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Honourable Commissioners,

The European Union prides itself on our cultural and linguistic diversity following its aspiration to be united in diversity as one of the cornerstones of the European project. In the Union, we have 24 official languages that are to be celebrated and protected, and as enshrined in Articles 21 and 22 of the Charter of Fundamental Rights of The European Union, any discrimination based on a ground such as language shall be prohibited, while the Union shall respect cultural, religious, and linguistic diversity.

I believe the European Union rightly puts multilingualism and the principle of non-discrimination at the heart of its policies and follows such principles in practice. However, the same cannot be said for all private companies operating in the internal market and offering services throughout the Union. Union have made much progress in recent years through its legislative measures, such as the Audiovisual Media Services Directive, which ensures that services provided by media service providers are more accessible to persons with disabilities, that audiovisual commercial communications do not include or promote any discrimination based on sex, racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation, and obliges that Member States to exercise their powers in accordance with the objectives of media pluralism, cultural and linguistic diversity, accessibility, and non-discrimination. The means to achieve accessibility by enabling our citizens with audiovisual services containing sign language, subtitling, or dubbing should extend to all persons and not only persons with disabilities but also to general populations speaking various languages. The principles of non-discrimination should also be applied through the lens of languages and not be limited to commercial communication but to all audiovisual content offered to our citizens in their countries.

Video-sharing platforms, particularly the larger video streaming companies, such as Netflix or Disney+, which are registered in only one of the Union's Member States while offering their services throughout the Union, often fail to respect the language diversity of the EU by not providing dubbing or subtitles of their media content to the detriment of their audiences' languages in some EU countries. A while ago, I addressed said corporations, requesting them

to adhere to the principles of non-discrimination and rectify their language policy to provide accessibility of their content to our citizens in their native language, but to no avail. Since such informal requests were not addressed, I propose to tackle this issue within the EU legal framework through legislative action. Isn't it a gross discrimination precisely in cases like these where some Member States have subtitles in their own language and other do not simply because their market is smaller or there are fewer speakers?

The European Parliament has recently adopted a resolution on the Implementation of the revised Audiovisual Media Services Directive where we stress the importance of facilitating accessibility (dubbing, subtitles, audio descriptions or others) in all languages of the territory where the audiovisual media service is provided. The European institutions are bound by the Treaty of the Functioning of the European Union to develop the European dimension in education, primarily through the teaching and dissemination of the languages of the Member States, and have a duty to enhance, promote, and uphold linguistic diversity. This should also extend and be reflected in our policies to the digital single market, specifying clear obligations for video-sharing platforms. The internal market is currently dominated by non-European actors, which are not adhering to the specific needs of a multilingual Europe. This issue should, therefore, be addressed within a revision of the mentioned Directive, complementing it by adding additional obligations for video-sharing platforms to respect all languages of the Union and prevent them from using the country-of-origin principle as a pretext to circumvent national legislation obliging media service providers to translate their content via dubbing or subtitling. Adding such a linguistic obligation to translate content to the respective languages of our Member States would achieve the Union's duty to enhance, promote, and uphold linguistic diversity. Moreover, the co-legislators of the EU are currently working on the Media Freedom Act, which will enable and promote more structured cooperation among national regulators to, including but not limited to, facilitate and accelerate requests for enforcement of obligations by video-sharing platforms, meaning we already have coordination and enforcement measures in place. The only missing piece to complement it is the revision of the Audiovisual Media Service Directive.

In the European Union, we relish being united in diversity, and the languages spoken by our people are what comprise Europe. It is something businesses operating within our internal single market should respect, and they should be obliged to apply the Fundamental rights enshrined in the Treaties. Therefore, I call on you to let us use this opportunity to guarantee all Europeans the dignity and respect they deserve, preventing discrimination by providing the accessibility of audiovisual content – in their mother tongue.

Sincerely yours,

Irena Joveva  
Member of the European Parliament

