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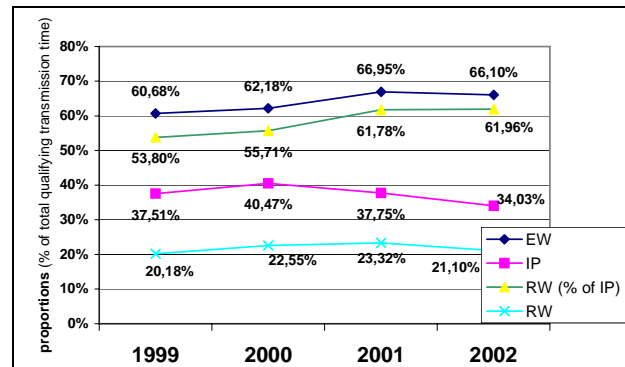
Promoting cultural diversity in audiovisual media

No change in TV content quotas

Promoting cultural diversity in the audiovisual media is often reduced to the simplistic question of whether or not imposing strict "content quotas" on broadcasters and other service providers is the right way to achieve this important aim. The current Directive enables EU Member States to impose certain "content quotas" in favour of European productions on traditional TV broadcasters "where practicable", and thus gives Member States a wide margin of discretion. Regardless of the option chosen by individual Member States, these "flexible quotas" have greatly stimulated European and independent production and are today easily met by all 25 Member States.

An impact study on the current TV without Frontiers Directive¹ suggests that there is no need to change either the majority share for European works or the minimum share for independent ones. These quotas already achieve their cultural aims.

Development of the main indicators in the EU 15



EW European works (in relation to total qualifying transmission time)

IP European works made by independent producers (in relation to total qualifying transmission time)

RW (% of IP) Recent European works by independent producers (in relation to European works by independent producers)

RW Recent European works by independent producers (in relation to total qualifying transmission time).

¹ Sixth Communication from the Commission to the Council and the European Parliament on the application of Articles 4 and 5 of Directive 89/552/EEC "Television without Frontiers", as amended by Directive 97/36/EC, for the period 2001-2002, COM (2004)524, page 12.

Given the different nature of non-linear services, and the differing degrees of user control, the European Commission has from the outset made it clear that “content quotas” for these services are certainly not the right instrument to achieve cultural diversity, and could even be counter-productive. The proposed update of the TV without Frontiers directive therefore only obliges EU Member States to ensure that providers of non-linear services promote access to European works where this is *practicable*, and by means left to the Member States’ discretion. The Commission neither proposes European content thresholds, nor attempts to specify how non-linear services should provide access to European works. It is the Commission’s belief that in most EU Member States, the dynamics of the audiovisual market itself, and in particular lower entry thresholds for non-linear audiovisual services, will lead to vibrant content industry with strong roots in the EU.

Further instruments to promote cultural diversity in the new directive

To safeguard the integrity of the cinematographic films, the new TV without Frontiers directive would provide that cinematographic works may only be interrupted once in every 35 minutes.

The clearer product placement rules proposed by the Commission should help stimulate sources of funds for audiovisual production. The modernised TV without Frontiers Directive would permit product placement, within an appropriate legal framework that safeguards viewers’ essential interests such as the right to be informed.

MEDIA programmes promote cultural diversity

Since 1989, the Commission has developed an important further instrument for promoting cultural diversity in the audiovisual sector: the EU MEDIA programme, which has long sought to preserve, promote, and widen access to Europe’s cultural diversity and cinematic heritage and at the same time to upgrade the commercial performance of Europe’s audiovisual content producers².

MEDIA Plus and MEDIA Training are EU support programmes for the European audiovisual sector. They aim to strengthen the production capacity and competitiveness of the European film, TV and new media industries; to increase international circulation of European audiovisual works (both cinema and television); and to preserve and enhance Europe’s cultural diversity. This Community support helps in particular small and medium-sized audiovisual enterprises to attract private investment and master new technologies. Their success enables Europeans to see films, drama, documentaries and other works that reflect the reality of their own lives and histories, as well as those of their neighbours. Following the enlargement of the EU, the European Commission has proposed to double the MEDIA budget. Europe’s ability to promote cultural diversity and European content in an efficient and viable way will depend on the willingness of the 25 EU Member States to make it happen.

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² (see http://europa.eu/comm/avpolicy/media/index_en.html)