

ANDRUS ANSIP

VICE-PRESIDENT OF THE EUROPEAN COMMISSION

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Dear Vice-Chair of the JURI Committee,

In the coming weeks, the European Parliament will have the power to take important steps to free up rich and diverse content for TV and radio broadcast for all Europeans. You will have this possibility next week when voting in the plenary session on mandate for the JURI committee concerning the Commission's proposal on online transmissions and retransmissions of television and radio programmes (the so called "Sat Cab" Regulation).

This truly matters to all Europeans. While one in five Europeans is interested in content across borders, the reality is that two-thirds of films are only shown on TV in one country. Culture should not be 'locked in': we should urgently change this situation by improving access across borders to online TV content. This is even more important for the future since the main way that young people watch TV today is online: 67% of 15-24 years old watch online TV more than once per week. This online TV remains predominantly locked inside one country, unlike satellite TV, which is already covered by Sat Cab provisions. This is also very important for the 20 million people who live in another Member State and want to (re)connect to their home culture, and also for the 55 million people in our minorities that have the right to take part in democratic, social and cultural life in their mother tongues, including when this culture is broadcast across borders.

The key to providing this possibility is to use the country of origin principle when broadcasters clear the rights for content. Without this principle broadcasters will need to clear rights for everything they transmit to all countries where there may be a viewer of that particular nationality or viewers they want to target. When you have hundreds of rights to clear in just one country for producing one single episode of a TV series, it naturally becomes impossible if it is then multiplied by 27. The main focus of my letter is this: let us find a reasonable scope for the country of origin principle to free up our great European culture that is now locked inside national borders. Allowing more cross-border access to content is important for broadcasters but also if we want to raise the exposure and visibility of European productions.

Today, the view of the European Parliament's JURI committee is that our people should not have access across borders to anything outside news and some current affairs (panel debates). Interesting as this kind of programmes may be, I find this extremely limited scope unacceptable for our people, for our voters. I find this particularly unacceptable since we can expand the possibilities for Europeans to watch great European content without a negative impact on rights holders or the cultural sector's capacity to produce and distribute commercially popular or "premium content", which we know is crucial for the future funding of all types of content.

I would like to ask you to look favourably at a larger scope, as the Commission suggested in its proposal. The current discussions are framed around including own productions of the European broadcasters and commissioned works where the rights are under the control of the broadcasters as well as co-productions, with conditions and exceptions for premium content like sports, films and television series. If we expand the scope to just own productions and commissioned works, our public broadcasters can choose to free up to 90-95% of their content.

The current state of access to online content or "play" services across borders is dismal. It does not correspond to our people's needs and wishes. For some public broadcasters, we are talking about 1% of content, while the rest is blocked for copyright reasons. The best cases of access would be to have 15-20% of content available without blocking on any given day.

Let us double the European content available for our people online cross-borders.

This would benefit all Europeans – but it is not free riding or without any compensation to rights holders. Our proposal is clear: broadcasters will always retain the choice of what they transmit using the country of origin principle. We also state explicitly that if more audience is reached, including across borders, this means more payment.

Your colleague and rapporteur for the Sat Cab Regulation – Mr Wölken (S&D) – will ask you to vote on a certain number of changes following the JURI committee vote and I would urge you to expand your current position on country of origin. European culture is far too important to be locked inside national borders and we need to help our broadcasters to have easier licensing processes so that they can become the "EU Netflix". Indeed, if we are worried about having third country (e.g. US) content dominating European markets, we should not lock in our own European content.

Yours sincerely,



Andrus Ansip