

Brussels, 4 December 2020 (OR. en)

13665/20

AUDIO 54 DIGIT 146 CONSOM 208 TELECOM 250 CULT 82 DISINFO 43 PI 88

#### **COVER NOTE**

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director	
То:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union	
No. Cion doc.:	COM(2020) 784 final	
Subject:	COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation	

Delegations will find attached document COM(2020) 784 final.

Encl.: COM(2020) 784 final

13665/20 CC/ja TREE.1.B



Brussels, 3.12.2020 COM(2020) 784 final

# COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation

#### 1. Introduction

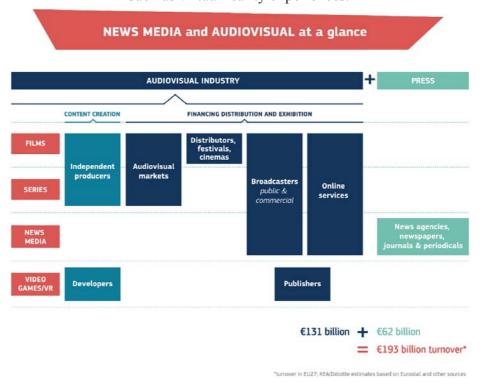
Europe's news media and audiovisual sectors have been critical in keeping citizens informed and entertained during the Covid-19 pandemic. The demand for fact-checked information and news has substantially increased, while films, series or videogames have been the main source of entertainment during the months of lockdown.

A free, diverse, and dynamic media environment is key to strengthening open and democratic societies and nurturing Europe's cultural diversity. Europe is an artistic and cultural powerhouse. Harnessing the potential of the European Single Market to nurture cultural diversity will benefit the media, audiovisual and the wider cultural sector altogether.

#### The European media sector

The media sector as a whole covers a variety of businesses that produce and distribute content, that share synergies, and whose value is based on intellectual property. The sector is largely composed by SMEs, although some bigger media companies have enough scale to incorporate media activities across sectors and along the value chain. The overall media sector contributes to job creation and growth with a turnover exceeding 3% of GDP<sup>1</sup>.

This Communication focuses on the news media sector (including printed and online press, radio, and audiovisual services) and audiovisual entertainment – in particular cinema, TV, radio and video streaming as well as video games and innovative formats, such as virtual reality experiences.



#### The impact of COVID-19

-

<sup>&</sup>lt;sup>1</sup> European Commission estimates, based on Eurostat data and other sources including EAO, Statista

The culture and creative ecosystem, of which the news media and audiovisual industries form an integral part, has been deeply affected by the pandemic. News publishing saw its advertising revenues drop between 30% and 80%² and TV by 20%³, during generalised lockdowns in the second quarter of 2020. European media SMEs face severe liquidity issues, while unemployment has increased, and many media professionals and journalists – particularly those who are subject to precarious employment conditions or are freelancers – have found themselves with no income⁴. Cinemas suffered a collapse in revenues⁵ (with losses estimated at 100,000 euros per screen per month during lockdown), whilst shooting of new films, programmes and TV series has been in many cases halted and often cannot count on insurance policies fit to cover events such a global pandemic⁶.

In parallel, the crisis has accelerated major trends long in motion in digital technology. Online platforms have strengthened their market position, launched new services and attracted new audiences during the lockdowns. New online social media platforms – largely based on audiovisual content – have also hit records in downloads, particularly among young users<sup>7</sup>.

The ambition of this Communication is to accelerate the recovery, transformation and resilience of the media industry. It is necessary to tackle the structural challenges facing the audiovisual and news media industries. In the news media sector, traditional media have struggled to adapt to an online market in which the majority of advertising revenues go to global online platforms. With the onset of COVID-19, advertisers have reduced their overall advertising spending in a context of economic uncertainties, further challenging the sector's sustainability and potentially affecting citizens' access to pluralistic and independent sources of information.

In the audiovisual sector, the greatest challenge is market fragmentation. By and large, European audiovisual companies focus on national audiences, with a few exceptions. Within the EU, European films are exported to on average to three countries, whereas US films are exported to 10 countries. US films also represent 66% of the EU box-office<sup>8</sup>. As a result, even the biggest European media players are noticeably smaller than those of their main global competitors. European groups account for 11% of revenues of the world top 50 audiovisual groups, compared to over 70% by US groups<sup>9</sup>.

<sup>2</sup>http://www.newsmediaeurope.eu/news/covid-19-and-the-news-media-journalism-always-comes-at-a-cost/

<sup>&</sup>lt;sup>3</sup> EAO, Ampere Analysis, October 2020

<sup>&</sup>lt;sup>4</sup> For an overview of the audiovisual sector in the context of COVID-19 consult: <a href="https://rm.coe.int/iris-plus-2020-2-the-european-audiovisual-industry-in-the-time-of-covi/16809f9a46">https://rm.coe.int/iris-plus-2020-2-the-european-audiovisual-industry-in-the-time-of-covi/16809f9a46</a>

 $<sup>\</sup>frac{\text{https://www.unic-cinemas.org/en/news/news-blog/detail/the-impact-of-the-coronavirus-outbreak-on-the-european-cinema-industry/}{}$ 

<sup>&</sup>lt;sup>6</sup> The lack of adequate insurance has been highlighted also in the context of measures taken by national film funds addressing the pandemic: https://europeanfilmagencies.eu/news-publications/our-press-releases/241-measures-by-efad-members-to-mitigate-the-consequences-of-the-covid-19-outbreak

<sup>&</sup>lt;sup>7</sup> For instance: https://www.businessinsider.com/tiktok-app-2-billion-downloads-record-setting-q1-sensor-tower-2020-4?r=US&IR=T

<sup>&</sup>lt;sup>8</sup> European Audiovisual Observatory

<sup>&</sup>lt;sup>9</sup> European Audiovisual Observatory

The role of platforms in Europe's audiovisual market

A number of powerful international video-on-demand platforms have entered the European market and are successfully producing content in Europe. This has represented both an opportunity and a challenge for European independent audiovisual producers and works.

On the one hand, platforms can grant European producers, and artists access to a wider international public, along with attractive remunerations. These are, in some cases, complemented by incentives based on the exploitation of the film/series and/or bonuses linked to the success of their work.

On the other hand, the application by platforms of what could be defined a "work-for-hire" model (i.e., the acquisition of all the intellectual property rights from the producer and/or from individual creators since the start, worldwide and in perpetuity) can "lock in" producers/talents with the platform in question.

Audiovisual companies should be in a position to consider the European continent – and not only their respective national markets – as their native market. For this to happen, it is necessary that European players reach sufficient scale to go beyond national borders and invest in content, talents, promotion, distribution, innovation, and technology anywhere in the EU. In the news media sector, companies should be able to find enough viable and sustainable funding models to ensure citizens' access to a pluralistic, diverse, and independent media environment, including at regional and local levels.

The digital transformation will be the key that unlocks this true potential. This is true for the economy as a whole, and media is no exception. Europe has all the necessary assets to thrive in the Digital Decade with its Single Market and 450 million consumers, its talent pool, the creativity of its producers, authors and performers, and quality of the European content.

#### *The sense of urgency*

The combination of the underlying trends with the COVID-19 crisis could, without a strong policy response, undermine the resilience of Europe's media sector and its democratic role. This could weaken Europe's cultural diversity and media pluralism.

Europe's citizens must continue to benefit from the richness of information and entertainment provided by the media sector and count on an open democratic debate, along with media and artistic freedom. At the same time, they should be empowered to choose freely from this variety of options and be able to navigate the modern news environment and take informed decisions.

Intellectual property (IP)<sup>10</sup> rights are essential for the media sector. The effective enforcement of IP rights – and of copyright in particular – is a key element to support the industry, especially in the current challenging times.

<sup>&</sup>lt;sup>10</sup> See COM(2020) 760 - Making the most of the EU's innovative potential – An intellectual property action plan to support the EU's recovery and resilience <a href="https://ec.europa.eu/commission/presscorner/detail/en/ip\_20\_2187">https://ec.europa.eu/commission/presscorner/detail/en/ip\_20\_2187</a>

The EU has recently modernised its regulatory framework with the revised Audiovisual Media Services Directive (AVMSD)<sup>11</sup> and Copyright reform<sup>12</sup> following broad debates on how best to secure free expression in all its facets. This Communication builds on this modern set of rules and proposes further steps, combining investment with other policy actions, to help the media sector face the crisis and become more competitive thereafter. Accordingly, this Communication is built around three themes:

- a) *Recover*: what the Commission plans to do to help audiovisual and media companies to weather the current storm and provide liquidity and financial support;
- b) *Transform*: address structural issues by helping industry face the twin transitions of climate change and digitisation, in the context of fierce global competition;
- c) *Enable and empower*: setting the conditions allowing more innovation in the sector, whilst ensuring a true level-playing field, and empowering citizens to access content more easily and take informed decisions.

The economic recovery and competitiveness of the media sector is a precondition for a healthy, independent and pluralistic media environment, which in turn is fundamental for our democracy. This Communication complements the European Democracy Action Plan. This addresses risks to European democratic systems in the area of disinformation, integrity of elections and media freedom and pluralism. It includes a series of initiatives to create a safer and better environment for journalists to do their work, as well as to promote media literacy.

This Communication is also fully aligned with the Commission's upcoming proposals on the Digital Services Act and Digital Markets Act, which will aim at modernising the legal framework applicable to digital services in the EU. Together they will set out clear rules and responsibilities for online platforms, and especially the most powerful ones, to ensure a level playing field online.

A sound media environment is crucial also for democratic and stable EU Enlargement and Neighbourhood countries. Where feasible and appropriate, the initiatives outlined in this Communication – including those aimed at news media and media literacy – will be open to independent professional media in the countries covered by the EU Enlargement and Neighbourhood policies. These will complement and strengthen the actions pointed out in the EU Action Plan on Human Rights and Democracy 2020-2024<sup>13</sup>. Where relevant, actions will also contribute to the promotion of European media content in third countries.

Actions listed in this Communication will take into account the need for an inclusive European media sector, reflecting Europe's diversity. They will be implemented encouraging equal access to opportunities and resources for people who might otherwise

-

<sup>11</sup> https://ec.europa.eu/digital-single-market/en/audiovisual-media-services-directive-avmsd

<sup>&</sup>lt;sup>12</sup> https://ec.europa.eu/digital-single-market/en/eu-copyright-legislation

<sup>13</sup> https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=JOIN:2020:5:FIN

be excluded or marginalised, for example including access to content by people with disabilities<sup>14</sup>.

Existing State aid rules clarify the conditions under which public support may be granted by Member States. In order to facilitate support from national authorities, the Council has invited the Commission to evaluate the application of State aid rules to the press sector. The Commission is assessing the need for appropriate action. The Temporary State aid Framework also applies to sector specific measures, such as aid to the press, music, and audiovisual sectors<sup>15</sup>.

#### 2. RECOVER

Media companies represent critical assets for Europe's competitiveness. It is thus pivotal to provide the appropriate financial support and liquidity, allowing them to weather the current economic storm. In this context, the Creative Europe programme – and in particular its MEDIA strand – will play a crucial role. Such programme has been the main instrument of EU support for cultural and creative sectors, including audiovisual, for the last 30 years.

Based on the political agreement on the next long-term budget and Next Generation EU, reached on 10 November 2020, the 2021-2027 budget of the Creative Europe programme would increase by around 58%, with an overall envelope of EUR 2.2 billion in 2018 prices (compared to 1.4 billion for 2014-2020 in 2018 prices – at EU 27 level). Also, based on the Commission's proposal and pending finalisation of negotiations, the programme will include for the first time actions focused on media freedom and pluralism, journalism, and media literacy.

The Commission has already initiated a number of actions throughout 2020. Flexibility measures for the Cultural and Creative Sectors Guarantee Facility<sup>16</sup> have been introduced, notably an increase of the guarantee coverage up to 90% for individual SMEs and a guarantee cap up to 25% for financial intermediaries, together with credit holidays. Support to the network of European cinemas will be increased by 5 million euros in the first quarter of 2021.

<sup>&</sup>lt;sup>14</sup> This will be done taking into account the UN Convention on the Rights of Persons with Disabilities (CRPD): <a href="https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html">https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html</a>

<sup>&</sup>lt;sup>15</sup> Further, to facilitate support to the press, and enhance the transparency and predictability of State aid control in this sector, the Commission has made and will regularly update an online repository (<a href="https://ec.europa.eu/competition/sectors/media/sa\_decisions\_to\_media.pdf">https://ec.europa.eu/competition/sectors/media/sa\_decisions\_to\_media.pdf</a>) containing relevant case practice. Regularly updated information on aid granted by Member States is also accessible in the transparency register. Importantly, to enable Member States to support businesses in the context of the covid-19 outbreak, on 13 October 2020, the European Commission has decided to prolong and extend the scope of the State aid Temporary Framework adopted on 19 March 2020. Aid granted under the Temporary Framework may be cumulated with aid under de minimis Regulations (Commission Regulations (EU) No 1407/2013, No 1408/2013, No 717/2014, and No 360/2012.), which is exempt from the notification obligation, provided the provisions and cumulation rules of those Regulations are respected. [SA.59106 (2020/N) Compensation scheme for the Danish media sector related to COVID-19 – Denmark; SA.57530 (2020/N) – COVID-19-Aid scheme for audio-visual production companies – Luxembourg; State Aid SA.58801 (2020/N) – Italy COVID-19: Aid to small book publishers and State Aid; SA.58847 (2020/N) – Italy COVID-19: Aid to music.]

<sup>16</sup> https://ec.europa.eu/programmes/creative-europe/cross-sector/guarantee-facility\_en

European Structural and Investment Funds<sup>17</sup> have the potential to play an important role in supporting the media sector. This is also already eligible for support under the two packages of the "Coronavirus Response Investment Initiative", which redirects existing cohesion funds to crisis response measures, such as providing working capital to SMEs<sup>18</sup>.

Additional cohesion funding is also made available through REACT-EU <sup>19</sup>, where the culture sector is recognised as a priority and support will be focused on short-time work schemes and the self-employed, as well as support to SMEs.

The temporary Support to mitigate Unemployment Risks in an Emergency (SURE) is also an important instrument available for Member States that need to mobilise significant financial means to fight the negative economic and social consequences of the coronavirus outbreak on their territory<sup>20</sup>.

The Recovery and Resilience Facility is a major opportunity for Member States to invest in the twin digital and green transitions and strengthen the resilience of our industry. Each National Recovery and Resilience Plan will earmark a minimum level of 20% of expenditure for digital. Measures to boost the production and distribution of digital content, such as digital media, will count towards this target.

Under the recovery and resilience plans and in compliance with State aid rules, national reforms and investments can also contribute to strengthening European news media and audiovisual digital capacities, including through multi-country projects, such as coproductions of European content, EU media data space infrastructure, or equity investment to foster European audiovisual production or distribution (see Action 2 below).

In this context, as outlined in the Commission's Annual Sustainable Growth Strategy 2021, Member States should pay attention to sectors that play a key role for our democracies, "especially the media sector where support should be provided in a way that respects and promotes media freedom and pluralism", also initiating sharing among the Member States best practice of public support mechanisms <sup>21</sup>.

#### ACTION 1 –Easier access to EU support

➤ A new interactive tool guiding media companies through the various support instruments

For: all EU media companies, regardless of their field of activity (audiovisual, news media etc.) and size

The Commission will work to ensure that media companies can access EU support opportunities from all instruments and programmes available. Therefore, it will develop –

<sup>17</sup> https://ec.europa.eu/regional\_policy/en/funding/

<sup>18</sup> https://ec.europa.eu/regional policy/en/newsroom/coronavirus-response/

<sup>&</sup>lt;sup>19</sup> https://ec.europa.eu/commission/presscorner/detail/en/IP 20 2140

<sup>&</sup>lt;sup>20</sup> https://ec.europa.eu/info/business-economy-euro/economic-and-fiscal-policy-coordination/financial-assistance-eu/funding-mechanisms-and-facilities/sure\_en

<sup>&</sup>lt;sup>21</sup> https://eur-lex.europa.eu/legal-content/en/TXT/?qid=1600708827568&uri=CELEX:52020DC0575

in close coordination with the single EU gateway to EU funding opportunities<sup>22</sup> – a new interactive tool, tailor-made for the media sector. This will offer guidance on how to apply for relevant EU support, in the context of the 2021-2027 Multiannual Financial Framework, but also through national recovery and resilience plans.

The tool will bundle all relevant EU funding opportunities for audiovisual media, and those for news media. In just a few clicks, any European media company – regardless of the size and the focus – will be directed, depending on the features and needs of the company, to the most appropriate source of EU support. The companies will also be able to access information on the various calls, and on the opportunities for assistance in the application process.

This will build on existing tools and the experience of the Enterprise Europe Network<sup>23</sup>, which provides support and guidance to companies, including in the media and audiovisual sectors.

## ACTION 2 – MEDIA INVEST aimed at boosting investment in the audiovisual industry

- ➤ A dedicated equity investment platform to foster European audio-visual productions and distribution strategies
- ➤ Developing an investment pipeline through capacity building for investors and investment readiness for companies

For: EU audiovisual production and distribution companies

The European audiovisual industry is characterised by a large number of highly innovative and creative independent production and distribution companies with a high growth potential. They often however lack the financial strength to compete on a European and global level. At the same time, European investors remain largely unaware of the potential of those companies. They often associate investments in such ventures with high risks due to lack of track record of successful productions and to assets being mainly intangible in character.

A significant contribution to increasing access to lending has been made through the Cultural and Creative Sectors Guarantee Facility<sup>24</sup>. This type of support will be continued through InvestEU.

However, there is also a gap in equity financing for audiovisual, as well as other creative sectors, estimated at 399-648 million euros per year<sup>25</sup>. That is why a new initiative to support equity finance is needed to boost an independent audiovisual production capability in Europe, able to create quality works for the international market coming from all parts of Europe. European companies must have access to the financial means

<sup>&</sup>lt;sup>22</sup> https://ec.europa.eu/info/funding-tenders/opportunities/portal/screen/home

<sup>&</sup>lt;sup>23</sup> https://een.ec.europa.eu/

<sup>&</sup>lt;sup>24</sup> https://ec.europa.eu/programmes/creative-europe/cross-sector/guarantee-facility\_en

<sup>&</sup>lt;sup>25</sup> Ex-ante evaluation of new financial instruments for SMEs, mid-caps and organisations from the cultural and creative sectors, SQW, 2019

to become more autonomous and exploit the intellectual property of the content they produce.

The Commission will support the setup of a dedicated investment platform, kick-started by funds coming, inter alia, from Creative Europe MEDIA and InvestEU. It will aim at mobilising private investors and will be open to collaboration with national promotional institutions and industry associations. It will support audiovisual ventures that could produce high-end works for the European and international markets, coordinating rights exploitation and distribution across territories.

The investment platform will help audiovisual companies to scale up to the international level, so that they can take higher risks, develop structured collaborations with distributors or other media outlets, and manage and exploit their catalogues. In turn, by strengthening the companies' own funds, the latter can invest in bigger productions that will have greater chances of reaching wider audiences and box-office.

The target is to leverage investments of 400 million euros over a 7-year period, thus making a significant contribution to addressing the gap in equity financing<sup>26</sup>. It might also, under certain conditions, be combined with Member State Recovery and Resilience Plans financed through Next Generation EU<sup>27</sup>.

The investment platform will be complemented with capacity building activities for investors aimed at increasing their knowledge of global production and distribution markets and their associated risks, and providing them with market intelligence. An Investor Conference will be held in 2021 to gather and mobilise the investor community.

In addition, building on the experience of the Cultural and Creative Sector Guarantee Facility, investment readiness actions will be offered to audiovisual companies interested in this type of investment. These will receive tailor-made guidance adapted to their business strategy to attract investors and identify the most promising projects.

### ACTION 3 - 'NEWS': an initiative to bundle actions and support for the news media sector

- > Better access to finance, through loans and a pilot equity initiative
- Capacity building among investors and media
- > Support for news media to work on collaborative transformation
- > A European News Media Forum

programmes.

For: European news media companies, journalists, and related organisations

<sup>&</sup>lt;sup>26</sup> There is a gap in equity financing for audiovisual, as well as other creative sectors, estimated at 399-648 million euros per year. Source: Ex-ante evaluation of new financial instruments for SMEs, mid-caps and organisations from the cultural and creative sectors, SQW, 2019

<sup>&</sup>lt;sup>27</sup> In line with Commission proposal for a Regulation establishing a Recovery and Resilience Facility COM(2020) 408 final. Article 8 provides that support under the Recovery and Resilience Facility shall be additional to the support provided under other Union funds and programmes. Article 22 provides that the Commission and the Member States shall ensure effective coordination between the RRF and other Union

News media are an economic sector as well as a public good. It requires time, stability and resources for news media outlets to produce independent, trustworthy content. This includes the need for increased capacity for media to analyse and reflect scientific information on major societal issues, such as health and climate change. However, over the last few years, the news media sector has been facing continuous change because of evolving revenue models and the digital shift. Facing monetisation difficulties, in some cases, media outlets – in particular at the local and regional level – have had to close down, potentially exposing small markets to 'news deserts'. There has also been a decline in media outlets sending staff correspondents abroad, which can have a detrimental effect on in-depth analysis and professional reporting. The COVID-19 crisis might accelerate these trends, while at the same time European citizens are relying on news media more than ever before, as reflected by growing readership and audience numbers<sup>28</sup>.

The Commission will launch a 'NEWS' initiative to bundle actions and support to the news media sector. This initiative will look holistically at the challenges facing the news media industry and provide a coherent response, bringing together different funding instruments under a common banner. This will increase the coherence, visibility, and impact of actions supported under different funding streams, while fully respecting the independence of the media.

The Commission will facilitate better access to finance by stimulating loans as well as equity finance:

- For news media in search of liquidity, access to loans will be facilitated thanks to the backing of the InvestEU guarantee, building on the experience with the Cultural and Creative Sectors Guarantee Facility and the European Fund for Strategic Investments.
- For news media requiring investment, the Commission will aim to establish an equity-based pilot through InvestEU that can support inter alia the news media sector in innovative ways, co-investing with funds coming from philanthropists, foundations, and other private partners.

These actions will be complemented by capacity-building services that aim to increase the knowledge of the European news media market among investors as well as media and support investment readiness among European media outlets, in particular local media. This will create dialogue and engagement with potential investors and facilitate investment.

Furthermore, dedicated support will be provided in the form of grants under the cross-sectoral strand of Creative Europe for collaborative news media partnerships. Grants will support the testing of new business models, in particular, local media, assisting media in developing their business and editorial standards, promoting collaborative and cross-border journalism, training and mobility of professionals, and sharing of best practices. Networking among the selected projects will be facilitated to maximise impact.

The Commission will engage in regular exchanges with the industry to work towards a news media innovation agenda that can help the sector thrive in the digital economy and

<sup>&</sup>lt;sup>28</sup>https://ec.europa.eu/commfrontoffice/publicopinion/index.cfm/Survey/getSurveyDetail/instruments/STA NDARD/surveyKy/2262

society. To this end, the Commission will establish a European News Media Forum to engage with stakeholders, including media regulatory authorities, representatives of journalists, self-regulatory bodies (media/press councils), civil society, and international organisations.

#### 3. **TRANSFORM**

The objective of this section is to encourage the long-term resilience and competiveness of Europe's media industry, accompanying in particular the twin digital and green transitions. This is also important to support the crucial role of the sector in meeting societal needs and fostering European values.

As for many industrial sectors, data technology is at the centre of the transformation of the media sector.<sup>29</sup> In particular, audience data in fields in which Europe's global competitors are well positioned – such as personalised content development and promotion –allows for new business models based on a more direct relationship with the customers<sup>30</sup>. A key example is advertising, where the Internet overtook TV as the main channel in 2015 and has steadily consolidated its lead since then. In 2018, Internet advertising totalled over 50 billion euros, whilst TV advertising reached less than 40 billion euros<sup>31</sup>.

At the same time, the availability of consumer data continues to increase in step with the use of smart phones. The proportion of readers accessing news from smartphones has risen from 39% in 2014 to 48% in 2020. This offers new opportunities for creating, promoting, and distributing content in formats that are tailored to readers' needs.

In this context, the respect for data protection<sup>32</sup> is essential to strengthen individuals' fundamental rights in the digital age and facilitate business by clarifying rules for companies and public bodies in the digital single market.

The emerging area of immersive content is also a sector whose potential is largely unexplored, and where synergies could be built between the media sector and other key European industries.

Europe's media sector must not lag behind in the green transition. Therefore, in line with the European Green Deal<sup>33</sup> objectives – reaching climate-neutrality by 2050, decoupling economic growth from resource use, restoring biodiversity, and cutting pollution actions will be established to reduce the environmental impact of the sector.

#### ACTION 4 Unleashing innovation through a European media data space and encouraging new business models

> Create a media data space to support media companies in sharing data and developing innovative solutions

<sup>&</sup>lt;sup>29</sup> https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52020DC0066&from=EN

<sup>&</sup>lt;sup>30</sup> https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2020-06/DNR 2020 FINAL.pdf.

<sup>&</sup>lt;sup>31</sup> European Audiovisual Observatory

<sup>32</sup> https://ec.europa.eu/info/law/law-topic/data-protection/data-protection-eu en

<sup>33</sup> https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal en

#### European Media Outlook: a report to analyse media trends

For: European publishers, broadcasters, radios, advertising companies, media SMEs, technology providers, content and tech start-ups, content creators, producers, distributors

In order to become more innovative and competitive European media companies should be empowered to make better decisions and deploy more advanced solutions based on insights gleaned from data. The Commission proposes to bring this about by fostering the creation of a European "media data space". This initiative builds on the European Data Strategy<sup>34</sup> and will be carried out in full respect of data protection legislation.

Data spaces can change the way in which creators, producers, and distributors collaborate. They host relevant media data such as content, audience data and content meta-data as well as other types of data on users' behaviours that might be useful to create content better tailored to consumer needs and distribute it more efficiently.

The media data space initiative, financed through the Horizon Europe and Digital Europe Programmes (DEP), will support press publishers, broadcasters, other media companies and technology providers in the creation of a data space dedicated to media applications. DEP will help the deployment of the data infrastructure and define a data interoperability strategy. In line with the European Data Strategy and the new horizontal data governance initiative<sup>35</sup>, it will also integrate state-of the art tools and services needed for the management and processing of the data, define the conditions for sharing and using the data, including IP, data protection privacy, and competition rules. The initiative will be set out taking into account the inputs of the broad stakeholder community.

The data infrastructure should be available to both public service media and commercial media operators, whether large or small, start-ups or established players. For example, several EU news publishers could pool together, in a pro-competitive manner and in respect of data protection rules, their content and customer data to produce news targeting their own national audiences, with the relevant content automatically translated into their own languages. The data space could also provide valuable insight to services aiming at increasing the findability of media content (news and entertainment content) across borders, as well as facilitating access to computing resources for creative SMEs. Furthermore, it could allow for exploitation of synergies with datasets produced by other creative industries (e.g., data spaces for cultural heritage) and industrial sectors (e.g., retail, automotive).

In addition, Horizon Europe will support innovative applications and technologies in the media domain. Investments in modular and open-source infrastructure media components could facilitate the emergence of new business models and their uptake by traditional and new media, thereby improving citizens' access to broadly sourced information.

In order to enhance its knowledge base and inform future policy initiatives, the European Commission will procure a report, the 'Media Industry Outlook' every two years. This will explore media trends – from technology advances to emerging production and

<sup>&</sup>lt;sup>34</sup> https://ec.europa.eu/info/strategy/priorities-2019-2024/europe-fit-digital-age/european-data-strategy en

<sup>35</sup> https://ec.europa.eu/commission/presscorner/detail/en/ip 20 2102

consumption patterns – and analyse their potential impact in the European media market and business models.

### ACTION 5 – Fostering a European Virtual and Augmented Reality (VR/AR) industrial coalition

- > VR/AR industry coalition to stimulate cooperation across industry sectors and ensure European leadership
- Launch a VR Media Lab on projects for new ways of storytelling and interacting

For: European Virtual and Augmented Reality companies and professionals and industries using VR/AR applications

Immersive technologies and high-quality content allow creating new applications and use cases as well as new ways of engaging with audiences. Immersive technologies create more appealing and immersive experiences in different domains such as media, entertainment, culture, healthcare, design, architecture, manufacturing, education, tourism, fashion, training or retail shopping.

By 2030, Virtual Reality (VR) and Augmented Reality (AR) have the potential to add about 1,3 trillion euros to the global economy, up from 39 billion euros in 2019<sup>36</sup>.

While most of the big players are currently in Asia and the US, Europe also has great potential to become market leader in this technology<sup>37</sup>. EU research funds have supported more than 450 projects dedicated to VR and AR, for a total of over 1 billion euros since the 1990s.

Europe has a distinct competitive advantage when it comes to content thanks to its large cultural diversity: leading cultural players such as the ARTE, the Venice Film Festival, and the Centre National du Cinema are actively exploring and supporting the potential of VR. Europe also has highly skilled workers capable of 3D modelling and creating computer-generated (CG) content for the gaming industry and VR animation.

Building on Europe's creativity and strong research base, VR/AR content, technical solution and applications have the potential to trigger innovations in other industrial sectors, such as manufacturing industries, by improving product development and processes. Besides, they play an important role in driving the transformation of the tourism sector and helping creative industries such as fashion or architecture, to develop new business models, make production more efficient by reducing waste, and enhance costumers' experience.

However, the European VR/AR sector suffers from fragmentation across sectors, players, and applications. The Commission therefore proposes to launch a VR/AR Coalition to stimulate cooperation and cross-fertilisation across sectors and ensure European leadership in this crucial, growing market. The VR/AR Coalition would provide a platform for synergies, by fostering joint actions and commitments.

<sup>36</sup> https://www.pwccn.com/en/tmt/economic-impact-of-vr-ar.pdf

<sup>&</sup>lt;sup>37</sup> https://ec.europa.eu/futurium/en/system/files/ged/vr\_ecosystem\_eu\_report\_0.pdf

The Coalition will be based on a broad, cross-sectorial approach involving industries, technology providers and creatives. The Coalition would reflect this diversity of skills and consist of prominent players of the various sectors, ranging from content production and distribution, to the availability of technology, as well as innovation and business development. It would include members representing national or regional VR/AR associations, various industry representatives that could benefit from the wider use of VR/AR technologies for content creation and use.

The Coalition would present, by end 2021, a strategic paper setting out a) the extent to which VR/AR are deployed in the media sector; b) objectives for optimum deployment of VR/AR in the media sector to be reached by 2026; c) concrete commitments on how the industry will contribute to meet these objectives.

A VR Media Lab will also be launched to support creative cooperation on projects for new ways of storytelling and interacting, through virtual and augmented reality. It will enable joint work and mutual learning between people representing a range of professional groups (journalists, filmmakers, game designers, programmers, researchers). The funded projects will focus on content for entertainment, culture and news, as well as virtual reality applications in other industries, such as tourism, and fields such as education.

#### ACTION 6 - Towards a climate-neutral audiovisual sector

> A structured exchange of best practice with the industry and (sub)national film and audiovisual funds

For: European audiovisual companies and professionals

The environmental impact of the media sector is significant. Unlike many other industries in Europe, the CO2 emissions of this industry in Europe are on a continuous rise also because of the constant increase in media consumption, particularly through streaming platforms.

In the audiovisual sector, estimates range from 35 MtCO2e (metric tons of carbon dioxide equivalent) for a TV series episode to 1000 MtCO2e for a feature film<sup>38</sup>. One European feature film on average producers 192 Tonnes of CO2. Large international (co) productions could have a much bigger impact of up to several thousand tonnes of CO2.

In line with the EU objective of climate-neutrality by 2050, the Commission will collaborate closely with the industry and (sub)national film and audiovisual funds with the objective of sharing existing best practices<sup>39</sup> and agree on common tools and green standards. Online streaming platforms – whose share of carbon footprint is growing given the rise in consumption - will also be invited to put forward their ideas and initiatives.

<sup>&</sup>lt;sup>38</sup> Greening the European Audiovisual Industry – The Best Strategies and their costs (to be published in 2021)

<sup>&</sup>lt;sup>39</sup> One of the relevant sources of good practices and a platform for cooperation will be the European Climate Pact to be launched by the European Commission in December 2020

The Commission will be working on a best practice guide for green production and provision of services. The approach will be gradual, with the aim of raising awareness and nudging the industry to start to implement more sustainable solutions. It will complement the Commission actions in the Digital Strategy<sup>40</sup> on making infrastructure such as data centres and telecommunication networks climate neutral, energy efficient and sustainable.

#### 4. ENABLE AND EMPOWER

.

Europeans should be the protagonists of the Digital Decade. Recent European legislation – such as the revised AVMSD and the Copyright reform – contributes to ensuring an enhanced responsibility of all media actors, including online platforms, for the protection of vulnerable groups of media users, particularly minors. It also reinforces the rights of Europe's creators.

Building on this solid regulatory environment, this section sets out initiatives to enable European media companies and talents thrive in European and global markets. These initiatives take into account the need for citizens to be able to find and choose diverse quality content online and be able to navigate smoothly and effectively within the modern media environment.

Whilst specific attention will be devoted to Europe's youth, Europeans from all backgrounds and generations – including the elderly – will be empowered to be active and critical users of media content.

#### ACTION 7 – Towards a broader availability of audiovisual content across the EU

Launch a dialogue with the audiovisual industry in order to agree on concrete steps to improve the access to and availability of audiovisual content across borders in the EU

For: the audiovisual industry (producers, broadcasters, video-on-demand services, distributors, etc.), consumers organisations, and other interested parties, such as national film funds

With the COVID-19 crisis, the online use of audiovisual services at home has increased exponentially together with the willingness of households to invest in home entertainment technologies<sup>41</sup>. The crisis creates an opportunity for industry to reach a broader audience online. The recent Content Portability Regulation<sup>42</sup> allows European

<sup>&</sup>lt;sup>40</sup> https://ec.europa.eu/digital-single-market/en/content/european-digital-strategy

<sup>&</sup>lt;sup>41</sup> According to the Pwc Report "Global Entertainment & Media Outlook 2020-2024", as a result of the COVID 19 crisis, SVOD revenue is expected to overtake box office in 2020 and is projected to surge away in the coming five years, reaching more than twice the size of box office in 2024. At the same time, the worldwide turnover of streaming services has increased by 26% in 2020.

<sup>&</sup>lt;sup>42</sup> Regulation (EU) 2017/1128 of the European Parliament and of the Council of 14 June 2017 on cross-border portability of online content services in the internal market.

citizens to travel with the content that they have bought or subscribed to across the EU and has already provided practical benefits<sup>43</sup>.

When it comes to availability of audiovisual content online, there is significant potential for increase: the Report on the review of the Geoblocking Regulation<sup>44</sup> shows important differences among the audiovisual catalogues across Member States On average, only 14% of films are available on the video-on-demand services of all Member States<sup>45</sup>.

A recent Eurobarometer survey indicates that over a third of Internet users are interested in accessing audiovisual content across borders<sup>46</sup>. These findings are confirmed by the latest data from the European Audiovisual Observatory, according to which EU films are made available on average in not more than three EU27 countries on video on demand platforms<sup>47</sup>. This represents a trove of unexploited potential and diversity to be enjoyed by Europeans.

The audiovisual industry should be able to benefit from Europe as its native market and take advantage of the new consumption trends by making more works available online in the different Member States.

In order to accompany the audiovisual industry in this transformation, the Commission intends to launch a dialogue with the sector. This dialogue will contribute to agreeing on concrete steps to improve access to and availability of audiovisual content across borders, as a follow-up to the Geoblocking Regulation review. This would allow the industry to scale up and reach new audiences, and benefit European citizens by giving them a wider choice.

The dialogue will gather representatives from the audiovisual industry (producers broadcasters, video-on-demand services, distributors etc.), consumers organisations and other interested parties, such as national film funds, and will take place in the course of 2021. Possible specific targets to increase the circulation of audiovisual works across the EU and ways to achieve them could be defined in the dialogue.

The Commission, will monitor the progress in the achievement of the specific targets in cooperation with the audiovisual sector and decide on the follow-up, assessing various options, including legislative intervention.

<sup>&</sup>lt;sup>43</sup> Europeans who travel often confirm the importance of the rules for their journeys. Nearly half (49%) of Europeans who have a free of charge or paid subscription for online content services and have travelled in the EU have tried to access it when visiting another EU country. 2019 Eurobarometer 477a "Accessing content online and cross-border portability of online content services - survey on cross-border portability".

<sup>&</sup>lt;sup>44</sup> Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the first short-term review of the Geo-blocking Regulation. Available at: https://ec.europa.eu/digital-single-market/en/news/commission-publishes-itsshort-term-review-geo-blocking-regulation

<sup>&</sup>lt;sup>45</sup> There are significant differences by country, as for example, viewers in Greece have access only to 1.3% of the films available online in the EU, while those in Germany have access to 43.1%. Source: Commission staff working document on the first short-term review of the Geo-blocking Regulation.

<sup>&</sup>lt;sup>46</sup> Flash Eurobarometer 477b, 2019

<sup>&</sup>lt;sup>47</sup> European Audiovisual Observatory, Report "Film and TV content in VOD catalogues 2020 Edition"

At the same time, cinemas should remain cultural venues offering enhanced opportunities for social interaction. To this end, the Commission will explore, through Creative Europe MEDIA, ways to encourage cinemas to enhance further the experience of cinemagoers.

#### ACTION 8 – Fostering European media talents

- New mentoring programmes for Europe's media talents
- ➤ MEDIA boot-camps providing hands-on intensive training for young media professionals
- > Campaign on diversity in front & behind the camera
- ➤ MEDIA market gateway to scout Europe's most promising start-ups active in the media sector and help them thrive
- Creative Innovation Labs open to start-ups and scale-ups

For: European audiovisual professionals, innovative European media companies (from the audiovisual sector and beyond)

Talents in the media industry, regardless of the sector and of where they are located in Europe, are at the core of its competitiveness.

However, some professions are still perceived as inaccessible by groups in society. This is illustrated, for example, by the under-representation of women in decision-making positions in the audiovisual industry<sup>48</sup>.

The Commission will mainstream the mentoring practices that have been emerging as highly successful in the training projects supported in the last years for the audiovisual sector through Creative Europe MEDIA<sup>49</sup>. Such mentoring programmes will develop in diverse formats, exploiting all the creative and business opportunities offered by digital technologies.

In addition, a communication campaign will be launched to foster diversity not only in front of but also behind the camera, in order to improve diversified representations and add new ideas, stories, and voices. The campaign will underpin the Commission's Communication 'A Union of equality: EU anti-racism action plan 2020-2025'50, as well as the EU Strategy for LGBTIQ equality<sup>51</sup>, and the EU Roma strategic framework for equality, inclusion and participation<sup>52</sup>.

Highlighting inspiring role models is an essential step in promoting access to these professions through a greater diversity of profiles. The campaign will thus aim to

<sup>&</sup>lt;sup>48</sup> According to the EU Gender Equality Strategy 2020-2025, the Commission will continue supporting projects promoting gender equality under Creative Europe, including under Music Moves Europe, and will present a gender equality strategy in the audio-visual industry as part of the next MEDIA sub-programme, including financial support, structured dialogue, mentoring and training for women film-makers, producers and screenwriters.

<sup>49</sup> https://eacea.ec.europa.eu/creative-europe/actions/media/training\_en

<sup>50 &</sup>lt;u>https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/racism-and-xenophobia/eu-anti-racism-action-plan-2020-2025 en</u>

<sup>51</sup> https://ec.europa.eu/commission/presscorner/detail/en/ip\_20\_2068

<sup>&</sup>lt;sup>52</sup> https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combatting-discrimination/roma-eu/roma-equality-inclusion-and-participation-eu\_en

spotlight European professionals, in order to promote a wide range of professions and encourage women and disadvantaged groups in society, such as people with disabilities or people with a minority racial or ethnic background to consider these careers.

Furthermore, skills development initiatives under Creative Europe will be reinforced by the organisation of intensive training courses (MEDIA boot-camps), where young media talents from across Europe can gain practical experience in areas such as innovative storytellers, new business models, new post-production technologies, along with skills to deliver accessible content.

Creative Europe MEDIA will also join forces with other initiatives – such as the Innovation Radar<sup>53</sup>, Startup Europe<sup>54</sup> and the Media Motor Europe<sup>55</sup> CSA – to scout Europe's most promising start-ups active in the media environment. To that end, a call for expression of interest targeting the creative and media tech communities will be launched under Startup Europe to map out promising ventures.

Creative Europe MEDIA will also provide a breeding ground for those companies and help them thrive in a rapidly changing audiovisual sector. Such companies could benefit from a strengthened access to market support from Creative Europe MEDIA through a so-called "MEDIA Market Gateway". This will involve active preparation, including coaching and mentoring on market trends and positioning, business plans, commercialisation strategies, to make the most of a combined physical/virtual presence in the most important global media markets (Berlinale, Cannes, Venice, GamesCom, VR Days etc.) under the European label.

Start-ups and scale-ups will have the possibility to participate in the Creative Innovation Labs, a new initiative under the cross-sectorial strand of Creative Europe. This will bring together media and other creative sectors (e.g., music, publishing) and experiment with data, virtual and augmented reality and other technologies to develop new content, new business models, new skills, to promote diversity inclusion, and sustainability and to boost audience engagement.

It is important to note that innovative media start-ups and SMEs will also be able to apply for Horizon Europe support under the European Innovation Council<sup>56</sup> and the European Institute of Innovation and Technology<sup>57</sup>.

#### ACTION 9 – Empowering citizens

- ➤ Practical application of the new media literacy obligations of the AVMSD (media literacy toolbox and guidelines to Member States)
- > Support the creation of alternative media content aggregation services

For: European citizens, in particular younger people; video-sharing platforms

54 https://startupeuropeclub.eu/

<sup>53</sup> https://www.innoradar.eu/

<sup>55</sup> https://cordis.europa.eu/project/id/871552

<sup>&</sup>lt;sup>56</sup> See EIC pilot: https://ec.europa.eu/research/eic/index.cfm

<sup>&</sup>lt;sup>57</sup> https://eit.europa.eu/

Media literacy is critical to empower citizens in today's media environment and it should be supported across various programmes and initiatives, as outlined in the European Democracy Action Plan. This underlines the importance of media literacy in combating disinformation and promotes cooperation in this regard.

Media literacy includes all technical, cognitive, social, civic and creative capacities that allow citizens to access the media, to have a critical understanding of it and to interact with it. Media literacy is also critical to empower consumers to take informed decisions and to support them in embracing a more sustainable and environmentally friendly consumption. Media literacy should be integrated in school curricula to enable children to use media services responsibly and to be better equipped to face the threats of online violence and disinformation.

The revised AVMSD has set out specific measures to help improve citizens' media literacy skills. The Directive provides that Member States should promote and take measures for the development of media literacy skills (and report on such measures to the Commission, on the basis of the Commission's guidelines defining the scope of such reports); and that video-sharing platforms should put in place effective media literacy measures and tools and raise users' awareness of those measures and tools.

The effective implementation of these AVMSD provisions is of key importance for further development of media literacy skills and to improve the accessibility of content across Member States. Therefore, to ensure practical application of the new obligations, especially in the online sphere, the Commission, together with the European Group of Audiovisual Regulators (ERGA) and other experts, as well as and in dialogue with video-sharing platforms, will develop a toolbox to improve users' awareness, improve their critical skills and choices and to help users reach a greater variety of media content available on video sharing platforms.

This initiative is expected to be particularly beneficial for younger users, who should be fully involved in its development. For this reason, the Commission will set-up an ad hoc sounding board composed of students and young journalists to test and promote the toolbox. The board will be gender-balanced, inclusive, and diverse. Such an approach will make sure that the toolbox addresses effectively the needs of younger users and further empowers them in the online environment, including tackling stereotypes built on gender, culture, religion or sexual preferences. Implementation of the toolbox will also be part of AVMSD media literacy reports, the scope of which will be determined via Commission guidelines to be issued in 2021.

As part of these actions, the Commission will also scale up its efforts within the next edition of the European media literacy week, with a view to make it even more impactful and inclusive. In this context, the Commission will explore potential further cooperation with relevant international organisations.

The proposed actions will be fully aligned and complementary to the objectives of the Digital Education Action Plan 2021-2027<sup>58</sup>, which will aim to make education even more responsive to helping learners to develop the ability to critically approach, filter and assess information, notably to identify disinformation and to manage overload of information as well as develop financial literacy<sup>59</sup>.

\_

<sup>&</sup>lt;sup>58</sup> https://ec.europa.eu/education/education-in-the-eu/digital-education-action-plan en

<sup>&</sup>lt;sup>59</sup> The importance of media literacy was also underlined in the 2020 Skills Agenda for Europe, which envisaged that the Commission, together with Member States, will work on new priorities for the European

The Horizon Europe programme will also contribute to improve citizens' political participation by fostering critical digital literacy, and access to pluralistic media content.

To complement these actions, the Commission will support research and innovation for advanced methods of search, discovery and aggregation, in order to facilitate the creation of independent alternative news aggregation services capable of offering a diverse set of accessible information sources.

The awareness of audiences – particularly young audiences – about European content will be raised in the context of the 30<sup>th</sup> anniversary of Creative Europe MEDIA in 2021. A campaign will be launched spreading the word to younger generations about the richness and diversity of European content by showcasing success stories, projects and talents supported by the programme.

#### ACTION 10 - Ensuring the functioning of the European media market

> Strengthen the cooperation framework among European media regulators within the European Regulators Group for Audiovisual Media Services (ERGA)

For: European media regulators, European audiovisual media industry and market players

Establishing a true level playing field for all audiovisual media players and a fair environment for creators and those investing in content have been the central goals of the revised AVMSD and the modernised copyright framework.

For example, to ensure fair competition between broadcasters and video-on-demand platforms in promoting and investing in European content, the revised AVMSD requires the latter to ensure a 30% share of European works in their catalogues.

The effective and consistent implementation of the revised AVMSD and copyright rules at national level will be key in order to make sure that they deliver. At the same time, it will be crucial to ensure that the intangible assets of media players are protected through an effective enforcement of their IP rights.

As regards the revised AVMSD, Member States, and in particular their media regulators, must adequately monitor the correct application of the new rules, and enforce them where necessary<sup>60</sup>. This will require, in particular, the following:

Agenda for Adult Learning. This will aim to complement the renewed European cooperation framework in education and training and to support the achievement of United Nations' Sustainable Development Goal.

60 In addition to the new rules, Directive 2005/29/EC on unfair business-to-consumer commercial practices in the internal market ('the UCPD') applies to unfair commercial practices occurring in audiovisual media services, such as misleading and aggressive practices, to the extent that they are not covered by the provisions of the AVMS Directive. The Consumer Protection Cooperation (CPC) Network under Regulation (EU) 2017/2394 ensures enforcement of EU consumer law in case of intra-Union and Union—wide infringements.

- The consistent implementation of the share obligations for European content in on-demand catalogues (also based on the Guidelines recently issued by the Commission)<sup>61</sup>;
- The coherent application of the new rules on the prominence of European works, by issuing additional practical guidance, and encouraging common approaches on prominence of general interest content<sup>62</sup>;
- The effective enforcement of the new obligations for video-sharing platforms.

In this regard, the Commission will assess whether the cooperation within the Regulators Group for Audiovisual Media Services (ERGA) needs to be reinforced in order to ensure that its format and scope contributes to effective functioning of the new media rules in practice and is able to address new challenges in the media markets. To this end, the Commission will continue to take stock of best practices in cross-border cooperation, closely monitoring the performance of the ERGA's Memorandum of Understanding (MoU), to be put in place by end of the year.

The MoU is a sectorial and voluntary cooperation mechanism, based on the unique expertise of the European media regulators. It will contain specific cooperation and information exchange mechanisms for the European media regulators in view of addressing practical issues and cross-border cases related to the implementation of the revised AVMS Directive that fall within their competences. This initiative, focusing in particular on the above-mentioned regulatory novelties of the revised AVMSD, will complement the horizontal governance system for online services to be established by the Digital Services Act. The Commission will, by end of 2021, assess the functioning of the MoU and propose improvements, if necessary.

Furthermore, in cooperation with Member States, their Film Funds, and ERGA, and involving the on-demand platforms, the Commission will explore further ways of fostering more diversity in video-on-demand catalogues. In line with the goal of the AVMSD to encourage broadcasters to include an adequate share of co-produced European works or of European works of non-domestic origin in their services, the aim will be to agree on voluntary targets for increased presence of such works also in video-on-demand catalogues. This will mutually reinforce the goal of Creative Europe MEDIA to boost presence of such works on all distribution platforms.

Ensuring the good functioning of the European media market also requires addressing piracy of copyright-protected content, which, despite a slight decline, remains a

<sup>61</sup>Guidelines pursuant to Article 13(7) of the Audiovisual Media Services Directive on the calculation of the share of European works in on-demand catalogues and on the definition of low audience and low turnover; <a href="https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C...2020.223.01.0010.01.ENG&toc=OJ:C:2020:223:TOC">https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C....2020.223.01.0010.01.ENG&toc=OJ:C:2020:223:TOC</a>

<sup>&</sup>lt;sup>62</sup> Article 7a of the revised AVMSD recognises that Member States may take measures to ensure the appropriate prominence of audiovisual media services of general interest, to meet objectives such as media pluralism, freedom of speech and cultural diversity. Regarding this provision, a specific subgroup of ERGA was set up in 2020 to facilitate a common understanding of its scope and potential regulatory approaches Member States can take in this area.

significant problem <sup>63</sup>. The emergence of new infringing business models constitutes a serious threat for the industry <sup>64</sup>.

The Commission is committed to ensure a more effective enforcement of IP rights in the digital environment, as outlined in the IP Action Plan<sup>65</sup>. In particular, the Commission will engage in discussions with the industry to see how existing remedies to fight against piracy, such as injunctions, can be made more efficient and easier to obtain, notably in order to cope with the dynamic and borderless nature of online commercial-scale infringements. In this context, building on the IP Action plan, particular attention will be paid to fostering the cooperation amongst national enforcement authorities and cross-border enforcement

#### 5. CONCLUSION

With this Communication, the Commission is setting out a comprehensive vision for the media sector for exploiting the potential of a true European media market and embracing the Digital Decade.

The actions will be implemented in close cooperation with Member States, the European Parliament, the media industry and all interested stakeholders. In this respect, this Communication will constitute a concrete roadmap for media as part of the culture and creative ecosystem to reap benefits of digital transformation and foster its competitiveness

.

<sup>&</sup>lt;sup>63</sup> Between 2017 and 2018, overall access to pirated content declined by 32% for music, 19% for films and 8% for TV content. Source: European Union Intellectual Property Office, "Online copyright infringement in the EU. Music, films and TV (2017-2018), trends and drivers". November 2019.

<sup>&</sup>lt;sup>64</sup> In the European Union (EU28), 3.6 % of the population — representing 13.7 million persons — is estimated to watch internet streamed TV from unauthorised online sources. The unauthorised IPTV subscription market is estimated to generate EUR 941.7 million annual revenue in the European Union in 2018. Source: "Illegal IPTV in the EU", EUIPO, November 2019. A better enforcement of IP rights will also contribute to address the specific challenges created by the piracy of sport audiovisual content. See Commission's declaration on sport event organisers, attached to the European Parliament's legislative resolution on the Directive on copyright in the Digital https://www.europarl.europa.eu/doceo/document/TA-8-2019-0231 EN.html

<sup>65</sup> https://ec.europa.eu/commission/presscorner/detail/en/ip 20 2187

### - APPENDIX- INDICATIVE TIMELINE

Action	Sub-action	Indicative timeline
ACTION 1 –Easier access to EU support	A new interactive tool guiding media companies through the various support instruments	> Q1 2021
ACTION 2 - MEDIA INVEST aimed at boosting investment in the audiovisual industry	<ul> <li>A dedicated equity investment platform to foster European audio-visual productions and distribution strategies;</li> <li>Developing an investment pipeline through capacity</li> </ul>	
ACTION 3 – 'NEWS': an initiative to bundle	building for investors and investment readiness for companies.  > Better access to finance,	➤ As of H1 2022
actions and support for the news media sector	through loans and a pilot equity initiative  Capacity building among investors and media	> As of H2 2021
	Support for news media to work on collaborative transformation	As of H2 2021
ACTION 4 – Unleashing innovation through a European media data space and encouraging new	<ul> <li>A European News Media         Forum         Create a Media Data Space to support media companies     </li> </ul>	> As of H1 2021 > As of H1 2022
business models	in sharing data and developing innovative solutions  European Media Outlook	As of H2 2021
ACTION 5 – Fostering a European Virtual and Augmented Reality (VR/AR) industrial coalition	> VR/AR industry coalition to stimulate cooperation acros industry sectors and ensure	
	European leadership  Launch a VR Media Lab or projects for new ways of storytelling and interacting	➤ As of H1 2022
ACTION 6 - Towards a climate-neutral media sector	A structured cooperation Forum with the industry and (sub)national film and audiovisual funds	→ As of H1 2021
ACTION 7 – Towards a broader availability of audiovisual content across the EU	Launch a dialogue with the audiovisual industry in order to agree on concrete steps to improve the access to an availability of audiovisual content across borders in the EU	er o d al
ACTION 8 – Fostering European media talents	<ul> <li>New mentoring programme for Europe's media talents</li> <li>MEDIA boot-camps providing hands-on intensive training for young</li> </ul>	> As of H1 2022

	media professionals  Campaign on diversity in front & behind the camera  MEDIA market gateway to scout Europe's most promising start-ups active in the media sector and help them thrive  Creative Innovation Labs  As of H2 2021
	open to start-ups and scale- ups
ACTION 9 – Empowering citizens	<ul> <li>Practical application of the new media literacy obligations of the AVMSD (media literacy toolbox and guidelines to Member States)</li> <li>Support the creation of alternative media content</li> <li>Q4 2021</li> <li>As of H2 2022</li> </ul>
ACTION 10 – Ensuring the functioning of the	aggregation services  ➤ Strengthen the cooperation  ➤ As of Q1 2021
European media market	framework among European media regulators within the European Regulators Group for Audiovisual Media Services (ERGA)