

**Question for written answer E-004596/2025**

**to the Commission**

Rule 144

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**Subject:** Unequal protection of audiovisual performances

The Commission recently published its long-delayed report on the application of the Term Extension Directive (Directive 2011/77/EU<sup>1</sup>), originally due in 2016. This directive extended copyright protection of music recordings from 50 to 70 years, despite no proven economic benefit, while performances in audiovisual recordings received no similar extension. Thus, copyright protection varies depending on whether a performance is fixed in a sound or audiovisual recording, a discrimination not seen in authors' copyright.

Actors and other audiovisual performers have long sought to end this inequality. Although the Commission's report finds the economic impact on music recordings to be minimal, it advises against equalising protection for audiovisual performances because of a lack of proven benefit. This contradictory position upholds an unequal treatment of performers, based solely on the medium in which their performances are recorded.

1. Why does the Commission look into the economic value of audiovisual recordings as a condition for extending the term of protection, when such evidence was not delivered prior to the granting of the extension of the term of protection for music recordings?
2. Can the Commission confirm that the Member States have the competence to remove this discrimination in national legislation and provide audiovisual performances with an equal term of protection to that of music recordings?

Submitted: 18.11.2025

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<sup>1</sup> OJ L 265, 11.10.2011, ELI: <http://data.europa.eu/eli/dir/2011/77/oj>.