



High-level Conference on drama series

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CONCLUSION PAPER



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**Preserving independent production,
diversity, and pluralism in drama
series in Europe:**

**Can international cooperation be part
of the solution?**

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BACKGROUND

Under the auspices of Hungarian Presidency of Committee of Ministers, Eurimages together with the Hungarian National Film Institute and the Ministry of Foreign Affairs and Trade of Hungary organized a conference on “Preserving independent production, diversity and pluralism in TV series in Europe”.

The event, framed as brainstorming session between industry professionals (producers, distributors, broadcasters, national film fund representatives) – further The Group –, exchanged on the most urgent needs to facilitate the production of high-end series in a very competitive market dominated by non-European players.

The objective was to further explore the possibility of creating a new legal and/or financial instrument to facilitate the international co-production of drama series.

The Hungarian authorities underlining the groundwork set during this conference and the future steps throughout next presidencies of the Committee of Ministers named this undertaking: “The Budapest Drama Series Process”.

THE GROUP ACKNOWLEDGES THAT:

- I. The audiovisual sector has undergone significant changes in the past years.
 1. New technologies and new global players, mainly non-European, modified the rules of the game.
 2. In less than 10 years, the number of subscribers to Video-On-Demand services in Europe has grown from under 1 million subscribers in 2011 to 140 million by the end of 2020¹.
 3. The pandemic has played a crucial role in accelerating the process.
 4. In 2021, Netflix is on the largest single commissioner of new European scripted content².
 5. Drama series have become a cultural and social phenomenon, especially among young people.
 6. The overwhelming position of global platforms on the international marketplace and their use of predictive algorithms represents a serious challenge for cultural diversity, European creativity, and pluralism.
 7. The European market is fragmented with countries of different sizes and diverse audiovisual capacities. This makes it difficult to compete with non-European digital platforms.
 8. New global players possess the financial and technical ability to produce and distribute drama series directly to homes across our continent.
 9. The shift within the financial power balance poses a threat to the independence of European content producers, leading towards their transformation to merely service providers.
 10. The changes impact the legal and financial instruments currently in place at national and European levels.
- II. The Council of Europe has an important role to play in preserving cultural diversity and pluralism in the audiovisual sector.
 11. Culture has always been central to the Council of Europe's purpose of achieving greater unity between its member states. Cooperation in the cultural field contributes to more democratic societies.
 12. Storytelling facilitates understanding and acknowledgement of our differences, strengthens human rights, rule of law and democracy.
 13. Europe has a rich, deep, and diverse history. The responsibility of telling our stories rests on the shoulders of our authors, directors, or producers. This is essential to offer them the possibility to keep on telling them with their own language, their own sensitivity.

¹ "Trends in the VOD Market in EU28", European Audiovisual Observatory, 2021.

² <https://www.ampereanalysis.com/insight/netflix-now-the-largest-commissioner-of-scripted-european-content>

- III. Eurimages has the added value and expertise to facilitate intercultural cooperation.
- 14. In the space of just over 30 years, Eurimages has contributed to the making of more than 2 000 international film co-productions, fostering a pluralism of ideas that the market alone could not achieve.
- 15. In doing so the Fund has acquired an expertise in supporting independent international co-productions, especially completing the financing (“top financing”), positioning the producer at the center of its action, both financially and creatively.
- 16. Eurimages can help structure and facilitate international co-productions.

THE GROUP UNDERLINES THAT

- I. Developing and producing high-end series is becoming more and more expensive.
 - 17. The public's expectations have changed, and it is no longer possible to be competitive on a small scale.
 - 18. The qualitative upgrade (both at technical and artistic levels) resulted in higher production costs, making it more challenging to finance.
 - 19. It becomes progressively more difficult for producers to cover part of the higher budgets required at critical moments of the production chain: either at the beginning of the project for the development of the story, or at the end of the search for financing for production (the last 15-20 percent).
- II. Retaining the rights on the work (intellectual property and exploitation of revenues) is becoming difficult.
 - 20. The possibility of working with global platforms is tempting. In exchange for a secured cash flow, the platforms retain all rights. The producer becomes a simple service provider.
 - 21. This raises questions about origins, independence, and the way to generate revenues (windows of exploitation).
 - 22. Some rights are under-exploited, and revenues are not maximized or not shared with producers and authors.

- III. International co-production is necessary to offset the fragmentation of the European audiovisual market, especially for smaller countries.
- 23. An international mindset at the level of production and creation is extremely relevant. There is a significant advantage of co-production in the circulation of the audiovisual works, but as well in sharing risks, financial burden, and creative contributions.
- 24. International co-production allows smaller countries to pursue more ambitious audiovisual works (both creatively and financially) with an international circulation potential.
- 25. Creative and technical cooperation amongst professionals coming from different countries also has a positive effect on the quality and originality of drama series.
- 26. Currently, there is a low level of international co-production (compared to feature films) between both traditional broadcasters and independent producers.
- 27. There is a necessity of joint responsibility between the public broadcasters and public funders in making European content available in Europe.
- 28. Alliances and networks to facilitate co-operation and co-production should be encouraged.

THE GROUP CALLS FOR

- I. Creating the conditions to empower independent producers in having a choice between international coproduction and working on commission for non-European global platforms.
- II. Reinforcing the position of independent producers at critical moments of the production chain, notably in their relations with broadcasters and/or digital platforms.
- III. Developing a legal instrument guaranteeing legal certainty in co-production practices and ensuring an adequate protection of independent producers' rights.
- IV. Introducing a flexible financial instrument facilitating co-production between independent producers from territories of all sizes to participate in higher budget drama series.
- V. Ensuring complementarity between national and pan-European public policies and support programmes.

Active since 1989, Eurimages is the Council of Europe Fund for the support of co-production, distribution, and exhibition of international cinematographic works. As of March 2022, the Fund brings together 39 countries.

Eurimages seeks to promote freedom of expression and cultural diversity through the co-production of independent cinematographic works. The Fund encourages co-operation between professionals from its member States. Since its creation, the Fund has supported numerous co-productions that have received prestigious awards, including Oscars, Golden Globes, the Palme d'Or (Cannes), the Golden Bear (Berlin) or the Golden Lion (Venice).

The Fund is placed under the aegis of the Council of Europe's Directorate General for Democracy, whose long-term strategic objective is safeguarding and realising genuine democracy by working with member States.

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