[FR] ARCOM publishes assessment of protection measures taken by online content-sharing platforms

IRIS 2023-7:1/23

Amélie Blocman
Légipresse

As part of its remit to protect cultural works, the *Autorité de régulation de la communication audiovisuelle et numérique* (Regulatory Authority for Audiovisual and Digital Communication – ARCOM) published, after stakeholder consultation, its first report on the content recognition tools used by social networks and content-sharing platforms (pursuant to Article 17 of the EU Copyright Directive and the liability exemption mechanism for service providers, transposed through Articles L. 137-1 *et seq*. of the French Intellectual Property Code).

Under the law of 25 October 2021, ARCOM is required to assess the effectiveness of the measures taken by online content-sharing service providers to protect works and protected objects, a task that is explained in Article L. 331-18 of the Intellectual Property Code.

ARCOM notes that content-sharing service providers have taken steps to ensure that works are not accessible without the prior consent of rightsholders by using existing or newly developed content recognition tools.

Concerning the blocking or removal of works on receipt of a notification, ARCOM stresses that the measures taken by service providers, such as content recognition tools and reporting forms, are generally effective. However, reporting forms should be easier to find.

Finally, regarding the agreements designed to authorise or monitor the exploitation of works and determine the conditions of access to these tools, ARCOM notes that most of the tools were created by the largest service providers (Meta, TikTok, YouTube) and rightsholders from the audiovisual and music industries. Among ARCOM's 13 recommendations, aimed at service providers and rightsholders, all service providers are urged to improve their cooperation with all rightsholders by broadening the scope of these agreements to cover all cultural sectors, especially photography and publishing.

Évaluation des mesures techniques d'identification des œuvres et objets protégés mises en œuvre par les fournisseurs de services de contenus en ligne, Rapport de l'Arcom, avril 2022.

https://www.arcom.fr/sites/default/files/2023-

© European Audiovisual Observatory (Council of Europe) 2026

04/Evaluation%20des%20mesures%20techniques%20identification%20des%20oeuvres%20et%20objets%20proteges%20mises%20en%20oeuvre%20par%20les%20fournisseurs%20de%20services%20de%20partage%20de%20contenus.pdf

Assessment of technical measures for identifying protected works and objects implemented by online content-sharing service providers, ARCOM report, April 2022.

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026