



*European works & prominence:*

# How to assess the nationality of European audiovisual works?

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# Overview

- 1. Genesis and purpose of the EAO mapping on the nationality of audiovisual works**
- 2. Scope, methodology and main challenges**
- 3. The way forward**

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# 1.

## One step backward: before promotion, identification

- **Assessing nationality of AV works is paramount for:**
  - ✓ Producers and public film funds / access to public financing
  - ✓ Service providers and regulators / fulfilling and monitoring of quotas and prominence obligations
- **Assessing nationality becomes even more crucial in the context of implementation of the revised AVMSD**

*But, difficulties arise in practice...*

# 1.

## Main difficulties in assessing the nationality of audiovisual works

- **Different definitions of the concept of 'work' in the EU-28**
  - ✓ E.g. different categories of AV works referred to
- **Different practical implementation of this concept in the EU-28**
  - ✓ E.g. assessment of the nationality of co-productions
- **Differences at national level among stakeholders:**
  - ✓ E.g. public film (or AV) funds versus regulators
- **Information on nationality disseminated:**
  - ✓ E.g. among many – mostly national - sources

# 1.

## The need for comparative data in the EU-28

- **Need for comparative data and analysis of:**
  - ✓ The legal definitions, and
  - ✓ The current practices... in place in the EU-28 concerning the nationality of AV work
- **Project launched upon request from the European Commission**
- **Schedule:**
  - ✓ From March 2019 to May 2020

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## 2. The scope of the EAO mapping

**Mapping report of the legal frameworks and current practices in the EU-28 to define the nationality of AV works:**

- To map the legal framework and current practices in the EU-28 relating to the national definitions of the nationality of AV works
- To identify the current resources available to assess the nationality of AV works
- To determine the needs of stakeholders and of the involved institutions
- Common or separate approaches to the assessment of the nationality of AV works by public funds/audiovisual funds and regulators.



## 2.

# The methodology

1.



### National experts

An expert for each of the EU-28, Iceland, Norway and Switzerland

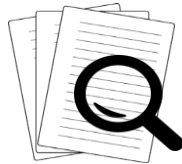
2.



### A questionnaire

filled in by national experts

3.



### National factsheets

cross-checked by public organisations

4.



### Comparative analysis

done by an expert selected by the EAO

## 2.

# State of play:

1.



### National experts

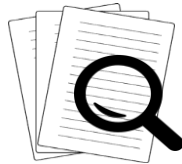
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## 2.

# The questionnaire



- **Section 1 –**

- ✓ Definitions of ‘work’ in each county, and
- ✓ Identifying what categories of works are considered as AV works

- **Section 2 –**

- ✓ Assessment of nationality by NRAs, according to Art. 1 &1 (n) and Art. 1 &2 to 4 of the AVMS Directive (*‘European works’*)

- **Section 3 –**

- ✓ Assessment of nationality by film funds

.... and collection of information on practices and legislation on the labelling in metadata of AV content that qualifies as European works.

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# 3.

## The deliverables

- 1. A mapping report, including comparative analysis and national fact sheets**
- 2. A workshop of industry stakeholders with the aim to:**
  - ✓ Present the findings of the mapping research
  - ✓ Identify possible follow-up actions through:
    - Sharing best practices of film/AV funds and AV regulators
    - Understanding methodologies put in place by organisations already providing data on the nationality of AV works
    - Identifying needs of stakeholders for the assessment of the nationality of AV works

# Thank you!

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