

WHAT THE EU MUST DO NOW TO SOLVE THIS PROBLEM

Legislate against coercive buy-outs

The intervention of the EU is needed to end this unfairness and ensure that internal market rules are applied to all players.

- Introduce a **dedicated legislative proposal to tackle coercive buy-out practices** imposed on creators, especially for music authors and composers in the VoD market
- Ensure that music authors and composers can **rely on their rights under EU law and their CMOs** to sustain their appropriate and proportionate remuneration
- Prevent **circumvention by coercive contracts based on foreign laws and jurisdictions**, and guarantee **bargaining power, transparency and enforcement of creators' rights**.

About us



The European Composer and Songwriter Alliance (ECSA) represents over 30,000 professional composers and songwriters in 28 European countries. With 57 member organisations across Europe, the Alliance speaks for the interests of music creators of art and classical music (contemporary), film & audiovisual music, as well as popular music.



GESAC stands for European Grouping of Societies of Authors and Composers. GESAC comprises 32 authors' societies in the EEA and Switzerland. Together, we represent over 1.2 million creators and rightsholders – from musicians to writers, visual artists to film directors and many more, in the areas of musical, audiovisual, visual arts, and literary and dramatic works.

TIME FOR EUROPE TO TACKLE BUY-OUT CONTRACTS



Music creators call on the EU to act ●



WHAT IS A BUY-OUT?

A buy-out is a contractual practice whereby creators are **forced to give away all or part of their authors' rights**, in perpetuity. This comes in exchange for a **typically very low one-time upfront payment**, losing the opportunity to be fairly remunerated for the exploitation of their works in the future.

BEHIND BUY-OUT CONTRACTS

- ✗ Imposed by **non-European global players**, mainly US-based VOD platforms, these contracts circumvent EU rules.
- ✗ Often **subject to strict non-disclosure agreements** (NDA), leaving creators with no possibility to complain or assert their rights.
- ✗ Young and emerging composers are especially at risk: refusing such contracts can lead to blacklisting and **loss of future work opportunities**.

A GROWING COERCIVE PRACTICE

As underlined in ECSA's report on audiovisual composers' contracts published in 2025, buy-out practices have become **increasingly prevalent for music authors in the VOD market**:

- **53% of audiovisual composers** have been offered buy-out contracts
- **66% have been asked** to sign away at least part of their rights.
- Nearly **half of audiovisual composers** identify buy-out practices as the main challenge to fair remuneration



Scan to read the study

LEGAL AND POLICY IMPLICATIONS

Buy-outs circumvent EU law by

- Undermining the **principle of appropriate and proportionate remuneration**
- **Taking away authors' control** on any use of their works and their rights under EU law
- **Imposing contractual clauses weakening negotiation power** and preventing **access to transparent information** on the exploitation of their works
- **Threatening EU's legal and cultural sovereignty** with imposition of foreign laws and jurisdictions

WHAT HAS THE EU DONE SO FAR TO ADDRESS THIS PROBLEM?

Clear signals from EU institutions but decisive action is still needed

European Parliament reports and statements called on the European Commission to address coercive buyouts and ensure adequate and continuous remuneration of creators.

Several Member States expressed the need to address the buy-out phenomenon and its impact on the value chain, calling on the Commission to investigate it further.

Moreover, **independent experts** have confirmed that coercive buy-out practices should be addressed at EU level in the

- Study commissioned by the European Commission (2025)
- Study commissined by EP's JURI Committee (end of 2023)