[FR] Audiovisual production investment obligations: first cross-industry agreement with Netflix

IRIS 2023-9:1/10

Amélie Blocman
Légipresse

On 14 September, Netflix and the professional organisations representing the audiovisual creation sector (USPA, SPI, AnimFrance, SATEV, SEDPA, SACD and SCAM) announced that they had signed a partnership agreement as part of the investment obligations laid down in the so-called SMAD (On-demand Audiovisual Media Services) Decree of 20 June 2021. The decree, which brought the EU's Audiovisual Media Services Directive into French law, sets out in detail the obligations for foreign on-demand video platforms that target French audiences to help fund cinematographic and audiovisual production.

The parties agreed that Netflix should devote 100% of its compulsory contribution to audiovisual production to so-called patrimonial works (fiction, animation, documentaries, live entertainment, music videos) from 2023 onwards. The platform will also increase its level of investment in French-language works to 85%, and in independent works to 68%, by 2026. Finally, Netflix will double its diversity quota to 10% in audiovisual works, including 5% in documentaries and 5% in animation. This agreement has an initial four-year term until 31 December 2026 and is set to be included in the agreement between Netflix and the *Autorité de régulation de la communication audiovisuelle et numérique* (the French audiovisual regulator – ARCOM).

When the agreement between Netflix and ARCOM, along with those signed with Amazon for Amazon Prime Video and Disney for Disney+, was formalised in December 2021, the regulator had expressed a wish for these texts to be supplemented by cross-industry agreements. This has now been achieved for Amazon Prime Video and Netflix, which are thereby committing to invest even more in documentaries, animation and French-language productions. Meanwhile, ARCOM is confident that negotiations between the professional organisations and Disney+ will soon be concluded.

Arcom, Communiqué du 14 septembre 2023

https://www.arcom.fr/sites/default/files/2023-09/Communiqu%C3%A9%20de%20presse%20-%20%20L%E2%80%99Arcom%20salue%20la%20signature%20d%E2%80%99un%20accord%20entre%20Netflix%20et%20les%20organisations%20professionnelles%2

© European Audiovisual Observatory (Council of Europe) 2026

0du%20secteur%20de%20la%20cr%C3%A9ation%20audiovisuelle.pdf

ARCOM, press release of 14 September 2023

© European Audiovisual Observatory (Council of Europe) 2026

© European Audiovisual Observatory (Council of Europe) 2026