

IV

(Notices)

NOTICES FROM EUROPEAN UNION INSTITUTIONS, BODIES, OFFICES AND AGENCIES

COUNCIL

Council Conclusions**on building a European Strategy for the Cultural and Creative Industries Ecosystem**

(2022/C 160/06)

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING:

1. The fundamental role that culture and freedom of creation play for the European Union and its citizens in the strengthening of our democracies and values, in the development of our imaginations, in the prosperity of our societies, in the vitality of our local areas, in the quality of our living environment, and in the wellbeing of individuals;
2. The crucial role that the cultural and creative sectors and industries (CCSI), also referred to as the cultural and creative industries ecosystem (CCIE), play in elaborating a common heritage, common references and tomorrow's culture, which are essential to the continuous blossoming of European cultural diversity, while bearing in mind that CCSI constitute a very diverse group with different priorities and conditions;
3. The scope of the CCIE, as defined in the Annual Single Market Report 2021 ⁽¹⁾, which takes stock of the 14 industrial ecosystems identified by the Commission services in connection with the 2020 New Industrial Strategy ⁽²⁾ and in numerous relevant documents referred to in the Annex;
4. The economic weight of the CCIE, which in 2019 was assessed at 3.95 % of EU value added (EUR 477 billion), with 8.02 million people employed in the sector and 1.2 million firms, 99.9 % of which are small and medium enterprises (SMEs) ⁽³⁾;
5. The considerable impact of the COVID-19 pandemic on the cultural and creative economy and the need to keep reinforcing the CCIE's resilience and the twin transition (green and digital) within the European Union, in order to complement the impact of the European Recovery and Resilience Facility and enable its full potential as a driver for economic growth and jobs and the EU's global competitiveness;

⁽¹⁾ Commission Staff Working Document 2010 SWD (2021) 351final, pp 98-104 'The CCIs are a varied group. The biggest industries are audiovisual (TV, videogames, VOD, cinema, VR/AR), music, books and press publishing, advertising, cultural heritage (museums, historical sites), performance (theatre, dance) and visual arts.' This wide definition builds on the UNESCO Framework for Cultural Statistics, 2009, the European Commission Green Paper 'Unlocking the potential of cultural and creative industries', and on the Creative Europe Regulation.

⁽²⁾ Communication 'Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery' C(2021)350.

⁽³⁾ Commission Staff Working Document 2010 SWD (2021) 351final, pp 98-104. (https://ec.europa.eu/info/sites/default/files/swd-annual-single-market-report-2021_en.pdf).

UNDERLINES THAT:

6. In addition to its short-term impact, the current COVID-19 pandemic crisis highlighted the structural challenges and opportunities common to the entire CCIE. These encompass *inter alia* the digital transformation of design methods and uses; the strong competition from and integration of large global players; the need to consolidate schemes and diversify sources to finance creation, the production and dissemination of works to ensure the sustainability of business models; the need for insurance schemes adapted to the specificities of the CCSI; and the need to accompany fast-changing audience demand and to support innovation uptake;
7. Other challenges and opportunities for the CCIE are the implementation of the green transition; the contribution to equality and diversity; the role CCSI play at regional and local level, notably in social cohesion, local economies, attracting quality tourism to Europe and boosting the vitality of rural and urban areas; and the role CCSI play in external relations, notably in fostering economic and social development, promoting peace and stability and upholding an ambitious intellectual property agenda;
8. In order to preserve cultural heritage, promote access to it and to keep on creating, producing and distributing new and original works that contribute to cultural diversity, it is important to examine, closely with the sector, how to define, safeguard and promote our strategic cultural assets. Strategic cultural assets encompass *inter alia* capacities for the independent creation, production, distribution and showcasing of cultural content and works, including their tangible and intangible property, for example the property of catalogues or studios (film, television or art studios), which are often supported by public funding;
9. A strong, dynamic, diverse, competitive, innovative, viable and independent European CCIE that is fit for the digital era, as well as experimentation, is essential for promoting cultural and linguistic diversity for the benefit of all audiences. Its independence lies in the decision-making autonomy of CCIE enterprises, which are mostly SMEs, in particular as regards their main artistic and financial choices;
10. It is essential to stimulate the creation and growth of strong and competitive European cultural and creative enterprises of all sizes that are able to compete with global players in general, and in particular in markets where the EU has a competitive advantage, and in emerging new markets such as augmented and virtual reality (AR/VR), video games or artificial intelligence, for example when it is used to support production and access to cultural and creative works;
11. While the emergence of global digital players, acting as gatekeepers in the digital market, might bring with it financial and creative opportunities for the sector, it can also challenge both the financing of European creation and cultural and linguistic diversity;
12. It is therefore urgent for the European Union to reinforce European cultural wealth and diversity through a strategy applicable to all CCSIs which fosters European creativity and diversity of cultural expression.

INVITES THE MEMBER STATES TO:

13. Launch consultations with relevant professionals on common challenges and opportunities available to CCSIs, notably regarding measures and investments accelerating the twin transitions and sustainable recovery;
14. Share their experiences and good practices with regard to the implementation of effective cultural policies supporting and solving specific problematic areas of the CCIE at national, regional and local level, and promote effective ways to address the needs of the CCIE in other policy areas;
15. Promote regular cultural cooperation notably in border regions that face common challenges, e.g. the loss of traditional industries or skills, *inter alia* by fostering dialogue with relevant stakeholders;

16. Stimulate research on and by the CCIE to encourage the emergence and deployment of research and development (R&D) projects that strengthen their innovation uptake, skills and competitive position, and to complement ongoing projects, notably with the support of Horizon Europe and the Knowledge and Innovation Community (KIC) of the European Institute of Innovation and Technology (EIT);
17. Support independent enterprises in the CCIE, in particular with regard to their ability to structure themselves, to finance and disseminate original works, to maintain and develop their business models and to preserve and reinforce their assets and their education and training models, as well as their technological, environmental and social innovation;
18. Make full use of the new developments in the revised Audiovisual Media Services Directive (AVMSD), by fostering the effective promotion and prominence of European works by audiovisual media service providers, and by considering the benefits of the option granted by the AVMSD to Member States to require a financial contribution, in order to ensure the vitality of European production, the visibility of works, and the dissemination thereof across Europe.

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

19. Implement the hereby defined CCIE European Strategy, under the coordination of the European Commission, in close cooperation with the Member States, building on the EU initiatives and funding programmes in order to exploit as many synergies as possible, and focusing on the following priorities:
 - I. IMPROVING EUROPEAN CCIE ENTERPRISES' ACCESS TO FUNDING:
 20. Facilitate access to information on available European funding to CCIE enterprises by merging the CultureEU funding guide and the interactive mapping tool for audiovisual and news media developed by the Commission in order to have a single multilingual digital portal listing the various possible funding opportunities for the entire CCIE;
 21. Facilitate access for CCIE enterprises, in particular independent companies, including the smallest ones, to public and private funding schemes, loans, guarantees, risk capital solutions and equity finance, taking into account the specificities of these businesses, and simplifying procedures;
 22. Contribute to consolidation and growth potential of SMEs in the CCIE, for example leaning on the new Media Invest equity platform for the audiovisual industry, so as to encourage the development of innovative solutions and to enable European SMEs to operate across the Union and beyond;
 23. Continue facilitating the leverage effect of public aid and the competitiveness of CCIE enterprises through a review of the application of state aid rules before the end of 2023, including, where appropriate, the state aid General Block Exemption Regulation (GBER), enabling the relevance and the need for adaptation regarding cultural and audiovisual sectors such as press, video games, theatre, studios and music to be taken into consideration;

SPURRING SKILLS DEVELOPMENT AND ENHANCEMENT, EDUCATION AND TRAINING, INCLUDING:

24. Launching a stock-taking study ⁽⁴⁾ on new professions and skills needed for digital transition in order to guarantee and promote cultural diversity, and elaborate recommendations on skills that are efficient, diversity and equality-friendly, and adapted to the digital world and to the new competitive constraints such as the discoverability issues. The study should build on actions carried out under the EU Pact for Skills, and where appropriate, on the input from structures such as the European Audiovisual Observatory or Europeana;

⁽⁴⁾ To be prepared by the European Commission

25. Launching a regular forum on European cultural and creative entrepreneurship, building on existing initiatives, aimed at fostering the dissemination of best practices, networking and sharing ideas on current topics and sector developments;
26. Developing training actions and green tools to tackle the environmental challenges for different CCIE players, and foster exchanges of best practices, in particular in association with the EU Pact for Skills.

MAINTAINING AND REAFFIRMING EUROPEAN CULTURAL WEALTH AND DIVERSITY IN THE DIGITAL ERA, INCLUDING:

27. Strengthening European strategic cultural assets and their strategic autonomy to ensure effective access for European and global audiences to the diversity of cultural expression in Europe which reflects EU values and to support the European CCIE in maintaining and strengthening its competitive edge;
28. Protecting holders of copyright and related rights and ensuring fair remuneration and value sharing from the European content development stage, whilst guaranteeing transparency on operational data, notably on the use and success of works and other protected subject matters;
29. Continuing to foster creativity and the independent production of European works by providing a favourable framework for enterprises within which to efficiently manage their intellectual property rights, particularly copyright and related rights, and their intangible assets, for example by promoting a copyright data infrastructure fit for the digital age. In that perspective, particular regard should be given in the audiovisual sector to co-productions and to the territoriality of rights, which are key to the sustainable financing of the sector and to distribution strategies;
30. Building on existing EU initiatives (e.g. Start-up Europe Club, Creative Business Cup, Enterprise Europe Network, European Digital Innovation Hubs) through accelerator programmes, which could take the form of training programmes, consultancy and networking to boost innovative start-ups in the CCIE amongst high-potential European SMEs;
31. Disseminating and promoting the most recent technological breakthroughs in the CCIE, in particular on the basis of the work of the upcoming KIC on CCIs; in that respect, promoting responsible and ethical data governance, notably privacy by design, and the use of technologies in the efforts for the further construction of European digital sovereignty;
32. Launching a European innovation competition, building on existing initiatives such as the European Innovation Council and the upcoming KIC on CCIs, in order to promote projects in the CCIE that make full use of structuring technologies by producing close-to-market and innovative disruptive solutions (AR/VR, big data, artificial intelligence, blockchain, holochain, 3D technologies, modelling, digital mock-ups, metaverse, etc.);
33. Facilitating the take-up of these technologies for all groups of people, particularly for those with limited access to digital technology and persons with disabilities, notably by promoting digital skills and media literacy, with due consideration of the specific rights and needs of children and youth;
34. Promoting strategic approaches on the online discoverability of European cultural content in all official EU languages, and in particular of independent works, building where appropriate on strong synergies with Europeana, Agorateka ⁽³⁾, the ERGA ⁽⁴⁾, Eurimages ⁽⁵⁾ and the European Audiovisual Observatory, and in the upcoming data space for cultural heritage;

⁽³⁾ The European Online Content Portal : <https://agorateka.eu/>

⁽⁴⁾ European Regulators Group for Audiovisual Media Services

⁽⁵⁾ The cultural support fund of the Council of Europe: <https://www.coe.int/en/web/eurimages>

35. Such initiatives would aim at providing a framework for regular professional exchanges (e.g. in a European Discoverability Forum); launching studies mapping existing practices and expectations relating to discoverability for all CCSI; developing a better understanding of the role of recommendation algorithms in promoting European works and reflecting on their transparency; and if appropriate proposing courses of action notably on standardisation, the provision of metadata, interoperability, and tools to facilitate audience access;

STRENGTHENING EXPORTS BY CCIE ENTERPRISES, INCLUDING:

36. Stimulating initiatives to strengthen the capacities of European companies for operating in the external market, such as European immersion schemes or other promotional projects implemented through Creative Europe that could support their export strategies and strengthen their establishment in high-potential markets;
37. Supporting the participation of CCIE enterprises at important sectoral events, such as fairs and trade shows, building on existing initiatives at national or regional level, for example through targeted cross-border cooperation or a network approach;
38. Promoting partnership and cooperation opportunities between European cultural and creative industries and those from emerging countries, leaning on EU partnership and development instruments;

PROMOTING RESPONSIBLE POLICIES IN CCIE ENTERPRISES, INCLUDING:

39. Fostering, for example through awards and other incentives, in line with the UN Global Compact, responsible policies in terms of sustainability and environmental protection, in particular projects promoting innovative approaches in line with the circular-economy continuum, such as circular business models, eco-design principles and end-of-life management strategies;
 40. Identifying good practices in the sustainable transformation of the CCIE and promote them at European level, including in the context of the New European Bauhaus initiative;
 41. Encouraging the implementation of responsible policies in CCIE regarding anti-discrimination, copyright and related rights, including fair remuneration for rights-holders, better working conditions and social guarantees, and their inclusion in public financing.
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ANNEX

Conclusions

- Council conclusions on cultural and creative crossovers to stimulate innovation, economic sustainability and social inclusion (2015/C 172/04).
- European Council conclusions of 21 July 2020 on the recovery plan and the multiannual financial framework for 2021-2027.
- Council conclusions on the recovery, resilience and sustainability of the cultural and creative sectors (2021/C 209/03, 2 June 2021).
- Conclusions on Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation (2021/C 210/01).
- Council conclusions of 30 November 2021 on culture, high-quality architecture and built environment as key elements of the New European Bauhaus initiative.
- Council conclusions of 30 November 2021 on increasing the availability and competitiveness of European audiovisual and media content.

Legislative acts

- Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013.

Other relevant policy documents***Commission communications***

- European Commission Green Paper 'Unlocking the potential of cultural and creative industries' COM/2010/183 final.
- Communication from the Commission to the European Parliament, the European Council, the Council, the European Economic and Social Committee and the Committee of the Regions – The European Green Deal, COM/2019/640 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 European Council, the Council, the European Economic and Social Committee and the Committee of the Regions – A New Industrial Strategy for Europe, COM/2020/102 final.
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 'Fit for 55': delivering the EU's 2030 Climate Target on the way to climate neutrality, COM/2021/550 final.
- Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Updating the 2020 New Industrial Strategy: Building a stronger Single Market for Europe's recovery, COM/2021/350 final.
- Communication from the Commission on EU guidelines for the safe resumption of activities in the cultural and creative sectors - COVID-19, COM/2021/4838.

European Parliament resolutions

- European Parliament resolution of 20 October 2021 – 'Europe's Media in the Digital Decade: an Action Plan to Support Recovery and Transformation', 2021/2017(INI).

UNESCO conventions and documents

- The 2005 Convention on the Protection and Promotion of the Diversity of Cultural Expressions.
- ‘Cultural and Creative Industries in the Face of COVID-19: An Economic Impact Outlook’, 2021 Study.
- The 2009 UNESCO Framework for Cultural Statistics.

Documents of the OMC experts groups

- Open Method of Coordination (OMC) report on EU coproduction.
 - Mandate of the OMC Group of Member States’ experts on the status and working conditions of artists and cultural and creative professionals.
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