

## Making the European Digital Single Market Work for Film and Television

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**EUROKINEMA**  
*Association de producteurs  
de cinéma et de télévision*



**FIAD**

**Independent** ■  
Film & Television  
■ ■ ■ **Alliance**®

**ivf**  
INTERNATIONAL VIDEO FEDERATION  
Publishers of Audiovisual Content  
on Digital Media and Online



We, the undersigned organisations represent film and TV producers, world sales companies, distributors, and publishers active in the film and audiovisual landscape in Europe. Our members are ready to contribute to the achievement of the Digital Single Market Strategy adopted by the European Commission on 6<sup>th</sup> May, 2015, in order to bring about economic growth and job creation in Europe.

We call on the European Union to promote the best conditions for a strong, sustainable film and audiovisual sector, preserving the cornerstone of European culture and creative forces which are loved and recognised throughout the world.

Europe's policy framework should encourage creativity, promote investment in the production and distribution of creative content and guarantee a fair and adequate reward to all relevant right holders and parties involved by:

**Preserving Commercial Freedom – the Foundation for Creative Sector Jobs**

The commercial freedom to organise the financing and future distribution of each film and audiovisual content on a territorial basis is indispensable to finance films and television series and to ensure their best possible promotion and distribution in each individual market. This in turn supports creative freedom, jobs and economic growth: as a whole the EU core creative industries employ 7 million people and contribute €509 billion to EU GDP inside Europe and through exports. The European Union should acknowledge the necessity of this principle and preserve it in future legislative initiatives.

**Promoting Diverse Platforms – More Choice for European Audiences**

The flexibility in the EU copyright system has enabled the launch of more than 3,000 licensed online audiovisual services as reported by the European Audiovisual Observatory, including many smaller platforms serving certain parts of Europe. This platform diversity is driving change and innovative solutions so audiences can access and watch film and audiovisual content in the widest possible range of options. Preserving cultural diversity is a key objective of European public policy and the European Union should celebrate and champion this diversity and not impose business models, including cross-border access, which would favor a small number of multinational platforms. Europe stands to lose in terms of choice and diversity of content, rather than gain more options.

**Embracing Diverse Audiences – Europe’s Creative Spark**

An EU policy premised on treating European audiences as a “digital single market” and creative works as mere commodities fundamentally ignores the creative and commercial realities of the EU cultural marketplace. Successful online licensing and distribution in that vibrant market depends on offering a wide range of attractive film and television content in a manner which is linguistically relevant and culturally attractive to the diverse tastes and preferences of local audiences. It is critical that the European Union does not intervene in the development of business models and mandate or favour certain options or larger international players at the expense of experimentation and the rich diversity of national and/or regional distribution platforms needed to engage viably and sustainably with such diverse audience demands.

**Providing European Audiences and Businesses with the Best Digital Infrastructure**

The copyright system provides no legal barriers to offering content or services covering several territories. But many elements other than copyright play a role in the degree of development of online audiovisual services and their availability in different Member States: relevant hardware penetration, broadband infrastructure and speed, taxation, micro-payment facilities, and rules on the protection of consumers and minors. The degree of availability of illegal content and services also plays an important role in the development of a strong, sustainable audiovisual online offer.

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In light of the above, we, the professional organisations representing the professionals of the film and audiovisual landscape in Europe, are joining forces to urge the European Union to preserve a legal framework under which the film and audiovisual sector can continue to be a driver for creativity, cultural and linguistic diversity across Europe, innovation, growth and jobs.

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**CEPI** (European Coordination of Independent Producers)

**EUROKINEMA** (Association de Producteurs de Cinéma et de Télévision)

**FIAPF** (International Federation of Film Producers Associations)

**FIAD** (International Federation of Film Distributors Associations)

**IFTA** (The Independent Film & Television Alliance)

**IVF** (International Video Federation - Publishers of Audiovisual Content on Digital Media and Online)

**MPA** (Motion Picture Association)