

## **EDiMA response to the European Commission’s public consultation on the future “EU 2020” strategy**

The European Digital Media Association (EDiMA)<sup>1</sup> is pleased to provide its response to the European Commission’s public consultation on the future EU 2020 strategy and looks forward to working with EU officials and other stakeholders to develop policy to meet the economic challenges of 2010 and beyond.

**EDiMA urges the Commission to promote the [Digital Single Market in Europe](#)<sup>2</sup> as the most effective way in which to meet the Commission’s stated EU2020 objectives. EDiMA believes that the Digital Single Market agenda should have a central role in supporting the EU 2020 priorities: “creating growth based on knowledge”, “empowering people in inclusive societies” and “creating a competitive, connected and greener economy”.**

The new media sector and online commerce must be at the centre of European recovery plans given their current and future contributions to a high-value, low-carbon economy. They are critical enablers for other industrial and cultural sectors and must be at the centre of EU competitiveness initiatives.

For the **consumer**, the Digital Single Market means more choice and lower prices in a larger and more competitive market. Two 2009 European Commission reports on cross-border e-commerce identified many unnecessary barriers that prevent consumers from gaining access to a true internal market. The Commission even quantified the scale of opportunities the consumer can see, but astoundingly cannot pursue because of their geographic location within the European Union. A Digital Single Market will also provide easier access to Europe’s creative content; currently too many frustrated citizens, despite a willingness to pay, find content unavailable to them from authorized sources as they exercise their freedom to shop across borders using the Internet.

**Artists, authors and rights holders** will be able to reach a larger audience for their works by leveraging the huge reduction in distribution and marketing costs that the Internet offers. Cultural diversity has never before been so strong, as ideas, content, services, and goods have become more accessible across national boundaries thanks to digital distribution. A Digital Single Market will enhance the development of new media platforms in Europe and contribute to the development of revenue streams for rights holders.

Meanwhile, for **industry** a Digital Single Market would enable a level playing field and the opportunity to take full advantage of the Internal Market, providing access to a larger market at a lower cost, thereby providing the opportunity for maximization of cutting-edge innovation online.

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<sup>1</sup> EDiMA, the European Digital Media Association, is an alliance of new media and Internet companies whose members include Amazon-EU, Apple, eBay, Google, Microsoft, Nokia, RealNetworks, Yahoo! Europe, Orange, and others. EDiMA’s members provide new media platforms offering European consumers a wide range of online services, including E-content, media, E-Commerce, communications and information/search services. EDiMA represents the interests of the new media and Internet sectors in Europe in policymaking.

<sup>2</sup> See *EDiMA White Paper on policy strategy for the development of new media services 2009-2014*, available at [http://www.europeandigitalmedia.org/uploads/Press/documents/Speech\\_Reding\\_Digital\\_Single\\_Market.pdf](http://www.europeandigitalmedia.org/uploads/Press/documents/Speech_Reding_Digital_Single_Market.pdf)

**EDiMA recalls the elements of an effective Digital Single Market agenda:**

- 1. The completion of the Internal Market for consumers and new media services**
- 2. The promotion of consumer confidence**
- 3. Co-ordinated policy formation**
- 4. Better implementation of EU law**
- 5. A copyright licensing regime fit for the digital age**
- 6. Real support for legitimate business and actors**

In light of these, EDiMA calls on the Commission, as part of its EU 2020 strategy, to:

- **Adopt** and implement a Strategic Plan to complete the Internal Market for new media and e-commerce services 2009-2014 (a package of measures to address remaining barriers).
- **Prioritise** the adoption of the draft Consumer Rights Directive based on fully harmonised rules whilst taking into account the specificities of digital audiovisual services and their inherent intellectual property rights.
- **Create** a new European Commission Internet Task Force mandated to:
  - Ensure coordination across different policy initiatives relating to Internet/new media services with a remit to promote online innovation.
  - Audit and analyse the impact of all EU policy initiatives on the Internet/new media sector and ensure that these initiatives are coherent with the overall approach to the new media sector at EU level.
  - Support the Commission's existing expertise in identifying existing barriers to the provision of new media services and their consumption.
- **Benchmark** best practice in the implementation of EU legislation across Member States.
- **Audit** implementation of existing legislation relevant to the new media sector to assess consistency of application across the EU.
- **Promote** the objective of the development of a range of commercial licences adapted to the full range of business models.
- **Facilitate** at EU level the development of licences that allow online distribution throughout the EU and European Economic Area, treating the European space as a single competitive market and enabling harmonised offerings across the EU.
- **Encourage** a service licensing and coverage policy whereby all repertoire may be offered in a licence and the licence authorises all uses permitted by the digital services they license.
- **Continue** the scrutiny by Competition authorities into the practices of national and multi-national content licensing bodies.
- **Review** the system of private copy levies, the diverse territorial nature of which causes fragmentation in the Internal Market, creates barriers to trade and distortions of competition in products subject to levies.
- **Establish** an EU-sponsored platform that facilitates good practice exchange on solutions to address infringement of IPR.

EDiMA's vision for 2020 is for a Europe where innovative European new media, Internet, and e-commerce entrepreneurs will benefit from the scale provided by a true Digital Single Market. We are pleased that the European Commission's approach is in tune with this vision, and we look forward to continuing to engage and support the Commission in its efforts to make the Digital Single Market in Europe a reality.

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