



# General update of Observatory reports and activities as of 10 October 2018

## INFORMATION

**Meeting:** EPRA – Bratislava – 48<sup>th</sup> Meeting  
**Date:** 10 – 12 October 2018







# Table of contents

---

|  |          |
|--|----------|
| <b>1. Publications and reports .....</b> | <b>1</b> |
| 1.1. Market information.....             | 1        |
| 1.1.1. Audiovisual works .....           | 1        |
| 1.1.2. Audiovisual services .....        | 2        |
| 1.1.3. Market data .....                 | 3        |
| 1.2. Legal information .....             | 3        |
| 1.2.1. IRIS Plus series .....            | 3        |
| 1.2.2. IRIS Special series.....          | 4        |
| 1.2.3. IRIS Extra series.....            | 5        |
| 1.2.4. IRIS Newsletter .....             | 5        |
| 1.2.5. Mapping reports.....              | 5        |
| 1.2.6. Others reports.....               | 6        |

---

|   |          |
|---|----------|
| <b>2. “All year round” databases and online services.....</b>                     | <b>7</b> |
| 2.1. IRIS Merlin newsletter and database.....                                     | 7        |
| 2.2. AVMSDatabase.....  | 7        |
| 2.3. MAVISE database on TV and audiovisual services and companies in Europe ..... | 7        |
| 2.4. LUMIERE database on admissions to films released in Europe .....             | 7        |
| 2.5. Yearbook on line .....   | 8        |

---

|  |          |
|--|----------|
| <b>3. Organisation of events .....</b> | <b>9</b> |
| 3.1. Observatory’s events .....        | 9        |
| 3.2. Regular legal workshops .....     | 9        |



# 1. Publications and reports

## 1.1. Market information

### 1.1.1. Audiovisual works

#### 1.1.1.1. TV and video-on-demand

- **Online video sharing : Offerings, audiences, economic aspects (June 2018)**  
This report provides an analysis of the evolution of online video sharing, of the business models of the platforms and an approach to their impact on the audiovisual sector.  
See: <https://rm.coe.int/online-video-sharing/16808b2e16>.
- **TV fiction production in the European Union (April 2018)**  
Key figures for the production of TV fiction in Europe.  
See: <http://rm.coe.int/tv-fiction-production-in-the-eu-2017/16807bb1c2>.
- **The EU online advertising market - Update 2017 (March 2018)**  
This report gives an overview of the latest developments in 2016 and 2017 on the online advertising market in Europe and presents more in detail the challenges of programmatic advertising.  
See: <http://rm.coe.int/the-eu-online-advertising-market-update-2017/168078f2b3>.
- **The origin of TV content in VOD catalogues - 2017 Edition (March 2018)**  
This report gives an overview of the origin of TV content in TVOD and SVOD catalogues in Europe.  
See: <http://rm.coe.int/the-origin-of-tv-content-in-vod-catalogues/168078f2b5>.
- **The origin of films in VOD catalogues – 2017 (March 2018)**  
This report gives an overview of the origin of films in TVOD and SVOD catalogues in Europe.  
See: <http://rm.coe.int/the-origin-of-films-in-vod-catalogues/168078f2b4>.
- **The visibility of films and TV content on VOD (February 2018)**  
How European films and TV series are promoted on VOD: key figures and detailed statistics by origin of content and categories of players.  
See: <http://rm.coe.int/the-visibility-of-films-and-tv-content-on-vod-2017-edition/16807899bf>.
- **Trends in the EU SVOD market - 2017 Edition (February 2018)**  
The report analyses the state of play of SVOD in Europe: subscribers, revenues, main players and trends.  
See: <http://rm.coe.int/trends-in-the-eu-svod-market-nov-2017/16807899ab>.

*Forthcoming in 2019:*

- **European works on VOD**



Analysis of VOD catalogues and the development of a prototype directory of European films on VOD (to be finalised in the first quarter of 2019).

#### 1.1.1.2. Films

- **The Exploitation of Catalogue Films in the EU (October 2018)**  
The study outlines an overview of the commercial exploitation of catalogue films (i.e. films produced at least 10 years prior to the exploitation year) across the three main distribution windows: cinema, TV and VOD.  
(soon available online)
- **Measuring access to theatrically screened films in Eastern Europe (March 2018)**  
This report measures the Eastern European population with access to cinema theatres within a given catchment area, as well as the number of cinemas, theatres and screens by country.  
See: <http://rm.coe.int/measuring-access-to-film-east-euro-pdf/168078731e>.
- **The circulation of EU non-national films - A sample study: Cinema, television and transactional video on-demand (February 2018)**  
This report presents a European overview and a country by country analysis of film exports and imports, including a focus on co-productions.  
See: <http://rm.coe.int/the-circulation-of-eu-non-national-films-a-sample-study-cinema-televi/16807899c0>.
- **The circulation of European films outside Europe - Key figures 2016 (January 2018)**  
This report focuses on the theatrical exploitation of European films outside Europe.  
See: <http://rm.coe.int/export-2017/1680788fb4>.

*Forthcoming in 2019:*

- **The export of films outside Europe (forthcoming 2019)**  
Activities launched in 2018; to be finalised in the first quarter of 2019.

#### 1.1.2. Audiovisual services

- **Audiovisual media in Europe: Localised, targeting and language offers (October 2018)**  
This report provides an overview of the origin and circulation of linear and pay-on-demand audiovisual services by focusing on localised, targeting and language offers.  
(soon available online)
- **TV News channels in Europe: Offer, establishment and ownership (October 2018)**  
This report provides an overview of the TV news channel landscape in Europe by focusing on the supply, origin and ownership of services.  
(soon available online)



### 1.1.3. Market data

- **Brexit in context: The UK in the EU28 audiovisual market (May 2018)**  
This report provides the key figures on: The weight of the UK within the EU audiovisual market; Co-productions between the UK and other EU28 countries; Import/ export of films between the UK and other EU28 countries; The circulation of audiovisual services between the UK and the EU.  
See: <https://rm.coe.int/brexit-in-context/16808b868c>.
- **FOCUS – World Film Market Trends 2018 (May 2018)**  
This publication contains all key figures of the film industry in the most important countries. It provides a concise analysis of results and tendencies country by country, together with recent figures.  
See: <https://www.obs.coe.int/en/web/observatoire/industry/focus>.
- **Yearbook 2017/2018 – Key Trends (April 2018)**  
This publication provides the analysis and intelligence necessary to gain a comprehensive overview of recent key trends in the audiovisual sector.  
See: <https://rm.coe.int/yearbook-keytrends-2017-2018-en/16807b567e>.

*Forthcoming in 2019:*

- **FOCUS – World Film Market Trends 2019 (May 2019)**
- **Yearbook 2018/2019 – Key Trends (March 2019)**

## 1.2. Legal information

### 1.2.1. IRIS Plus series

- **Legal consequences of Brexit for the audiovisual sector (IRIS Plus 2018-02, October 2018)**  
This report provides an overview of the legal consequences of Brexit for the audiovisual industry, including the priority issues of negotiators and industry stakeholders in relation to the audiovisual media services.  
(soon available online)
- **The legal framework of video-sharing platforms (IRIS Plus 2018-01, June 2018)**  
This report gives an overview of the state of current legislation at European and national level. It includes the latest regulatory initiatives, the most recent developments around the case law of courts and other bodies and also outlines the self-regulatory initiatives of the industry.  
See: <https://www.obs.coe.int/en/web/observatoire/iris-plus>.
- **Deposit systems for audiovisual works (IRIS Plus 2017-03, January 2018)**  
This report, carried out jointly with the European Union Intellectual Property Office (EUIPO), provides an overview of the regulatory framework concerning deposit systems, which play an essential role in the preservation of cultural heritage and are also important tools to facilitate intellectual property rights enforcement.  
See: <https://rm.coe.int/iris-plus-2017en-deposit-systems/1680784898>.



- **Commercial communications in the AVMSD revision (IRIS Plus 2017-02, October 2017)**  
The report analyses the ingoing AVMSD reform in relation to commercial communications.  
See: <https://rm.coe.int/168078348c>.
- **Exceptions and limitations to copyright (IRIS Plus 2017-01, May 2017)**  
The report provides a general overview of the rationale and the evolution of the exceptions and limitations to copyright in the numerous international treaties and European directives devoted to this topic, and in the consequent implementations at national level.  
See: <https://rm.coe.int/iris-plus-2017-1-exceptions-and-limitations-to-copyright/168078348b>.

*Forthcoming in 2018*

- **Legal framework for international co-productions (IRIS Plus 2018-03, December 2018)**  
This report provides an overview of the legal framework applicable to international co-productions.

### 1.2.2. IRIS Special series

- **Media reporting: facts, nothing but facts? (IRIS Special 2018-1, September 2018)**  
This report provides an overview of how the principles of accuracy, objectivity and fairness in news and current affairs reporting are regulated at European and national level, as well as how they are applied by European media organisations.  
(soon available online)
- **Journalism and media privilege (IRIS Special 2017-2, February 2018)**  
This report provides an overview of the most recent rules, case law and policies across Europe with regard to the privileges that are given to journalists when exercising their activities.  
See: <https://rm.coe.int/journalism-and-media-privilege-pdf/1680787381>.
- **The media coverage of elections: the legal framework in Europe (IRIS Special 2017-1, July 2017)**  
This report provides an overview of the most recent rules, case-law and policies across Europe with regard to the coverage of elections and referenda in the various media.  
See: <https://rm.coe.int/16807834b2>.

*Forthcoming in 2018:*

- **Towards a level playing field for law enforcement against media (IRIS Special 2018-2, Autumn 2018)**  
This report considers the question of the extent to which national regulatory authorities can be considered to be responsible for foreign providers and 'incoming' content. It provides an overview on what types of supervisory measures are potentially possible and how these can be enforced against the cross-border providers and is accompanied by country reports for a set of selected countries.



### 1.2.3. IRIS Extra series

- **Judicial practice on media freedom in Russia: The role of the Supreme Court (IRIS Extra 2017-1, May 2017)**

This article of Andrei Richter provides an overview of the way Russian jurisprudence has been influenced by the Supreme Court's interpretative guidelines since their adoption.

See: <https://rm.coe.int/168078334c>.

*Forthcoming in 2018:*

- **Foreign ownership rules in Russian media (IRIS Extra 2018-1, Autumn 2018)**

This article by Dmitry Golovanov is aimed at providing a review and analysis of milestone legal initiatives, which impose restrictions on foreign participation on the mass media economy, thereby changing the shape of television market in modern Russia.

### 1.2.4. IRIS Newsletter

- **9 issues out of 10 already published in 2018**

See: <http://merlin.obs.coe.int/newsletter.php>

### 1.2.5. Mapping reports

- **Mapping of licensing and related systems for audiovisual media services in EU-28 (September 2018)**

The objective of this research commissioned by the European Commission is to provide mapping and description of licensing and registration/notification systems for audiovisual media services in the EU-28 member states.

See: <https://rm.coe.int/licensing-mapping-final-report/16808d3c6f>.

- **Mapping of media literacy practices and actions in EU-28 (March 2017)**

This study aims at analysing the various media literacy initiatives on a national or regional level in order to provide an overview of what is currently being undertaken. This is the first major mapping exercise to survey the field in Europe.

See: <http://rm.coe.int/media-literacy-mapping-report-en-final-pdf/1680783500>

*Forthcoming in 2019:*

- **Mapping of national rules for the promotion of European works in the EU (By beginning of 2019)**

The objective of this research commissioned by the European Film Agency Directors (EFADs) is to provide a mapping and description of the different initiatives and rules to support European works that are in place in 31 European countries (EU28, Iceland, Norway and Switzerland). The research will focus in particular on investment obligations applicable to broadcasters and video-on-demand (VOD) services; existing taxes and levies contributing to film funds that are imposed on different actors in the audiovisual value chain and the actual





income collected through these sources; quotas imposed on broadcasters and VOD services; and the way prominence obligations on VOD services have been implemented in practice.

- **Mapping of the criteria for funding cinematographic and other audiovisual works in the EU-28 (first semester of 2019)**

Film funding policies usually follow a series of different goals which translate in sets of rules and criteria for the public film funds to select the films they support. In that context, the European Commission has commissioned the European Audiovisual Observatory to conduct a mapping of the criteria for funding the production, pre-production, distribution and promotion of cinematographic and other audiovisual works (theatrical films, short films, TV films, TV series and audiovisual content for the Internet) in the main national and regional funds of the EU-28.

## 1.2.6. Others reports

- **Notification obligations for state aid concerning audiovisual works (May 2018)**

Article 108(3) TFEU says the Commission must be notified in time for it to submit its comments, of any plans to grant or alter aid. In 2014, the revised General Block Exemption Regulation (GBER) considerably extended the scope of exemptions from prior notification of state aid granted to companies. This article explains the changes introduced by the 2014 GBER.

See: <https://rm.coe.int/notification-obligations-for-state-aid-concerning-audiovisual-works-in/16808aag41>



## 2. “All year round” databases and online services

Databases and online services available on the website of the Observatory.

### 2.1. IRIS Merlin newsletter and database

As of September 2018, IRIS Merlin included 8 200 short descriptive articles based solely on facts, with exact reference to 9 765 source documents (laws, decrees, court cases, etc.) and 3 025 hyperlinks to the texts of the source documents.

See: <http://merlin.obs.coe.int/>

### 2.2. AVMSDatabase

The AVMS Database on the transposition of the Audiovisual Media Services Directive 2010/13/EU in all 28 EU Member States contains searchable reference legal texts of national transpositions of the Directive in the 28 EU member states. It will be regularly updated to take account of amendments to national legislation.

See: <http://avmsd.obs.coe.int/cgi-bin/search.php>

### 2.3. MAVISE database on TV and audiovisual services and companies in Europe

In March 2018 the Observatory launched a new round of collection of data with the regulators. A new interface for the website will be ready for use by the end of 2018.

See: <http://mavise.obs.coe.int/>

### 2.4. LUMIERE database on admissions to films released in Europe

#### **LUMIERE**

LUMIERE provides data on the admissions of all films released in Europe.

See: <http://lumiere.obs.coe.int/web/search/>

#### **LUMIERE PRO (pay)**



LUMIERE PRO is a paying service consisting of an enhanced version of the LUMIERE database. It allows the Observatory and (due to copyright restrictions) a clearly defined group of clients (mainly public film bodies across Europe) to obtain annual title-by-title admission data on all European as well as 12 non-European markets. The service furthermore provides access to the statistical tools of the LUMIERE database.

## **2.5. Yearbook on line**

Available online, the Yearbook provides an overview of television, VOD, cinema and video in 41 countries, and includes some 400 tables and 40 country profiles. A new edition of the Yearbook on-line was launched in November 2017.

See: <http://yearbook.obs.coe.int/>



## 3. Organisation of events

### 3.1. Observatory's events

- Observatory Brussels Conference – The impact of Brexit on the audiovisual industry: a European point of view (Brussels, 27 November 2018)
- Licensing in the digital audiovisual media context (Athens, 25 September 2018)
- Conference at Kino Expo, St Petersburg, Russian Federation - Key challenges for the film industry in the Russian Federation, St Petersburg, 19 September 2018)

### 3.2. Regular legal workshops

*Closed workshop organised by the Department for Legal Information– on invitation only*

- 2018: Gender imbalances in the audiovisual industries (Strasbourg, 7 December 2018)
- 2017: The financial ecosystem of the European audiovisual production (Strasbourg, 8 December 2017)
- 2017: The SatCab regulation (request EU Commission)

A publication  
of the European Audiovisual Observatory

