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

Delegations will find in the annex the Council conclusions on 'Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation', as approved by the Council (Education, Youth, Culture and Sport) at its meeting on 17-18 May 2021.

Council conclusions on
‘Europe’s Media in the Digital Decade: An Action Plan to Support Recovery and
Transformation’

THE COUNCIL OF THE EUROPEAN UNION

RECALLING THE REFERENCE DOCUMENTS SET OUT IN THE ANNEX

RECALLING

1. That the European media sector¹ is wide and varied and includes all editorial media such as news media, as well as the broader audiovisual sector, and that it plays a key role in European competitiveness, cultural diversity, well-being of citizens and the democratic debate.
2. The recent Council conclusions on safeguarding a free and pluralistic media system, which described future challenges for the news media and audiovisual sectors, in particular as regards their sustainability, which is crucial for the resilience and recovery of the European economy.
3. That the COVID-19 pandemic has accentuated the significant changes that were already occurring in the news media and audiovisual sectors as a result of globalisation and digitalisation, thereby increasing the need to preserve and protect our European strategic cultural assets.

¹ For the purposes of the present conclusions, ‘news media and audiovisual’ refers to the media sector in all its diversity.

4. The major impact of the pandemic on the European news media and audiovisual sectors, including the significant losses of advertising revenue, the closure of cinemas and the total or partial suspension of filming, the weakening position of film distributors and the increase in online piracy.
5. That the news media and audiovisual sectors are playing an important role during the pandemic by providing information and entertainment to citizens during lockdowns and restrictions.

ACKNOWLEDGING THAT:

6. Local, regional or national tastes and specificities, which reflect the valuable European cultural and linguistic diversity and pluralism, and meet specific national or regional needs and demands can cause market fragmentation. Continuing efforts are needed to enable the European audiovisual industry to reach broader and more diverse markets and audiences within Europe and beyond.
7. It is of utmost importance to promote an inclusive and non-discriminatory access to media and audiovisual resources for all citizens, thus enabling their active participation in the democratic debate. It is equally important to promote inclusive participation of diverse professionals in the media value chain. In terms of access, account should be taken, *inter alia*, of gender equality, persons with disabilities, minorities and geographical balance.
8. Public service media has a pivotal role in upholding the right to freedom of expression, enabling people to receive reliable and factual information and promoting fundamental values of democracy.

9. There is an urgent need to:
- a) promote the digital transformation of the news media and audiovisual sectors in order to seize the opportunities presented by innovative and emerging technologies;
 - b) further develop the digital single market in order to strengthen the global competitiveness and cross-border reach of the audiovisual sector within Europe, while supporting local content and cultural diversity;
 - c) recognise that existing business models in the audiovisual sector are often based on territorial and exclusive allocation of licensing, remain essential for creativity freedom, financing, sustainability and provide the basis for the development of new business models in this sector.
10. Sustainability of quality journalism, editorial processes based on journalistic ethics and standards, transparency of media ownership and media literacy are essential for deepening trust in news media, thus allowing it to be more effective in preventing the spread of, and debunking misinformation and disinformation.
11. Long-term financial sustainability and the diversification of financing sources make news media more resilient to economic change and are conducive to growth in high-quality journalism, media independence and original reporting.
12. Support for the news media and audiovisual sectors must not undermine the principles of editorial independence, media freedom and artistic freedom, and should promote freedom of expression, pluralism and diversity of content.

13. The news media and audiovisual sectors have an important part to play in addressing the European Green Deal, through sustainable business practices and business models and their journalistic coverage, which contributes to an informed debate.
14. All segments of the value chain should benefit from the transformation of the media sector, which is the objective of the Action Plan, including cinemas and festivals, which are cultural and innovation hubs offering enhanced opportunities for social interaction and for the promotion of new audiovisual content. It is also essential to reinforce the role of distribution.

EMPHASISING:

15. The financial instruments and actions that can be used to support the news media and audiovisual sectors, in particular in the context of the COVID-19 pandemic, such as:
 - a) at national level, by film and audiovisual agencies and governments.
 - b) at EU level, including through the Creative Europe programme for 2021-2027, Horizon Europe, Digital Europe, and InvestEU; and
 - c) the European Union Recovery Instrument and the measures supported by the European Regional Development Fund and the Cohesion Fund.

WELCOMES:

16. The Commission's Action Plan designed to accelerate the recovery and transformation of the news media and audiovisual sectors and increase their resilience, thus offering means by which to ensure long-term sustainability, innovation and increased cooperation between all actors.
17. The Commission's European Democracy Action Plan, designed to strengthen the resilience of our democracies, and in particular to promote the empowerment of citizens through the media, media freedom, media literacy and pluralism, and to ensure the safety of journalists.
18. The efforts made to strengthen cooperation between regulators within the European Regulators Group for Audiovisual Media Services (ERGA), with the aim of ensuring the proper functioning of the EU media markets and addressing new challenges emerging in these markets.
19. The Member States' efforts to rapidly and consistently implement the revised Audiovisual Media Services Directive (AVMS Directive)², the Sat Cab Directive³ and the Copyright Directive⁴, in order to create the necessary conditions to boost the recovery and strengthen the sustainability and resilience of the news media and audiovisual sectors.

² Directive 2010/13/EU as amended by Directive (EU) 2018/1808.

³ Council Directive 93/83/EEC as amended by Directive (EU) 2019/789 of the European Parliament and of the Council.

⁴ Directive (EU) 2019/790.

HIGHLIGHTS:

The relevance and importance of all actions in the Action Plan, and the urgency of implementing:

20. The online tool, which is to provide tailor-made and easily accessible information on EU funding opportunities for the news media and audiovisual sectors, thus allowing all the relevant stakeholders to swiftly and easily access information on various programmes and calls.
21. The MEDIA INVEST initiative, which may also be supported by the Recovery and Resilience Facility, combined with the national recovery and resilience plans, and which aims to boost investment and to support highly innovative and creative independent production and distribution companies, promoting the diversity of the content and actors involved while guaranteeing independence and diversity in the sector.
22. The NEWS initiative, designed to address the challenges and specificities of the news media sector, by combining loans, equity finance, capacity-building actions and grants supporting the testing of new business models, collaborative and cross-border journalism, training and mobility of professionals, and the creation of a European News Media Forum in which all interested parties, including national authorities, can discuss challenges, opportunities, news media policy issues and ways to increase the safety of journalists.
23. Fostering the creation of a media data space as a common European data infrastructure built around common standards, interoperability and governance for supporting news publishers, broadcasters and other media companies in developing data-driven business models, innovative solutions and applications.

24. The development of a media literacy toolbox, together with the European Group of Audiovisual Regulators (ERGA) and the Media Literacy Expert Group, to help citizens to access and make effective, responsible, sophisticated and critical use of information and media, and to safely and responsibly create and share media content through different platforms.

INVITES MEMBER STATES, WITHIN THEIR AREAS OF COMPETENCE, TO:

25. Take advantage of the Recovery and Resilience Facility, by submitting clear and robust plans to invest in the acceleration of the digital transformation and green transition of the news media and audiovisual sectors, exploring the possibility of multi-country initiatives to strengthen the competitiveness of European projects at international level and to foster a European audience.
26. Continue to share information and best practices regarding, in particular, public support actions and initiatives for the audiovisual sector, more specifically covering the production and promotion of European content, as well as effective measures to support the green transition and social inclusion.
27. Further support European co-productions, including by ensuring that audiovisual funds offer compatible support instruments.
28. Ensure the implementation of the obligations related to the promotion of European works and cultural diversity within on-demand services whilst exploring ways to facilitate making the qualification of 'European works' available to media service providers and regulators, including by technological tools (such as LUMIERE VOD) at European level.

INVITES THE COMMISSION, WITHIN ITS AREAS OF COMPETENCE AND IN DUE COMPLIANCE WITH THE PRINCIPLE OF SUBSIDIARITY, TO:

29. Promote capacity-building initiatives and opportunities for networking and cooperation in order to help small media actors with fewer resources to cope with the complex procedures giving access to funding programmes.
30. Consider the role of the news media and audiovisual sectors in Europe's Digital Decade, to promote their contribution to the digital transformation, recovery and international leadership by 2030.
31. Promote the green transition of the news media and audiovisual sectors while combining it with the economic recovery from the COVID-19 pandemic through the exchange of best practices, using channels such as the European Climate Pact platform, which could benefit from the synergies and recent developments concerning environmental calculators and rating systems for sustainable film production and other audiovisual activities. The creation of harmonised prerequisites for sustainability should be envisaged, together with incentives for green filming and the possible implementation of green filming certificates.
32. Strengthen coherence, accessibility and synergies between the EU funding programmes, namely Creative Europe, Digital Europe, Horizon Europe, InvestEU and the European Regional Development Fund and the Cohesion Fund, in order to ensure both the effective implementation of the Action Plan and the sustainability of the measures needed for a long-lasting recovery and transformation.
33. Evaluate the application of EU state aid rules for the cultural and creative sectors, with a view to considering the need for adaptation.

34. Boost circulation of European content within Europe and internationally, by facilitating cooperation on production and distribution, including co-productions and innovative business models, both of which are often based on territorial and exclusive allocation of licensing rights.
35. Closely monitor the implementation of the Action Plan, so as to assess its progress and, if necessary, adapt it to developments in the market or present further actions.

INVITES THE COMMISSION AND THE MEMBER STATES, WITHIN THEIR AREAS OF COMPETENCE AND IN DUE COMPLIANCE WITH THE PRINCIPLE OF SUBSIDIARITY, TO:

36. Ensure the presence of a legislative and policy framework that enables media actors to:
 - a. monetise their content, as stated in the Council conclusions on safeguarding a free and pluralistic media system;
 - b. explore the diversification of financing sources and long-term sustainability options, including through public-private partnerships, in order to ensure the resilience and global competitiveness of the news media and audiovisual sectors;
 - c. develop and deploy new technologies in the news media and audiovisual sectors, in particular artificial intelligence-based technologies, to allow stakeholders to seize the opportunities and enjoy the benefits arising from the use of these technologies while respecting fundamental rights and values, including freedom of expression, media freedom, European content diversity and pluralism;

- d. recover from the crisis caused by the COVID-19 pandemic by facilitating access to public financial support;
 - e. support cross-border collaboration between audiovisual market actors in order to allow the market to expand and compete at European and global level by producing and distributing content with the potential to attract international audiences.
37. Collaborate and exchange best practices on the promotion of European audiovisual content and easier findability and discoverability, and promote artistic freedom, diversity and creativity by investing in and supporting European talent and creations.
 38. Work with organisations representing professional journalists, journalism centres, schools and universities on strengthening capacity-building in the news media, with particular regard to ethics and digital competencies, so as to achieve high quality and resilient journalism.
 39. Support skills development in key areas for the future of news media and audiovisual companies by strengthening professional capacities to adapt to future challenges.
 40. Work closely with other international organisations active in the media field, such as the Council of Europe and UNESCO, in order to find synergies between initiatives designed to support recovery and transformation while safeguarding freedom of expression and the independence and plurality of the news media and audiovisual sectors.
 41. Exchange best practices and support media literacy in order to strengthen citizens' critical skills and help them to make informed choices and to create and share media content safely and responsibly on different platforms.

42. Contribute to increasing the capacity of the European Regulators Group for Audiovisual Media Services (ERGA) and promote cooperation between national film and audiovisual funding agencies and relevant authorities.
43. Work on solutions enabling insurance guarantees to cover COVID-19 related risk for audiovisual production, in particular, with a specific focus on co-productions.
44. Engage in a dialogue with the audiovisual industry, involving national authorities, to take concrete steps to promote wider access to and availability of content within the internal market, in accordance with copyright rules, and to help the European audiovisual sector to reach new audiences and offer consumers a wide range of content, while promoting the sector's competitiveness and fair remuneration and taking into account the role played by the territorial and exclusive allocation of licensing rights in the financing of the audiovisual sector and film industry.

Relevant policy documents

European Council

- *Conclusions adopted at the special meeting of 1 and 2 October 2020* (EUCO 13/20).
- *Conclusions adopted at the special meeting of 17-21 July 2020* (EUCO 10/20).
- *A New Strategic Agenda 2019-2024* (adopted by the European Council on 20 June 2019).

Ministerial Declarations

- Declaration on culture in times of COVID-19 crisis (April 2020).
- The Bucharest Declaration of the Ministers of Culture and their representatives on the role of culture in building Europe's future (April 2019).

Council of the European Union

- *Council conclusions on safeguarding a free and pluralistic media system* (OJ C 422, 7.12.2020, p. 8).
- *Council conclusions on shaping Europe's digital future* (OJ C 202 I, 16.6.2020, p. 1).
- *Council conclusions on media literacy in an ever-changing world* (OJ C 193, 9.6.2020, p. 23).
- *Council conclusions on the strengthening of European content in the digital economy* (OJ C 457, 19.12.2018, p. 2).
- *Council conclusions on developing media literacy and critical thinking through education and training* (OJ C 212, 14.6.2016, p. 5).

European Commission

- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - *On the European democracy action plan*, COM(2020) 790 final.
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - *European Climate Pact*, COM(2020) 788 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*, 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 - *Making the most of the EU's innovative potential An intellectual property action plan to support the EU's recovery and resilience*, COM(2020) 760 final.
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - *Shaping Europe's digital future*, COM(2020) 67 final.

Council of Europe

- Recommendation CM/Rec(2018)1[1] of the Committee of Ministers to Member States on media pluralism and transparency of media ownership.
 - Recommendation CM/Rec(2018)2 of the Committee of Ministers to Member States on the roles and responsibilities of internet intermediaries.
 - Declaration by the Committee of Ministers on the financial sustainability of quality journalism in the digital age, Decl(13/02/2019)2.
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