



Circulation of European films: Is availability enough?

Cannes Film Festival, 21 May 2022

Susanne Nikoltchev
Executive Director
European Audiovisual Observatory



Observatoire européen de l'audiovisuel
European Audiovisual Observatory
Europäische Audiovisuelle Informationsstelle



Meet our speakers



Moderated by

Maja Cappello

Head of Dept for Legal Information
European Audiovisual Observatory

Martin Kanzler

Deputy Head of Dept for Market Inf.
European Audiovisual Observatory

Speakers

Sabine Chemaly

Executive Vice-President for international distribution
TF1 Studio

Marc Smit

Co-CEO
Cinéart

Mathilde Fiquet

Secretary General
European Audiovisual Production Association (CEPI)

Edith Sepp

Vice-President of EFAD and
Head of the Estonian Film Institute

Joan Sala

Head of Programming & Festival Manager
Filmin / Atlántida Film Fest

Amélie Leenhardt

Director for European development
ARTE

Giuseppe Abbamonte

Director of the Media and Data Directorate,
European Commission



Circulation: A question of perspective?

Patrizia Simone

Film Industry Analyst

European Audiovisual Observatory



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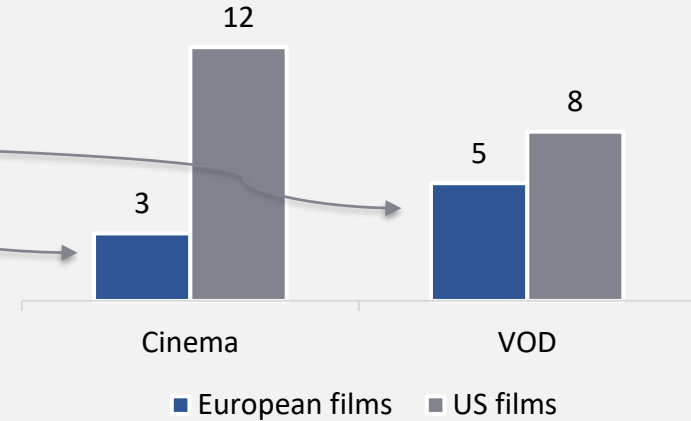


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From a film perspective: limited circulation

~ 2 000
European films
produced every year
2015-2019 avg

AVG number of release markets (pre-COVID19) – EU27+UK

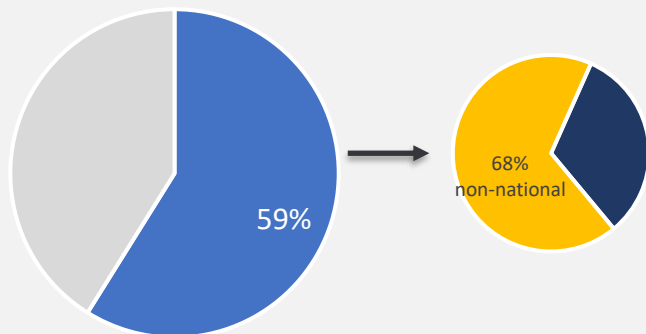


Source: European Audiovisual Observatory (EAO)

From a provider perspective: large % of European films...

% of European films on offer

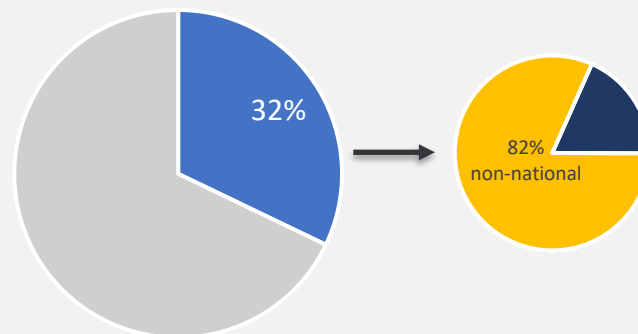
Cinema



Source: European Audiovisual Observatory (EAO)

% of European films on offer

VOD



Source: European Audiovisual Observatory (EAO)

...and a significant number in absolute terms

Nr of European films on offer in cinemas

> 6 100 European films

on release in the EU27+UK
(vs ~ 1 700 US films)

Avg ~ 440 European films

on release in each market

Capacity limits

Between 140 and 350 films
on release in each cinema every year.

Source: European Audiovisual Observatory (EAO) / Europa Cinemas

Nr of European films on offer on VOD

~ 42 700 European films

available in EU27+UK
(vs ~ 36 000 US films)

Avg ~ 8 500 films

available in each market

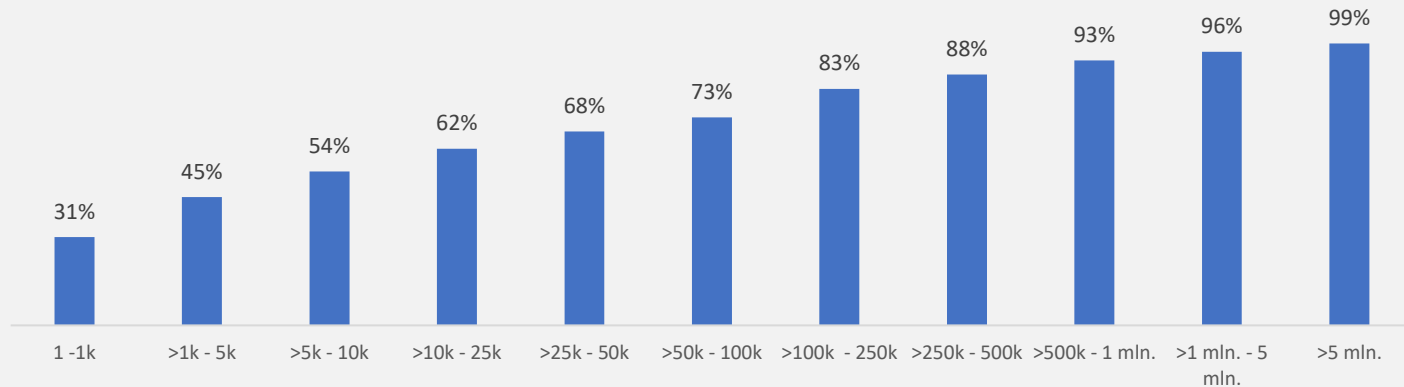
Capacity limits

Avg VOD catalogue size:
TVOD: ~ 5 200 films; SVOD: ~ 1 100 films

Source: European Audiovisual Observatory (EAO)

Theatrical success driving VOD availability?

VOD availability strongly correlates with theatrical admissions



Total admissions in the EU27+UK (1996-2020)

Source: European Audiovisual Observatory (EAO)

Panel 1: The Market Realities

Moderated by

Martin Kanzler

Deputy Head of Department for
Market Information
European Audiovisual Observatory

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Circulation: the EU regulatory and support toolkit

Sophie Valais
Senior Legal Analyst
European Audiovisual Observatory



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Three key dimensions

- 1. A revised EU regulatory framework**
- 2. Industry practices and release windows**
- 3. New priorities in EU public funding**

1. A revised EU regulatory framework

Ensuring cross-border distribution of works

Regulations on Portability (2017)
Directive on Online Retransmission (SatCab) (2019)

▪ Regulation on Portability (2017)

→ Cross-border portability of online audiovisual content services in the internal market

▪ Regulation on Geo-Blocking (2018)

→ Avoiding discrimination based on the geo-localisation of customers: **exclusion of AV services from the scope**

- **Directive on Online Retransmission of TV and Radio Programmes (SatCab) (2019)**

- **Broadcasters:** application of the country of origin principle to the clearing of rights for simultaneous and catch up online transmission of certain programs
- **Digital retransmission of TV/radio:** mandatory collective management of rights to retransmission over “closed” networks

Promoting European works on video-on-demand services

*Revised Audiovisual Media Services Directive
(2018)*

Enhancing obligations for VOD providers (Art. 13)



Minimum share of European works in catalogues



Prominence obligations



Financial contribution

- Production
- Direct investments
- National funds

Including targeting services

Improving the functioning of the copyright market

*Directive on Copyright in the Digital Single
Market (2019)*

Focus on rights' licensing on VOD platforms

→ New negotiation mechanism

Ensuring to creators a fair share of the value derived from online exploitation

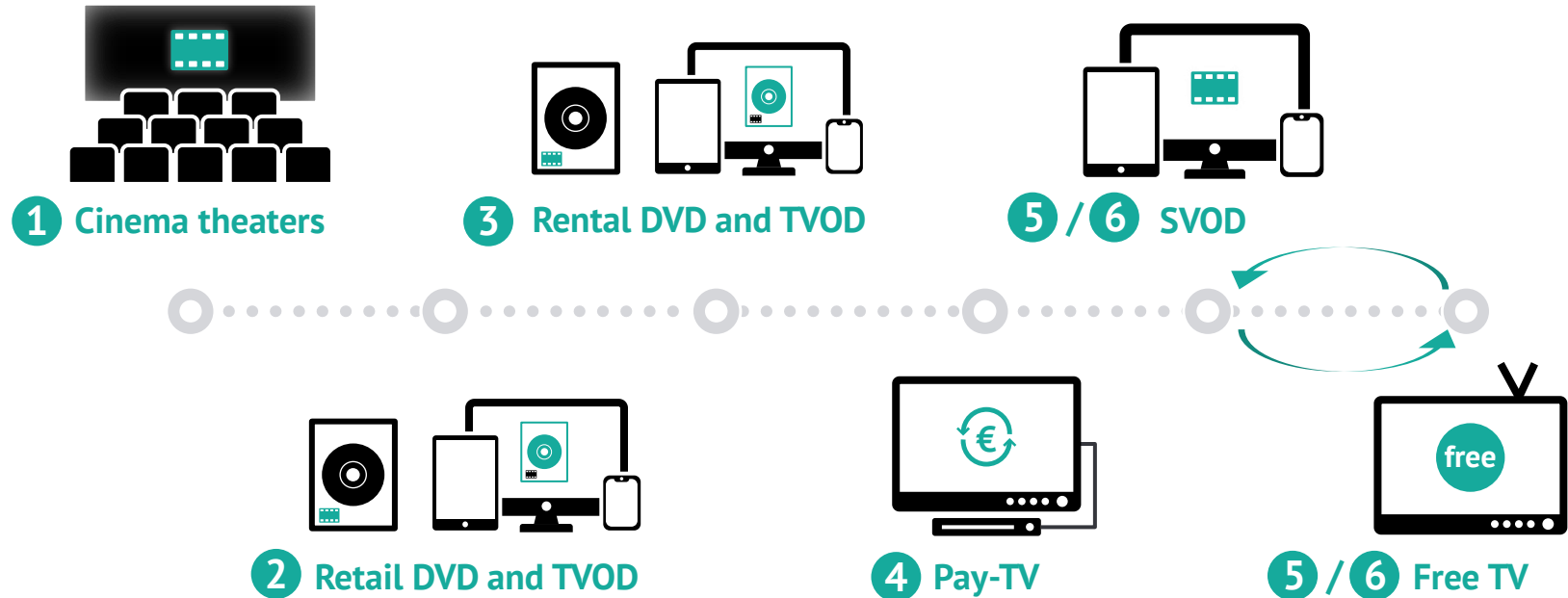
→ New transparency obligations

→ Contract adjustment mechanisms

→ Dispute resolution mechanism

2. Industry practices and release windows

The exploitation of cinematographic works



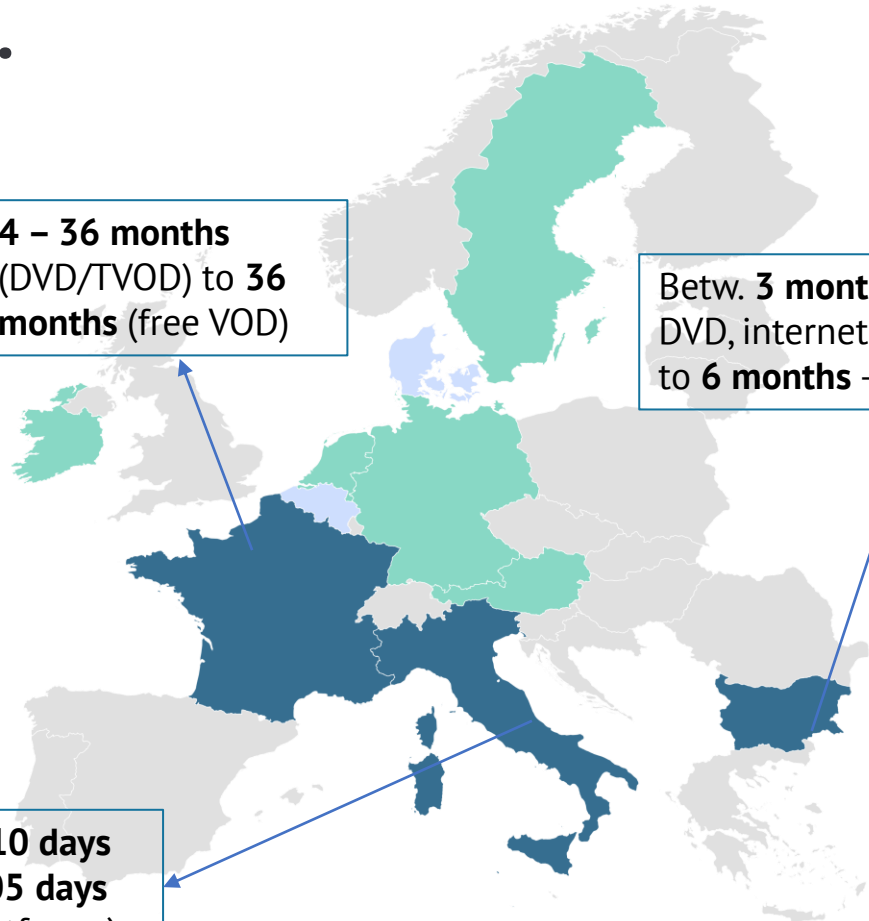
A diverse landscape..

-  **Legislation**
-  **Rules on film support**
-  **Industry agreements**

Betw. **10 days**
and **105 days**
(all platforms)

4 – 36 months
(DVD/TVOD) to **36 months**
(free VOD)

Betw. **3 months** (video,
DVD, internet, pay-TV)
to **6 months** – free TV)

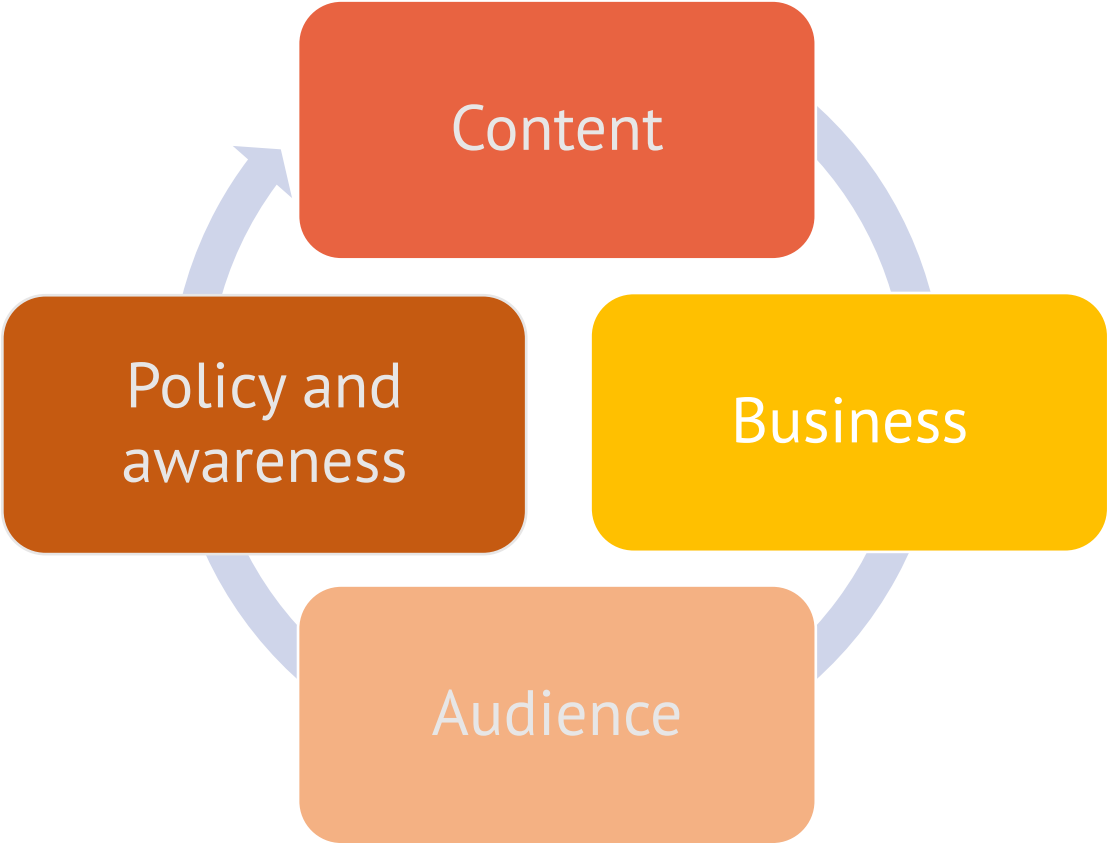


3. New priorities in EU public funding

Creative Europe 2021-2027



Creative Europe



Next steps?



Thank you for your attention!

For any queries:
sophie.valais@coe.int



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Poolside chat

Maja Cappello

Head of the Observatory's
Department for Legal
Information

Giuseppe Abbamonte

Director of the Media and
Data Directorate,
European Commission

Panel 2: The Way Forward



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Q & A

Over to you, our audience!

Closing remarks

Susanne Nikoltchev

Executive Director

European Audiovisual Observatory

Thank you for coming!
See us on stand H3 in this floor
or...
www.obs.coe.int

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