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Global watch on culture and digital trade

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GOVERNANCE OF STREAMING PLATFORMS: INVESTMENT OBLIGATIONS AND REGULATION ISSUES

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Analytical report, September 2025

The September report begins with European telecom operators who pushed for major tech companies like Google and Netflix to help finance network infrastructure. The European Commission, however, pledged to Washington that no network usage fees would be introduced, rejecting the “fair share” principle. Besides, a coalition of 84 associations opposed mandatory fees, warning they could undermine net neutrality, affordability, and access to digital services. In addition, the report focuses on Switzerland’s “Lex Netflix” which requires audiovisual services to invest at least 4% of revenue into local productions, raising 37 million USD for 2024. Moreover, the report deals with Austrian data protection watchdog, which ordered YouTube to give users full access to their data following a 2019 Noyb complaint. In a new study, the European Audiovisual Observatory also highlighted that in 2024 spending on original European works (excluding news and sports) reached €25.1 billion. Broadcasters accounted for roughly two-thirds of that total, while global streaming platforms contributed the remaining third. Finally, the report focuses on recent developments concerning digital platforms, notably Spotify, Disney+, YouTube, and TikTok.

Regulation issues, digital trade and culture

Web traffic, telecom infrastructure and Trump administration

While European operators are pushing for Google, Meta, Amazon, or Netflix to help finance their infrastructure, the European Commission has pledged to Washington that it will not introduce any network usage fees. In the joint declaration signed on 21 August between Brussels and Washington to clarify the new trade framework concluded on 27 July between the United States and the European Union (EU), Article 17 buries the principle of “fair share”, under which major generators of web traffic - such as Netflix, TikTok, Meta, or Google - would contribute financially to the maintenance of telecommunications networks in proportion to the traffic they generate. The document states: “The United States and the European Union commit to addressing unjustified obstacles to digital trade. In this regard, the European Union confirms that it will neither adopt nor maintain network usage fees. The United States and the European Union will not impose customs duties on electronic transmissions”.

In addition, according to Euronews, a group of 84 associations – including the European Broadcasting Union (EBU), Euroconsumers and European Digital Rights (EDRi) – rejected “the potential introduction of a mandatory fee to help infrastructure build-out in upcoming telecom proposals, in a joint statement published early July. The Digital Networks Act (DNA), legislation aims to overhaul telecom rules to improve connectivity and is set to be presented by the European Commission in December. Companies say they regret that this “fair share” mechanism is “still being actively considered” in the ongoing discussions, as it endangers the principle of net neutrality. “Measures introducing interconnection charges would risk driving up costs, limiting choice and open access to information, undermining the affordability, quality, and diversity of digital products and services”.

Switzerland’s “Lex Netflix”

Switzerland’s investment obligation scheme secured 37 million USD (CHF 30.1 million) from broadcasters and streaming platforms for 2024, marking a more than 30% increase in funding for local films and TV dramas. Introduced in 2024 following a referendum, Switzerland’s investment obligation - informally called “Lex Netflix” in the industry - requires all audiovisual services operating in the country to invest at least 4% of their annual gross turnover into Swiss film and TV production or its promotion. By the end of March 2024, over 70 companies had registered under Switzerland’s investment obligation scheme, with 21 of them subject to the requirement, according to the Federal Office of Culture (FOC).

Streaming services and users’ data

Austria’s Data Protection Authority has ordered YouTube to provide users with full access to their personal data, enforcing rules under the EU’s General Data Protection Regulation (GDPR). The ruling stems from a 2019 complaint by privacy group Noyb.

In 2019, Austria-based privacy group Noyb (None of Your Business) filed complaints against eight streaming services, including YouTube and Netflix, alleging "structural violations" of EU data protection rules. The complaint against YouTube was lodged on behalf of an Austrian user with the country's Data Protection Authority. The watchdog found that YouTube had not fully provided the requested information. It is worth reminding that at the end of 2024 the Dutch Data Protection Authority (DPA) fined Netflix €4.75 million (4.98 million USD) for failing to properly inform customers about how their personal data was used between 2018 and 2020. "The DPA said its 2019 investigation found that Netflix's privacy statement did not clearly explain how customer data was handled".

The European Media Industry Outlook

The European Commission's second European Media Industry Outlook report highlights mounting challenges for the EU media sector, which directly employs 1.32 million people across 245,000 companies. According to the study, European players are under unprecedented pressure from global competitors. The report notes that the EU's media market - including audiovisual, news, video games, and XR/VR - is increasingly dominated by a small number of powerful non-European actors, particularly from the United States and China. "These companies capture the lion's share of revenues thanks to their control of distribution channels such as YouTube, subscription video-on-demand services, and social media platforms". While traditional television still holds weight, it is steadily losing ground to these digital alternatives, which often feature less European content. A further concern is the fragmented nature of the European industry. According to the outlook, only a limited number of companies are strong enough to compete on global or regional scales. The sector has also been slow to roll out its own technological solutions, a weakness compounded by lower investment levels compared with the United States.

New report from the European Audiovisual Observatory

The European Audiovisual Observatory, part of the Council of Europe in Strasbourg, has released a new study titled Audiovisual services spending on original European content – 2014-2024 data. Drawing on figures from Ampere Analysis, the report examines how broadcasters and streaming platforms are investing in homegrown European productions. Key findings include that in 2024 spending on original European works (excluding news and sports) reached €25.1 billion. Broadcasters accounted for roughly two-thirds of that total, while international streaming platforms contributed the remaining third.

In addition, although global content budgets for major streamers have begun to level off, the share allocated to European programming is rising, often at the expense of US-focused content. Disney+, in particular, has made notable strides in boosting its investment in European originals. Finally, the balance between broadcaster and streamer investment in European originals differs significantly from country to country. In markets such as France, the Netherlands, Germany, and Poland, traditional broadcasters remain the dominant force in financing local productions. By contrast, in Spain, Norway, and Italy, global streaming platforms are far more influential, contributing close to half - or even more - of total spending on original European content.

Worldwide activities of online platforms

French-language music on Spotify has surged 192% since 2019, fueled by listeners well beyond traditional Francophone regions. Spotify's latest Francophone Report for June 2025 shows that more than 123 million users streamed French content in 2024, including over 100 million outside France, Quebec, Belgium, and other historically French-speaking areas. Monthly listening now exceeds 64 million hours globally.

Disney has entered a third collaboration with a major European broadcaster, this time joining forces with Spain's Atresmedia. The deal follows earlier partnerships with the United Kingdom's streaming service ITVX and Germany's public broadcaster ZDF. Since early September, Disney+ subscribers in Spain have been able to stream more than 300 hours of Spanish-language programming from Atresmedia's catalog. According to Cineuropa, "such partnerships give Disney a way to deepen its reach among Spanish and German audiences by making locally produced, familiar content available directly on Disney+". The strategy could help draw in new subscribers, while "ZDF and Atresmedia stand to benefit from increased visibility and brand recognition through their presence on the Disney+ platform".

Disney+ has signed a multi-year deal with Nordisk Film, part of the Egmont Group, securing exclusive first-window streaming rights for local theatrical releases across Denmark, Norway, Sweden, and Finland from 2026. Covering around 90 titles over the agreement period, the partnership positions Disney+ as the primary post-theatrical destination for Nordic cinema and underscores its push to strengthen local content offerings in the region.

According to Variety, for the first time in the Asia-Pacific region, "streaming platforms are projected to outpace traditional pay-TV in content investment by 2025, according to Media Partners Asia's Asia Video Content Dynamics 2025 report". The milestone signals a major shift in the region's video landscape. The report, which analyzes spending, consumption, and production trends across key markets including India, Indonesia, Korea, Malaysia, the Philippines, Thailand, and Vietnam, projects overall content expenditure to dip by 2% this year, settling at 15.8 billion USD.

According to Reuters, TikTok now boasts over 200 million monthly users across Europe, equating to roughly one in every three Europeans, the short-video platform reported early September. This marks a notable rise from last year's 175 million users across 32 countries in the region. Owned by Chinese tech giant ByteDance, TikTok reaches more than one billion users worldwide monthly, according to a company spokesperson, highlighting its growing popularity, especially among teenagers.

Anthropic informed a San Francisco federal judge on Friday that it has reached a $1.5 billion settlement in a class-action lawsuit brought by authors who alleged the company trained its Claude chatbot on their books without authorization. "This settlement sends a powerful message to [artificial intelligence] AI companies and creators alike that taking copyrighted works from these pirate websites is wrong," the authors' lawyers said in a statement. They called it the largest copyright recovery in history and the first of its kind in the AI era.

According to The Hollywood Reporter, Canal+, the French media giant, has entered exclusive negotiations to buy a 34% minority stake in UGC, one of France's largest cinema chains. The deal also gives Canal+ the option to take full control of UGC in 2028. The move comes as Canal+ continues to expand internationally, having recently raised its stake in Asian streaming platform Viu to 37.2% with an option for majority control by 2026, while also pursuing a mandatory takeover of South African pay-TV operator MultiChoice, subject to regulatory approval.

YouTube has extended its run as the most-watched TV platform in the United States, marking six consecutive months at the top, according to Nielsen's July Media Distributor Gauge. The platform captured 13.4% of all TV usage during the period, widening its lead over Disney, which came in second at 9.4%. The gap grew to four percentage points in July, compared to 2.8 points in June. Together with Netflix, which held a 8.8% share, YouTube accounted for more than one-fifth of all TV viewing—equal to the entire cable category and greater than broadcast networks combined.

Disney said it will stop disclosing subscriber counts for its streaming platforms in quarterly earnings releases, adopting a reporting strategy similar to Netflix. The change comes after the company added 2.6 million subscribers across Disney+ and Hulu in the most recent quarter, reaching a combined total of 183 million.

Additional readings for the September report:

- Hollywood's superhero bubble popped. Now hit video games are taking the controls, Los Angeles Times, 8 September 2025, Link.
- As Spotify moves to video, the environmental footprint of music streaming hits the high notes, The Conversation, 25 July 2025, Link.

Indicative sources :

- Canal+ to take stake in French movie theater giant HGC, eyes full takeover by 2028, The Hollywood Reporter, 2 September 2025, Link.
- Switzerland's 'Lex Netflix' investment obligations raises 37 million USD to fund films and series, Screen Daily, 14 August 2025, Link.
- Companies warn against introducing mandatory fees in telecom overhaul, Euronews, 9 July 2025, Link.
- Dutch watchdog fines Netflix for not properly informing customers about data use, Reuters, 18 December 2024, Link.
- Asia-Pacific content spend hits 16 billion USD as streaming overtakes pay-tv for first time, research finds, Variety, 10 September 2025, Link.
- Anthropic agrees to pay 1.5 billion USD to settle authors' copyright lawsuit, CNBC, 5 September 2025, Link.

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