



**COUNCIL OF
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NOTE

From : Presidency
to : Permanent Representatives Committee (Part 1) / Council
Subject : Creative Content Online
– *Exchange of views*

Delegations will find attached a Presidency background paper intended to provide a framework for the debate to be held during the Education, Youth and Culture Council meeting on 11-12 May 2009 on the above subject.

Presidency background paper

Creative Content Online

An exchange of views of Ministers at the Council meeting on 12 May 2009

During the last year, the Council has adopted conclusions on "a European approach to media literacy in the digital environment" (May 2008)¹ and on "the development of legal offers of online cultural and creative content and the prevention and combating of piracy in the digital environment" (November 2008)². These sets of conclusions represented the Council's political response to Commission communications on the respective subjects.

In the November conclusions, Member States recognised the importance of developing a legal online offer which is diverse, of high quality, accessible, easy to use and consumer friendly, on the one hand, and preventing and combating piracy, on the other. With this in mind Member States were inter alia invited to launch or encourage concerted approaches by the parties concerned, as soon as possible, designed to find concrete, effective, fair and proportionate solutions.

The conclusions from May 2008 urged Member States to take a number of actions to promote and develop media literacy, by involving appropriate audiovisual and telecommunications authorities, promoting codes of conduct and research by stakeholders, promoting awareness-raising initiatives particularly aimed at young people, and promoting media literacy in the framework of their lifelong learning strategies including through peer learning and the exchange of good practices between teaching professionals.

¹ OJ C 140, 6.6.2008, p.8.

² OJ C 319, 13.12.2008, p. 15.

It is now nearly a full year since Audiovisual Ministers had the chance, at the Council of 21 and 22 May 2008, to exchange views on the difficult issues involved in the development of creative online content. As well as the political commitments made by the Council since then, and the excellent results of a number of Presidency conferences held on these themes, the market itself has developed further and technology is continuing to evolve. For this reason the Presidency considers it opportune to hold a further discussion, so that we are able to get an up to date picture of the situation across Europe, and benefit from each other's experiences in tackling the complexities of developing online content and promoting media literacy.

Against this background, therefore, Ministers are invited to participate in an exchange of views on this subject at the Council on 12 May 2009. So as to structure the debate, the Presidency suggests the following questions to which Ministers are invited to respond.

Content Online

What steps have Member States taken to help develop legal offers and tackle the problems of piracy? How effective have these steps been and are there any lessons that can be learned from the experience gained?

In particular:

- *how far is it possible to take government action without risking the creation of new obstacles to the development of new innovative services ?*
- *how far is it possible to develop solutions which promote greater variety and better accessibility of legal offer whilst protecting the interests of rightholders ?*

Media literacy

How can Member States achieve greater awareness on the importance of media literacy, and where do they see added value in possible initiatives at EU level?