



Panel 1: Policy approaches

**Introduction and moderation: Francisco Javier Cabrera Blázquez,
Senior Analyst from the Observatory's Department for Legal Information**

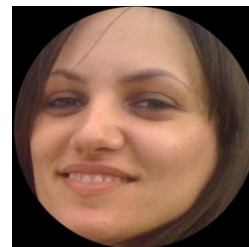
Karim Ibourki

Board member of ERGA,
Chairperson of the Belgian CSA



Ivana Kostovska

Media economics researcher at
SMIT-VUB



Svitlana Buriak

Asst. Professor at Centre for Tax Law,
University of Amsterdam



#OBSBXL23



Karim Ibourki

Board member of ERGA,
Chairperson of the Belgian CSA

The regulator's view



Karim Ibourki

Board member of ERGA,
Chairperson of the Belgian CSA

Linear v non-linear: *a distinction without a difference?*



Karim Ibourki

Board member of ERGA,
Chairperson of the Belgian CSA

Monitoring quota obligations: *What about SVoD?*

Financial obligations

Article 13(2) AVMSD

Where Member States require media service providers under their jurisdiction to contribute financially to the production of European works, including via direct investment in content and contribution to national funds, they may also require media service providers targeting audiences in their territories, but established in other Member States to make such financial contributions, which shall be proportionate and non-discriminatory.



Ivana Kostovska

Media economics researcher at SMIT-VUB

*“Investment obligations are tailored
to markets and policy **traditions**”*

Investment obligations for streamers

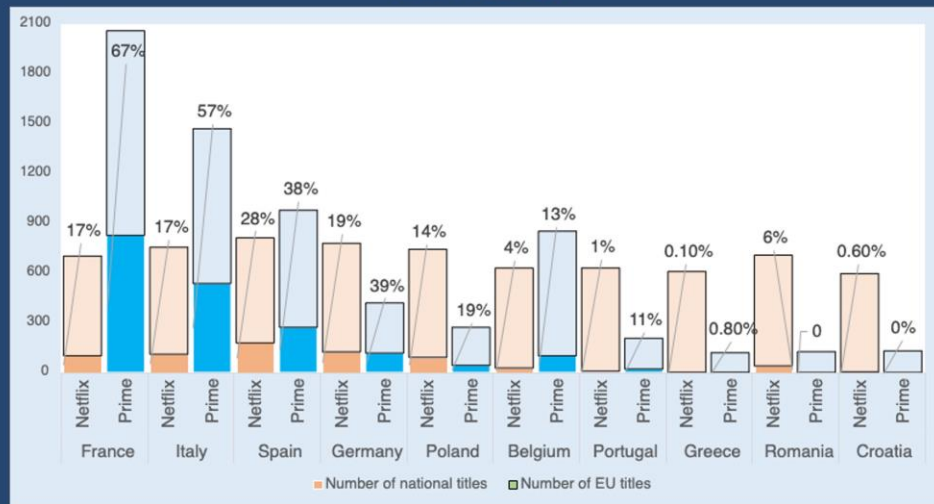
Obligation to invest in independent productions



Diversity clauses Top markets for investments



Share of domestic titles in national catalogues 2020-2023 (Nov 2023)



Source: Lumiere VOD

- Levy
- Direct
- Levy & direct
- Choice between direct and levy





Ivana Kostovska

Media economics researcher at SMIT-VUB

*“...policymakers try to redefine policy goals by putting emphasis on **economic objectives**, leaving cultural protectionist standpoints in the background.”*

*“...investment obligations should **not be used as an excuse to significantly reduce public support.**”*

Financial obligations

Article 13(2) AVMSD

Where Member States require media service providers under their jurisdiction to **contribute financially to the production of European works**, including via direct investment in content and **contribution to national funds**, they may also require media service providers targeting audiences in their territories, but established in other Member States to make such financial contributions, which shall be proportionate and non-discriminatory.



Svitlana Buriak

Asst. Professor at Centre for Tax Law, University of Amsterdam

10

*“...the levy is a compulsory non-refundable charge imposed and collected by the government. Therefore, the **levy falls into the scope of tax scrutiny...**”*



Svitlana Buriak

Asst. Professor at Centre for Tax Law, University of Amsterdam

11

*...in the absence of measures coordinating different taxes and financial charges imposed in the audiovisual industry, there are significant **distortions to free competition** and the investment climate in the internal market.”*



Karim Ibourki

Board member of ERGA,
Chairperson of the Belgian CSA

The regulator's view



UNION JACK
by Thammakit Thamboon
<https://www.elephantparade.com/parades/elephant-archive/union-jack>