[FR] Media chronology, combating piracy, audiovisual reform: priority areas for Minister for Culture

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Amélie Blocman
Légipresse

Totally in line with the proposals put forward this summer by the Senate's Committee on Culture (see IRIS 2017-8/17), and in an attempt to counter the stalled professional negotiations and address the urgent need for more appropriate regulations, Minister for Culture Françoise Nyssen has set up a mediation process in respect of media chronology. This has been deemed to be "a delicate task" and "a priority for the Government"; it forms part of the next stage in negotiations undertaken by the Centre National du Cinéma et de l'Image Animée (French National Centre for the Cinema and Animated Image - CNC) with a view to reforming the 2009 agreement with the professional cinema organisations, and should carry on from progress already made on the matter. The Minister said she was convinced that "it is the professionals who must reach an agreement". Mediator Dominique d'Hinnin has six months in which to achieve this; if he fails, the Government may well legislate on the basis of the main points raised during the mediation. According to the Minister, "[t]he aim of modernising media chronology is to promote investment in cinematographic creation, giving preferential treatment to those operators who take risks and finance the production of French and European films."

Speaking at the Rencontres Cinématographiques de Dijon conference on 13 October, the Minister reiterated that this revision was also intended to both promote the legal offer and combat piracy. On this last point, the Minister recalled that, in addition to the signing of the agreement between the CNC, the Association de Lutte contre la Piraterie Audiovisuelle and Google to provide for better collaboration between YouTube and rightsholders (see IRIS 2017-9/14), the high authority for the broadcasting of works and the protection of rights on the Internet (Haute Autorité pour la Diffusion des Oeuvres et la Protection des Droits sur Internet - HADOPI) had commissioned a legal study of the possible development of the "graduated response" to piracy. She felt nevertheless that this should be taken further, since illegal streaming currently accounted for most acts of piracy and was not covered by the "graduated response" set up under the regulations in force in France. It was also necessary to educate the public (particularly young audiences) and promote the legal offer.

Modernising the regulations on the audiovisual sector was the third priority area announced by the Minister. This included the regulations on advertising on television and the areas of competence of the CSA, including the new Audiovisual

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Media Services Directive, which mandates a minimum of 30% of European works. As CNC President Frédérique Bredin recalled, “France’s strength lies in the fact that that it can go further than the AMS Directive”, and said that the 30% quota “ought to be checked”. Lastly, the Minister announced that serious efforts were being made with regard to protecting copyright, reiterating that France had a three-fold objective in the current negotiations on revising a directive: firstly, to defend the principle of the territoriality of rights, which is at the heart of financing for the cinema and audiovisual creation; secondly, the Minister wanted to see a right to fair remuneration for originators; and lastly, value needed to be shared out better among the digital platforms and rightsholders.

Discours de Françoise NYSSEN à l’occasion des Rencontres cinématographiques de Dijon, 13 octobre 2017

http://www.culturecommunication.gouv.fr/Presse/Discours/Discours-de-Francoise-NYSSEN-a-l-occasion-des-Rencontres-cinematographiques-de-Dijon

Speech by Françoise Nyssen at the “Rencontres Cinématographiques de Dijon”, 13 October 2017

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