staatsvertrages (DMStV)“

https://rundfunkkommission.rlp.de/fileadmin/rundfunkkommission/Dokumente/Beschluesse/2025_10_22_Anlage_Eckpunkte_Gesamtmatrix_DMStV_Teil_2.pdf

Proposals and options for a package of measures to safeguard the communication-based foundations of a free and democratic society, including within the framework of a digital state media treaty (DMStV)

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