



GESAC Contribution to the EC Call for Evidence on the AI Strategy for the Cultural and Creative Sectors

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The European Grouping of Societies of Authors and Composers (GESAC), representing more than 1.2 million creators through 32 authors' societies across Europe, welcomes the European Commission's (EC) initiative to develop an AI Strategy for the Cultural and Creative Sectors (CCS).

GESAC strongly supports the EC's ambition to establish an overarching strategic vision that benefits culture, citizens and the broader European cultural landscape. However, for this objective to be achieved, the Strategy must start from a basic premise: AI should strengthen human creativity, reinforce Europe's cultural diversity, and contribute to a sustainable creative economy that continues to support millions of creators and cultural professionals across Europe. Europe's cultural and creative sectors are among the EU's most valuable strategic assets, accounting for millions of jobs and approximately 4.4% of EU GDP, while playing an essential role in democracy, freedom of expression, inclusiveness and diversity.

Cultural sovereignty

The future of AI in culture should not be framed only as a technological question. It is also a fundamental issue of a culture, economy and democracy. The datasets that train AI systems are overwhelmingly built upon the creative and cultural production of existing and previous generations of creators. European literature, music, audiovisual works, journalism, visual arts constitute an irreplaceable source of knowledge and creativity that enables AI systems to function. Yet today, the economic value generated by AI grows parasitically at the expense of the CCS and is captured by non-European based actors refusing to comply with EU rules and values. The Strategy should therefore place European cultural sovereignty at its core while ensuring transparency, remuneration and consent across its value chain and ensure application of EU rules protecting creators and CCS to all players operating in the EU, regardless of where they are established, trained or developed.

Creators in the AI Value Creation

Europe's ambition should be to develop an AI ecosystem in which technological progress and CCS grow together. Protection of authors' rights and cultural diversity should therefore remain an indispensable part of a sustainable AI ecosystem. **EU's AI Strategy for CCS must be built on a sound legal framework that enables creators to receive revenues from the use of their works by all GenAI services operating in the EU based on their authors' rights, and should not remain limited only to EU or national level funding schemes** that would never be able to

sustain the professional life of creators' community in the long term and whose availability would always depend on other budgetary considerations.

While AI developers continuously monetise services trained on Europe's cultural repertoire, creators and rightholders whose works enabled these systems generally do not participate in the resulting value creation. This risks reproducing, on an even larger scale, the structural imbalances that characterised the first wave of digital transformation, so GenAI created a new value gap.

GESAC's member authors' societies lead the efforts for litigation against unauthorised use by GenAI companies and the licensing efforts to secure remuneration for creators, however those companies continue to refuse any liability based on authors' rights and European laws. **EU law should introduce the needed legal guarantees to ensure that European creators, small or big, and their societies can have rights against GenAI companies and claim them in European courts based on EU law**, regardless of where those GenAI services are established, trained or developed.

Sustaining creation

The growing substitution of human-created works by AI-generated content in the marketplace in competition with professional cultural production and without remuneration of creators is a huge challenge for creators in general and the new generation of creators in particular.

Recent studies from Germany and France conducted by Goldmedia for GEMA and SACEM estimate that music creators could lose up to 27% of their revenues by 2028 because of GenAI market that operates without authorisation and remuneration.¹ The Spanish study conducted by Universidad Carlos III de Madrid and Know Media for SGAE estimates losses of up to 28% by 2028.² The Danish study conducted by HBS Economics for KODA predicts revenue losses of approximately 28% by 2030.³ At global level, the PMP Strategy study commissioned by CISAC estimates losses of 24% for music creators and 21% for audiovisual creators⁴. The Hungarian Music Industry Report 2025/2026 commissioned by ProArt estimates that GenAI could result in a 19% reduction in copyright royalty revenues by 2028, equivalent to approximately HUF 5.8 billion annually and a cumulative loss of HUF 12 billion between 2025 and 2028.⁵

¹ Goldmedia, AI and Music: Market Development of AI in the Music Sector and Impact on Music Authors and Creators in Germany and France (commissioned by GEMA and SACEM, 2024), <https://www.gema.de/en/news/ai-study>.

² Know Media, Estudio sobre el impacto económico y social de la IA en la creación musical y sus efectos en otros ámbitos de la cultura (commissioned by SGAE, September 2025), [https://documentos-sgae.s3.eu-west-1.amazonaws.com/2025/WEB/ESTUDIO+IA+EN+LA+M%C3%9ASICA+DE+SGAE/AI+SGAE+\(EXECUTIVE+SUMMARY+OF+THE+STUDY\).pdf](https://documentos-sgae.s3.eu-west-1.amazonaws.com/2025/WEB/ESTUDIO+IA+EN+LA+M%C3%9ASICA+DE+SGAE/AI+SGAE+(EXECUTIVE+SUMMARY+OF+THE+STUDY).pdf).

³ HBS Economics, The Economic Impact of Generative AI on the Danish Music Industry (prepared for Koda and IFPI Denmark, September 2025), https://koda.dk/pdf/The_Economic_Impact_of_Generative_AI_on_the_Danish_Music_Industry.

⁴ PMP Strategy, Study on the Economic Impact of Generative AI in the Music and Audiovisual Industries (commissioned by CISAC, November 2024), <https://www.cisac.org/services/reports-and-research/cisacpmp-strategy-ai-study>.

⁵ Whitereport Cross-media Business Intelligence & Consulting, Hungarian Music Industry Report 2025/2026: The Economic Impact of Generative AI on the Hungarian Music Industry Today and

These risks are undermining incentives to create, reducing professional opportunities for creators, in particular the new and young creative professionals, and weakening Europe's long-established cultural ecosystems. **The EC's AI Strategy should therefore explicitly acknowledge the substitution challenge and develop dedicated mechanisms ensuring continuous remuneration of creators from the use of AI-generated content**, which is produced thanks to their creative works, and support the sustainability of creation in the long term.

The study that the AI Strategy for CCS announced to undertake on AI-generated outputs **should essentially analyse the detrimental substitution effect of the AI outputs and evaluate solutions to develop remuneration models for creators. Focusing only on the technologies, including AI itself, to help prevent, detect and remove copyright-infringing content in outputs would result in an extremely limited scope for such a study**, as it would miss the entire point of GenAI market functioning and its impact on the CCS.

Although original works may indeed still appear, in whole or in part, in AI-outputs, the detrimental substitution effect of AI-generated content is not, and never will be, about users listening to or reading exact copies of original works through GenAI services and applications. Rather, GenAI services produce content that unfairly substitutes original works across many markets, regardless of whether their outputs contain any identifiable copies of those original works. For example, the latest Hungarian Music Industry Report shows that substitution effect is likely to emerge first in production music, background music, advertising, social media content and recommendation-driven streaming environments, where user attachment to individual creators is weaker and AI-generated content can compete directly with professional cultural production.⁶ This is also supported by the previous studies made at national and international level.⁷

Buy-Out Practices

The AI transition also risks exacerbating existing imbalances between creators and powerful digital actors. For many years, European institutions have identified coercive buy-out practices as a structural challenge affecting creators, particularly in digital markets.

This concern has been politically raised, documented and become an issue ready for legislation at EU level based on the following Resolutions, Communications and research adopted by EU institutions:

- European Commission, *Study on Contractual Practices Affecting the Transfer of Copyright and Related Rights* (2025).
- European Parliament (JURI Committee), *Buyout Contracts Imposed by Platforms in the Cultural and Creative Sector* (CEIPI, University of Strasbourg, 2023).
- European Commission, *European Media Industry Outlook*.
- European Commission, *European Media and Audiovisual Action Plan* (COM(2020) 784 final).

over the Next Three Years (commissioned by ProArt – Alliance for Copyright, March 2026), <https://zeneipar.info/letoltes/proart-zeneipari-jelentes-2025-2026.pdf>.

⁶ Hungarian Music Industry Report 2025/2026. *ibid*.

⁷ PMP Strategy, Study on the Economic Impact of Generative AI in the Music and Audiovisual Industries. *ibid*.

- European Parliament resolutions addressing buy-out practices and creators' remuneration, including:
 - Resolution on the Situation of Artists and the Cultural Recovery in the EU (2021);
 - Resolution on Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation (2021);
 - Resolution on the Intellectual Property Action Plan (2021);
 - Resolution on an EU Framework for the Social and Professional Situation of Artists and Workers in the Cultural and Creative Sectors (2023);
 - Letter from 41 Members of the European Parliament to Executive Vice-President Henna Virkkunen calling for action on buy-out practices (2025).
- Council of the European Union and Member State initiatives, including:
 - French Presidency of the Council of the EU, *Effectivité du cadre européen du droit d'auteur* (2022);
 - OMC Expert Group / Council Report, *The Status and Working Conditions of Artists and Cultural and Creative Professionals* (2023);
 - Various Member State initiatives and discussions concerning creators' remuneration and contractual practices.

Many creators now face contractual provisions relating not only to traditional exploitation but also to AI training, voice cloning, synthetic performances and future AI-related uses. Recent public controversies involving creators and digital platforms illustrate the growing concerns among creators regarding the use of their professional assets in AI systems.⁸

The AI Strategy should therefore include initiatives supporting a legislative intervention at EU level to address this issue in comprehensive manner combining the elements of copyright law and media law, including the following actions as the basis to address this growing unfairness in the EU digital market:

- **Making the rule of appropriate and proportionate remuneration an internationally overriding mandatory rule** by way of a public order principle. Making the principle, that already exists, an internationally overriding mandatory rule at EU level would make it effective and enforceable to reap the real benefit of this important principle. This has already been tried by certain Member States at national level with positive impact in the market.
- In addition, **a straightforward position** against buy-outs should also be considered at EU level, in the sense **that a proportionate remuneration based on usage is the rule**. Collective management has so far been an effective tool to ensure such appropriate remuneration for many creators who organised themselves around CMOs. However, as explained above, the current situation has increasingly left no other option to creators but

⁸ [See here](#) on Netflix' contracts with voice actors requiring the use of their voice for AI training; [See here](#) YouTube arguing that its terms of service allow it to train its AI models with the works of creators uploaded on its platform.

to accept buy-outs and to renounce proportionate remuneration from continuous success/use of their works;

- It would be more impactful if **complementary measures** are envisaged where works **produced on the basis of buy-out contracts do not qualify as European works** for other legislative instruments, and in particular productions of streamers that impose total buy-out of authors' rights **are excluded from the benefit of European or national film funds** and financial incentives.
- Investigating any further national solutions that have already been proven as effective to ensure appropriate remuneration of authors against these practices.

Cultural diversity

Recent research commissioned by the EC on the discoverability of European works (European Commission, *Study on the Discoverability of Diverse European Cultural Content in the Digital Environment* (2026)) demonstrates that availability alone is insufficient to ensure cultural diversity in digital environments. Exposure, discoverability and visibility increasingly depend on algorithmic curation and recommendation systems. Moreover, findings of the above mentioned national and international studies on the impact of AI, as well as the experts interviewed for those studies, warn that AI-generated music tends to favour standardisation and mass-scale reproduction of existing patterns rather than genuine cultural originality.

The Strategy should therefore recognise that algorithmic governance is now a core cultural policy issue. The same cultural diversity objectives that have guided European audiovisual policy for decades must increasingly apply to wider scale of streaming platforms and AI-driven environments.

Moreover, Europe should develop policy tools that ensure diversity and inclusion of European works, minority languages and culturally diverse repertoires in the development of GenAI services and AI systems in Europe, rather than reinforcing concentration around dominant languages and commercially dominant content. Concentration of the GenAI market at the hands of a few non-EU based AI services and major entertainment companies to the exclusion of European works and rightholders would have grave consequences for cultural diversity, pluralism and future of creation in Europe.

Music streaming market

One of the clearest examples of AI-related disruption can already be observed in music streaming markets. Recommendation algorithms increasingly shape listening behaviour and determine which creators receive exposure and remuneration. At the same time, AI-generated content is entering music streaming services at unprecedented scale. According to Deezer, AI-generated tracks exceeded 50% of all new music uploads at peak levels in June 2026, with around 90,000 fully AI-generated tracks being uploaded to the platform every day.⁹ The massive volume of AI-generated content across music streaming services and other digital platforms increasingly reduces the visibility

⁹ <https://newsroom-deezer.com/2026/07/ai-music-exceeds-50-percent-daily-uploads-deezer/> (last consulted on September 1, 2026).

and monetisation of human-created works, making it more difficult to secure fair remuneration for majority of European creators.

GESAC notes the evidence referenced in several studies, including the EC's Study on Discoverability,¹⁰ the FairMusE Horizon research project,¹¹ the Legrand Network study commissioned by GESAC,¹² Goldman Sachs research¹³, the Hungarian Music Industry Report¹⁴ and the European Parliament's (EP) work on music streaming. These studies identify growing concerns surrounding visibility concentration, algorithmic opacity, stream manipulation and the impact on creators' revenues, as well as cultural diversity.

The AI Strategy should therefore support:

- greater transparency concerning recommendation systems and automated content curation of streaming platforms;
- independent monitoring of AI-related market manipulation practices;
- prominence and discoverability obligations for European works both on AV and music streaming platforms;
- measures promoting a healthy, diverse and competitive streaming ecosystem;
- safeguards against fraudulent practices using AI tools and/or involving AI-generated content.
- Creation of a European Music Observatory and possible national entities evaluating and ensuring the effectiveness of those discoverability and transparency requirements, as well as providing useful market information and insights for healthier operation of the market.

These objectives are fully aligned with the EP's repeated calls for greater transparency and discoverability measures in streaming markets.

Audiovisual and visual art sectors

The Strategy needs particular focus for AV and visual art sectors too.

¹⁰ European Commission, Study on the Discoverability of Diverse European Cultural Content in the Digital Environment (commissioned under the EU Work Plan for Culture 2023–2026, 2026), <https://op.europa.eu/en/publication-detail/-/publication/34da2669-32b4-11f1-be39-01aa75ed71a1>.

¹¹ Fair MusE, Promoting Fairness of the Music Ecosystem in a Platform-Dominated and Post-Pandemic Europe (Horizon Europe Project No. 101095088, 2023–2026), including its final reports and policy recommendations, <https://fairmuse.eu/fairmuse-resources/>.

¹² Emmanuel Legrand (Legrand Network), Study on the Place and Role of Authors and Composers in the European Music Streaming Market (commissioned by GESAC, September 2022), <https://authorsocieties.eu/content/uploads/2022/09/faq-musicstreamingstudy.pdf>.

¹³ Goldman Sachs Research, Music in the Air series, including Focus on Monetisation, Emerging Markets and AI; Updating Global Music Industry Forecasts (2024), <https://www.goldmansachs.com/insights/goldman-sachs-research/music-in-the-air--focus-on-monetisation--emerging-markets-and-ai>.

¹⁴ Hungarian Music Industry Report 2025/2026. *ibid*.

The audiovisual sector demonstrates the effectiveness of long-standing European cultural policies. Quotas, prominence obligations and financial contribution schemes under the AVMSD have supported European creation and the circulation of European works across borders.

Recent data from the European Audiovisual Observatory nevertheless show that significant disparities remain across Member States, while commissioning activity by streamers has declined. Public service broadcasters continue to remain the main commissioners of European fiction.

The AI Strategy should complement existing AVMSD objectives by ensuring that the increasing use of AI in audiovisual production does not undermine cultural diversity policies. European funding programmes supporting AI innovation should encourage genuine human creativity and maintain strong incentives for original European production. AI-generated works should not be allowed to weaken existing cultural policy instruments designed to support European creative ecosystems.

While there are no dedicated policies for visual art sector at EU level, they deserve particular attention in the application of cultural policies, in particular in terms of AI and CCS. Visual arts sector is one of the most, if not the most, affected sector from mass scale unauthorised use of protected content and detrimental substitution effect. Considering the specificities of this crucial sector for Europe has particular importance in EU's forthcoming AI Strategy for CCS.

Collective management

The Strategy should recognise collective management organisations as strategic partners in building a sustainable AI ecosystem. Collective management already ensures broad access to repertoires while promoting cultural diversity, broad access to market for all players and fair remuneration for creators in existing online and offline markets. It can play a significant role in facilitating scalable solutions between creators and AI developers, especially for Europe's culturally and linguistically diverse cultural markets across Member States. To achieve these objectives EU's legislative framework should be improved to ensure meaningful transparency, clear requirements for licensing based on authors' rights and appropriate remuneration for the use of cultural and creative works that unequivocally apply to all GenAI services operating in the EU.

Conclusion

Europe has a unique opportunity to develop a global model for AI and culture based on innovation, creativity, democracy, rule of law and cultural diversity.

The future AI Strategy should recognise that culture is not simply another economic sector affected by technological change. It is one of the foundations of Europe's democratic, social and economic model.

If properly designed, AI can help creators innovate, improve access to culture, support linguistic diversity and strengthen Europe's cultural sovereignty. However, this will require coordinated action across investment, skills, research, infrastructure, discoverability and sectoral cooperation policies.

The success of Europe's AI transition will ultimately depend on whether creators, cultural professionals and cultural institutions are able not only to adapt to AI, but to actively shape its development. Europe should therefore place culture and creators at the heart of its AI strategy.