

6 ways the EU Parliament supported audiovisual authors

Members of the EU Parliament have a long track record of supporting authors and artists. Below is an overview of the achievements of the EU Parliament during its 9th legislative term, 2019-2014.

1. Championed authors' rights and fair remuneration.
2. Defended the cultural and creative sectors in times of COVID-19 outbreak.
3. Spotlighted the working conditions and status of authors and artists.
4. Mobilised across political parties for culture and authors' rights.
5. Supported the promotion and financing of European creation.
6. Celebrated European cinema and cultural diversity.

1. Championed authors' rights and fair remuneration.

The EU Parliament have been supporting the improvement of their position against the Commission and Council, as well as against big tech companies.

Thanks to the persistent efforts of the previous EU Parliament, a principle of appropriate and proportionate remuneration was added to the [Directive on Copyright in the Digital Single Market](#) (Article 18) that was adopted after months of intense negotiations. As a result of the transposition of the directive, several countries improved the legal protection of audiovisual authors, but it was a long and difficult process in many countries. During this time, MEPs have repeatedly reminded the Commission and Member States about the need to effectively implement the principle so that creators can receive the appropriate and proportionate remuneration they are entitled to.

In addition, during the discussions on the EU Regulation on Artificial Intelligence, several MEPs emphasised and reminded the Commission that Generative AI was not considered when the text and data mining exception of the Copyright directive was negotiated. However, the TDM exception is now being invoked by AI companies to feed their systems with copyright-protected works without the rightsholders' consent. The work on generative AI and authors' remuneration will likely continue in the next legislative period.

2. Defended the cultural and creative sectors in times of COVID-19 outbreak.

When the health pandemic hit Europe, it quickly and severely affected the cultural and creative sectors. The EU Parliament responded with a [resolution](#) (17 September 2020) on the cultural recovery, highlighting not only the importance of supporting the sector to recover but also the value of culture for people's wellbeing in times of crisis. The Parliament called for at least 2% of the Recovery and Resilience Facility to be earmarked for the cultural and creative sectors.

In December 2020, the Multiannual Financial Framework for 2021-2027 was adopted by the EU institutions. MEPs successfully argued for a significant increase in the budget for the Creative Europe programme. The programme supports audiovisual and cultural projects across Europe and its budget

almost doubled compared to the previous mandate: it rose from €1.47 billion for the 2014-2020 period to €2.44 billion for the 2021-2027 period.

3. Spotlighted the working conditions and status of authors and artists.

The EU Parliament actively defended the recovery of the cultural sectors following the COVID-19 pandemic. As a continuation of this work, the Parliament took the initiative to propose concrete actions to address the economic insecurity and improve working conditions of authors and artists, including a proposal for a legal framework ([Resolution](#) of 21 Nov 2023). Fair remuneration for authors and artists was a prominent part of this work. This own-initiative work resulted in pressure on the EU Commission to respond with a detailed encounter of their activities. The work will likely resume after the elections.

4. Mobilised across political parties for culture and authors' rights.

During this term, MEPs built a dedicated Cultural Creators Friendship Group ([CCFG](#)) that they could join, regardless of political party or committees they were member of, with a common interest in supporting and promoting European culture and creators. The CCFG engaged with the representative organisations of the cultural and creative sectors, in particular authors and artists' organisations. Among the many activities of the CCFG, the MEPs signed an [open letter](#) to the Commission and Member States, demanding the effective implementation of Article 18 of the Copyright Directive guaranteeing the fair remuneration of authors and performers (the letter was also turned into a [video](#)).

The CCFG co-hosted events and/or partnered with several organisations, including the SAA. Together with the CCFG and AEPO-ARTIS, we held an online event on [Collective management](#) (17 March 2021) and another online event with [young creators](#) (27 April 2022) in partnership with the CCFG.

5. Supported the promotion and financing of European works.

Over the last five years, MEPs have made the promotion of European creation a priority. They have recognised the role of the obligations to promote European works, introduced in the 2018 Audiovisual Media Services Directive, in guaranteeing cultural diversity in the audiovisual sector ([Resolution](#) of 9 May 2023). These obligations require video-on-demand platforms to ensure that at least 30% of their catalogue consists of European works, to showcase these works and invest in their financing. Faced with attempts to weaken these obligations, particularly in the context of negotiations on the Media Freedom Act, MEPs ensured that the scope of the regulation did not affect these obligations ([Resolution](#) of 13 March 2024).

6. Celebrated European cinema and cultural diversity.

The [LUX Audience Award](#) is built on the former LUX Prize, which the EU Parliament established in 2007. The five nominated films raise awareness about current social and political issues and engage audiences in debates about Europe. The initiative gives the nominated films more visibility and helps them to cross borders and reach a wider audience. The nominated films are subtitled in the 24 official EU languages and screenings are organised by the EU Parliament across the Member States.

The SAA has been collaborating with the LUX Audience Award by organising opportunities for MEPs to meet with authors, SAA members and the finalists film teams.

Resolutions (selected extracts)

The cultural recovery of Europe (EP [resolution](#), 17 Sept 2020)

- + *Considers it fundamental to earmark for the cultural and creative sectors and industries a significant part of the economic recovery measures planned by the European institutions and to combine this with wide-ranging and swift actions in favour of Europe's cultural and creative forces, enabling them to continue their work in the upcoming months and to survive these times of crisis (3)*

The situation of artists and the cultural recovery in the EU (EP [resolution](#), 20 Oct 2021)

- + *Calls on the Commission to promote collective rights management in the implementation of the recently adopted directives on copyright, as well as in its forthcoming initiatives to ensure the fair remuneration of creators and wide access to cultural and creative works for the public (16)*

Europe's Media in the Digital Decade: an Action Plan to Support Recovery and Transformation (EP [resolution](#), 20 Oct 2021)

- + *Recognises the need for ambitious, clear and legally binding measures to fight intellectual property infringement, including online piracy (...); calls on the Member States to urgently transpose Article 18 of the Copyright Directive and to establish remuneration mechanisms (17)*

An intellectual property action plan to support the EU's recovery and resilience (EP [resolution](#), 11 Nov 2021)

- + *Calls on the Commission to monitor buy-out contracts to ensure fair remuneration of creators based on copyright or authors' rights; underlines that the lack of harmonisation of rules on authorship and copyright ownership can lead to divergent national solutions for AI-assisted works (45)*

Cultural solidarity with Ukraine and a joint emergency response mechanism for cultural recovery in Europe (EP [resolution](#), 20 Oct 2022)

- + *The resolution calls to reinforce support and solidarity towards the Ukrainian cultural ecosystem and supporting the resilience and post-crisis recovery of the EU's cultural ecosystem as a whole.*

Implementation of the revised Audiovisual Media Services Directive (EP [resolution](#), 9 May 2023)

- + *Whereas the Audiovisual Media Services Directive (AVMSD) should play a key role in structuring the European audiovisual ecosystem, guided by the principles of protecting cultural and linguistic diversity and pluralism of opinion and promoting the distribution and production of European audiovisual media services in the European Union (A)*
- + *Whereas the role of the revised AVMSD is to support and benefit European cultural creation and cultural diversity in a changing audiovisual sector in line with other rules, such as the copyright provision of Directive (EU) 2019/790, which asks for fair remuneration for right holders (D)*
- + *Considers it appropriate to maintain the European quota requirements as minimum targets at their current level as long as evidence does not recommend otherwise; emphasises the importance of the provisions on promoting and distributing European works along with discoverability tools provided by ERGA to the Member States and their direct impact on local audiovisual creation and business ecosystems (29)*

An EU framework for the social and professional situation of artists and workers in the cultural and creative sectors (EP [resolution](#), 21 Nov 2023)

- + *Recalls the importance of copyright and related rights in the CCS and of properly implementing them, ensuring that authors and performers, in their capacity as rightholders, are fairly remunerated for the exploitation of their work; calls for the meaningful transposition and enforcement of the Copyright Directive, aligned with its objectives; (23)*
- + *Considers fair and adequate remuneration of authors and composers an essential part of their working conditions and livelihoods; is concerned by the use of various forms of 'buy-out' contracts which can lead to an abusive and coercive practice circumventing EU rules and principles on fair remuneration and confirming*

deep power imbalances between contracting parties is concerned by the increasing use of these contracts often placed under foreign jurisdictions in certain sectors; urges the Member States to ensure that the contractual arrangements in the CCS are in full compliance with Articles 18, 19 and 20 of the Copyright Directive... (26)

- + *Whereas fair remuneration for the use of their creative work is central to authors' and composers' working conditions, as this is the basis of their earnings as professional creators; whereas the collective management organisations and their global system play an important role in enabling creators to be remunerated fairly, including through the negotiation of tariffs with users, and in contributing to the promotion of cultural diversity and expression (V)*

Implementation of the 2018 Geo-blocking Regulation in the digital single market (EP [resolution](#), 13 Dec 2023)

- + *Whereas maintaining geo-blocking for copyrighted works and protected subject matter is one of the major tools for guaranteeing cultural diversity (I)*
- + *Considers that more should be done to ensure the circulation and availability of works and programmes in the EU, including existing and new cinema and audiovisual content, thereby reflecting the richness and diversity of culture in Europe across borders; recognises in this regard the utmost importance of supporting European co-productions, dubbing or subtitling in the 24 official EU languages, and the international dissemination of works; calls on the Commission to suggest, in partnership with the industry, an initiative to ensure that award-winning European films, such as the LUX Audience Award winners, are available across the EU (18)*

Implementation of the Creative Europe Programme 2021-2027 (EP [resolution](#), 16 January 2024)

- + *Whereas the Creative Europe programme 2021-2027 features an overall budget increase of about 68 % compared to its predecessor; whereas this increase is significantly depreciating due to the constantly rising inflation rate associated with energy costs; whereas the overall budget has been frontloaded with a third of the financial allocation committed in the years 2021 and 2022 to address, inter alia, the fallout from the COVID-19 pandemic (B)*
- + *Whereas the 'Writing European' preparatory action, supported as of 2021, has been developed with the aim of supporting creators, in particular authors, in conceiving and developing high quality fiction series able to travel across borders and reach new audiences (L); Recalls the success of the Writing European preparatory action and suggests that Commission should include the objectives pursued by this action in the Creative Europe programme (44)*
- + *Welcomes the programme's response in mitigating the effects of the COVID-19 pandemic, which severely disrupted the cultural and creative sectors even before the beginning of the current programme; reiterates, however, its call on the Commission and the Member States to strengthen efforts to address the long-term effects of the pandemic on creators and cultural professionals, particularly those relating to their upskilling and reskilling to address the needs arising from developments and challenges affecting the sectors (2)*
- + *Urges the Commission to promote the human-centric and transparent use of artificial intelligence (AI) in the artistic and creative process by developing appropriate ethical standards relating to AI use; calls on the Commission, in this regard, to ensure that both applicants and beneficiaries provide information relating to the use of AI in projects, including in the production, distribution and promotion of creative works, in order to assess this emerging trend in the cultural and creative sectors and its impact on the programme (14)*

Harmonised rules on Artificial Intelligence (Artificial Intelligence Act) (EP [resolution](#), 13 March 2024)

- + *Article 53: Obligations for providers of general-purpose AI models*
1. *Providers of general-purpose AI models shall:*
 - + *(c) put in place a policy to comply with Union copyright law, and in particular to identify and comply with, including through state-of-the-art technologies, a reservation of rights expressed pursuant to Article 4(3) of Directive (EU) 2019/790;*
 - + *(d) draw up and make publicly available a sufficiently detailed summary about the content used for training of the general-purpose AI model, according to a template provided by the AI Office.*