

## TV AND VOD CALL FOR RESPECTFUL & REALISTIC COLLABORATION AND PROPOSALS WITHIN THE AV ECOSYSTEM

**BRUSSELS, 11 JULY 2022.** Commercial broadcasters and video on demand services in Europe wish to correct the record following a number of unfortunate claims made recently by the Federation of European Screen Directors<sup>1</sup>.

We note that the statement claims that “Streamers and broadcasters are emerging as the rare players to have not only survived but benefitted from the Covid-19 crisis”. This broad claim fundamentally mischaracterises the impact of the Covid-19 crisis on our sector. We would point readers to the [interviews done by the ACT during this period](#) to hear first hand from ACT CEOs the impact of the crisis on their businesses. Notably, how ACT companies bore the full brunt of the crisis and took important steps to ensure the security and well-being of their staff and honour their commitments to the distribution and production ecosystem.

We should in so doing also mention the unchallengeable economic impact of the Covid-19 crisis on advertising revenues on free to air television. We encourage readers to look at the European Audiovisual Observatory’s reports – and numerous other reports – stating that “revenues of the traditional players have more or less stagnated [...] traditional broadcasters lost 5% in weight”<sup>2</sup>.

We therefore have to respectfully invite FERA to review its statement; reminding its leadership that the fate of our respective memberships are intertwined. ACT members have and will continue to demonstrate solidarity in good and bad times. For this very same reason, we should examine the application of the copyright directive with transpositions and mechanisms at national level that are inclusive of all parties concerned. Developing one-sided frameworks that are not reflective of economic realities undermines the ecosystem and will be detrimental to all actors of the chain.

At a time when discussions on the establishment of European guidelines on collective bargaining are being proposed, we caution against aggressive and unsubstantiated claims that will challenge the good will required for such negotiations to take place. We continue to stress our commitment to ensure fair and proper remuneration of creators across Europe. This will be best achieved where representative organisations play a constructive role and take on their full responsibilities to ensure positive outcomes for Europe’s creative and cultural industries and workers.

ACT and our member companies commit in maintaining an open dialogue with creator groups regarding the implementation of the 2019 Copyright Directive and other key dossiers for our sector.

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ACT member companies finance, produce, promote and distribute content and services benefiting millions of Europeans across all platforms. At ACT we believe that the healthy and sustainable commercial broadcasting & VoD sector has an important role to play in Europe’s economy, society and cultures. ACT members are at the heart of Europe’s media landscape; embracing the digital environment and continuously providing new services, formats and content to meet the growing European demand for quality content on various distribution models.

<sup>1</sup> See [European screen directors support Danish audiovisual authors in their fight for fair remuneration](#), June 21 2022

<sup>2</sup> See AV Observatory - *Top players in the European AV industry: Ownership and Concentration* (January 2022) p.5 - Incidentally, FERA should be well aware of these numbers given it currently holds the role of Chair of the AV Observatory’s Advisory Committee (of which ACT is also a member)