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https://digital-strategy.ec.europa.eu/en/library/2025-european-media-industry-outlook-report

# THE EUROPEAN MEDIA INDUSTRY OUTLOOK

**Analysis of *the European Media Industry Outlook 2025* and challenges for European cultural sovereignty.**

## I. General context

The *European Media Industry Outlook 2025*[1] (hereinafter *Media Outlook*) is the second edition of the European Commission's forward-looking exercise on the media sector. It covers audiovisual media (television, streaming, cinema), video games, XR (extended reality), and news media.

Presented as a strategic tool, it is intended to provide reliable data and forward-looking analysis to inform public policy and strengthen European competitiveness and cultural diversity.

However, careful reading reveals several significant limitations, including:

- The **omission of the issue of intellectual property (IP)**, which was central to the previous edition of 2023[2] , and a failure to take into account the contractual power relations between producers and streaming services.
- **Confusion between local production and rights ownership**.
- An **inappropriate analysis of the lack of visibility of European works**.
- And finally, a **questionable definition of independent production**.

While the report makes a valuable contribution, certain omissions and methodological limitations identified and detailed below may limit its relevance and its capacity to fully support European cultural and economic sovereignty.

## II. Critical analysis of the report

### 1. The disappearance of intellectual property in the analysis

- In 2023, *Media Outlook* devoted an entire section to contractual imbalances between producers and broadcasters/streaming services (particularly American ones) and to the problem of **European producers not retaining rights**[3] **.**
- In 2025, this topic disappears, even though it determines Europe's ability to promote its creative heritage. The focus is on consumer appetite for works—which is important—but the economic conditions for exploiting works are no longer analyzed.
- The report highlights European cultural diversity as a strategic asset, without however addressing the economic and contractual conditions necessary for its promotion and the essential lever that is the control of intellectual property rights.

Consequently, Media Outlook risks being perceived as diminishing the legitimacy of European producers' efforts to preserve their rights, while echoing, perhaps inadvertently, certain positions associated with major American video-on-demand services.

[1] The European Media Industry Outlook, September 2025
https://op.europa.eu/publication/manifestation_identifier/PUB_KK0125086ENN
[2] The European Media Industry Outlook, May 2023
https://digital-strategy.ec.europa.eu/en/library/european-media-industry-outlook
[3] The European Media Industry Outlook 2023, page 38 et seq.: https://digital-strategy.ec.europa.eu/fr/library/european-media-industry-outlook

## 2. Confusion between place of production and ownership of intellectual property

- On several occasions, the report equates productions filmed in Europe with a contribution to European culture, even when the rights are held by foreign companies—thus perpetuating a risky confusion[4] .
- The place of filming or the language of a work cannot be considered a substitute for sovereignty over intellectual property rights, nor for the guarantee that the technical elements (including the master) remain in European territory.
- In other words, it is essential to make a clear distinction between **local production (European filming locations, crews, sets)** and the **actual ownership of intellectual property rights by European entities and the related exploitation rights**. This topic is particularly important in several countries (such as Spain or Germany), where intellectual property rights owned by a non-national entity can provide a more advantageous way to access tax incentives.
- However, many so-called European works—particularly Spanish and German ones—cited in the Media Outlook as European successes are in fact owned by American companies (Netflix, Amazon, Disney, etc.)[5] .

Presenting local filming as equivalent to cultural sovereignty creates a misleading impression that obscures Europe's continued dependence on non-European players

## 3. The under-representation of European works: a partial diagnosis

- The report indicates that European works are significantly less popular on streaming services, accounting for only **20% of SVoD catalogs** and **16% of viewing time on streaming services**[6].
- This analysis is largely based on **declarative surveys (panels)** of audience consumption of works, which **consider certain U.S. SVoD services for a limited period of time**[7] .
- The lack **of access to real, auditable data from streaming services** is a major obstacle to the development of effective public policies and results in studies and reports based on estimated data and a limited number of SVoD services - in this case, Amazon, Netflix, HBO Max[8] , and Disney+.

[4] E.g. Page 48, Table 8. Most of the so-called European works mentioned are in fact owned by foreign entities, in most cases American.

[5] All the productions cited as "Spanish productions" or "German productions" are not such as they are all, except of one, owned by a company outside of the EU (most often Netflix or Amazon Content Services). Furthermore, because these productions have a foreign IP owner, in Spain they enjoy of better
conditions in the way that they benefit from tax incentives (monetization). This possibility is excluded in the case of local IP productions.

[6] Page 46.

[7] Page 46. These data are not correctly sourced. They are in fact taken from the report "SVOD Usage in the European Union, European Audiovisual Observatory, 2025". The viewing time data was provided by Digital i from four services (Amazon, Netflix, Disney+, and HBO Max), representing nine national SVoD catalogs and following a sample of households whose number is unknown. **No European VoD services are monitored**.
The various "SVOD Usage in the European Union" reports by the European Audiovisual Observatory (EAO), which appear to be the source of most of the figures published in the "Focus on streaming services" section of this Media Outlook, do not consider the same VOD services across the years covered by the studies. This results in a significant variation in the representation of works and their audience depending on the year. This observation raises questions about the reliability of the findings made by the authors of Media Outlook.

[8] Data for HBO Max is not available for certain countries, including Germany, France, and Italy.

- The report highlights, without mentioning it, the problem posed by the lack of **prominence of European works on these four American subscription video-on-demand services**[9] : without rules requiring the effective promotion of European works on the interfaces of services based in the least watchful EU Member States, their under-consumption will persist, regardless of their volume in the catalog.

The under-representation of European works is not new, but the concrete proposals made by independent European producers to remedy this situation have not been considered.

### 4. Independent production misunderstood

- Media Outlook points out that independent producers make most European fiction[10] .
- However, it defines "independent production" as "an audiovisual fiction program produced by a production company that is not under the control of the broadcaster commissioning the program." This definition "does not imply", however, "that the production company retains any rights"[11] .
- It is worth noting that, in this context, the Media Outlook focuses primarily on audiovisual fiction, without extending its analysis to other types of programming. Furthermore, there is currently no harmonised definition of independent production at the European level, as this competence rests with the Member States. Consequently, in some countries, the definition of independent production includes considerations related to intellectual property and exploitation rights.

## III. Risks identified for Europe

### 1. Erosion of cultural sovereignty

- Europe provides talent, stories, and settings, but the economic value is captured by foreign players.
- This dependence undermines the ability of European producers to reinvest and grow.
- The trend is toward increased concentration around a few streaming services owned by Hollywood majors.

### 2. Weakening of effective diversity

- Without controlled IP and prominence mechanisms, European cultural diversity remains less visible to viewers.
- European consumers are therefore turning to U.S. content that is promoted and highlighted by U.S. SVoD services through extensive marketing campaigns.

### 3. Loss of strategic autonomy

- The audiovisual sector is becoming a **subcontractor** for foreign majors.

## IV. Recommendations

### 1. Reinstate program ownership at the heart of European audiovisual policies

- Reintroduce systematic monitoring of rights retention into reports and strategies.

[9] No data is provided in the report regarding the accessibility and prominence of European works within streaming services catalogs.

[10] Page 64: "81% of TV/SVoD fiction titles in Europe are produced independently (either by a production company that is not under the control of a broadcaster or by an affiliated company but produced for another broadcaster)."

[11] Page 64 (footnote): "Independent production" is defined as an AV fiction program produced by a production company that is not under the control of the broadcaster commissioning the program. This definition does not imply that the producing company retains any rights.

- Encourage independent producers to retain rights to programs, as a prerequisite for cultural and economic sovereignty.

2. **Clarify the distinction between local filming and European works owned by European companies**
   - Prioritize precise indicators that distinguish between **production carried out in Europe** and **effective ownership of program rights**.

3. **Require transparency of consumption data**
   - Require streaming services to provide **reliable, comprehensive, and auditable** data on actual usage (viewing, recommendations, exposure).
   - Create an independent mechanism for collecting and analyzing this data.

4. **Strengthen the prominence of European works**
   - Establish clear requirements for promoting European works in catalogs and user interfaces.
   - Supplement presence quotas with prominence verified by the destination countries.

5. **Support the European ecosystem**
   - Develop regulatory tools that promote the growth of independent European producers.
   - The retention of rights by European producers should be further encouraged through strengthened financing conditions and supportive policy measures.

## V. Conclusion

The Media Outlook 2025 provides a valuable overview of the sector, yet its perspective remains somewhat limited. By overlooking the issue of intellectual property and conflating local production activity with rights ownership, it risks underrepresenting the extent of Europe's reliance on foreign majors in terms of both creative autonomy and production processes.

To preserve its cultural wealth and economic independence, Europe must:
- Restore **control over rights to works**,
- Ensure **transparency of consumption data**,
- And ensure the **effective visibility of European works**.

Without these levers, Europe will continue to move towards a role as a mere supplier of content for the benefit of the soft power of other powers outside the EU and their companies.