

Portability: problems and opportunities for linguistic diversity.

JURI Working Group on IPR and Copyright Reform, Feb 18th 2016

European Language Equality Network

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ELEN Secretary-General / Eurolang

An event poster for a panel debate on portability. At the top, it lists MEP Julia Reda (EPP), MEP Cyril Veloso (PSE), and MEP Jill Evans (S&D). The main title is 'PORTABILITY: OPPORTUNITIES FOR CULTURAL DIVERSITY?'. A central graphic shows a red circle with a diagonal line through it, containing a hand icon and a speech bubble icon, with the text 'NOT AVAILABLE' and 'IN YOUR COUNTRY'. Below this is a box labeled 'EXCEPT SUBSCRIBERS' with logos for Amazon, Netflix, and Sky. The event details are: 'PANEL DEBATE THU 10 DEC 2015 ASP 01G3', '14:00-15:20 Opportunities of cross-border access', and '15:30-17:00 Evaluating the Commission proposals'. At the bottom, it says 'Please RSVP: jullareda.eu/portability' and includes logos for the European Parliament and the European Commission.



- There are approximately 60 regional or minority languages in Europe (Council of Europe figure).
- Around **55 million people, 10%**, in the European Union speak a minority language. Regional or minority languages (RMLs) are spoken in all European countries, except for Iceland.
- In continental Europe it is estimated that there are over 330 different nationalities with over 100 million (nearly 14%) living as a national minority.



ELEN Membership

- ELEN members represent **44 language groups in 20 European states.**
- ELEN members comprise most of Europe's civil society regional language organisations.
- Gives us a huge mandate, plus provides a direct connection between grass roots organisations and the European and international institutions.



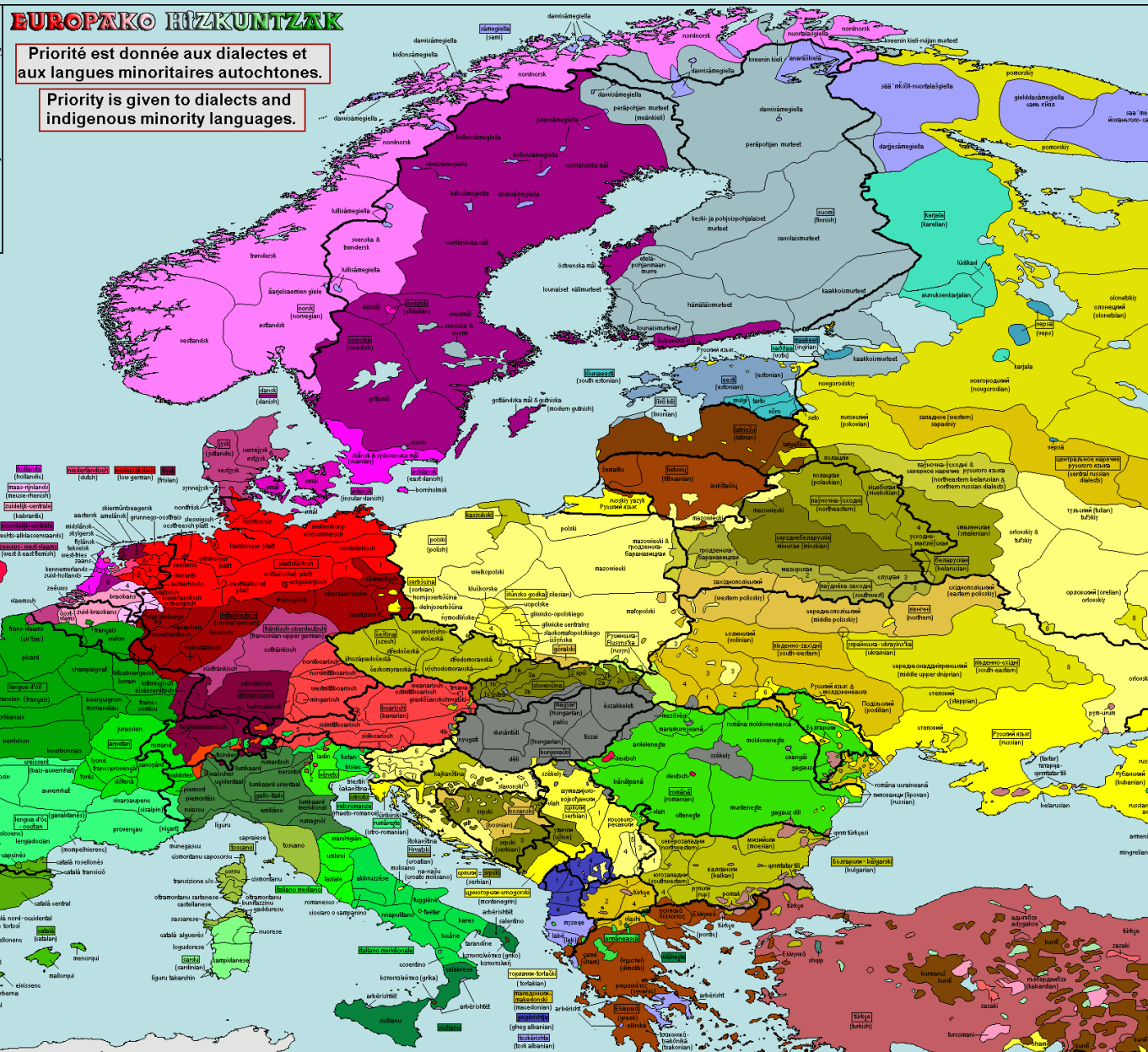
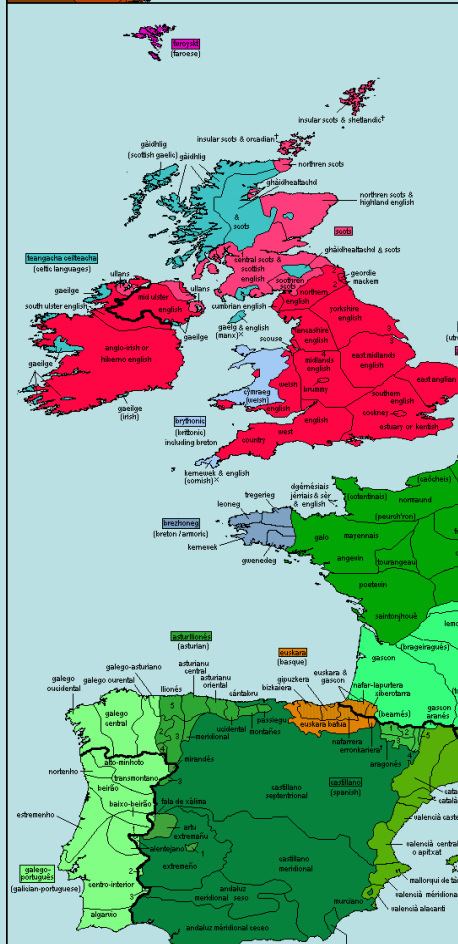
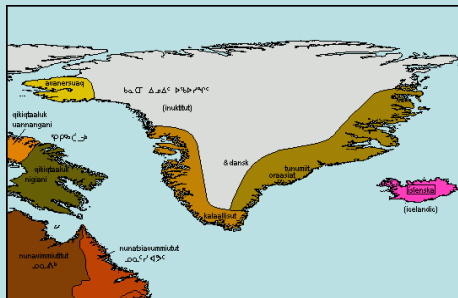
ELEN's work comprises two main pillars:

- 1) Advocacy** work for the protection and promotion of RMLs, with a particular focus on linguistic rights.
- 2) Project work** where ELEN works with members on EU funded language projects that act to promote and regenerate European RMLs.

EUROPAKO HIZKUNTZAK

Priorité est donnée aux dialectes et aux langues minoritaires autochtones.

Priority is given to dialects and indigenous minority languages.



INDO EUROPEAN		GERMANIC		CELTIC		SLAVIC		ALBANIAN		GREEK		BASQUE		MALTESE		ESKIMO-ALEUT		URALIC	
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Overarching issues

- **Broadly welcome the Commission proposals.**
- **Vital** that language dimension considered.
- Geo-blocking undermines regional/ minority language usage, especially for cross-border minorities.
- Lack of access to RML media acts to stigmatise minority language especially for young people.
- Under FCNM Art. 9, States must ensure national minority access to media in their own language.
- Under ECRML Art. 11.2 minority language groups are guaranteed access to media in their own language from neighbouring countries.
- Geo-blocking undermines digital single market as usually connected cross-border regions that share a language become digitally disconnected.

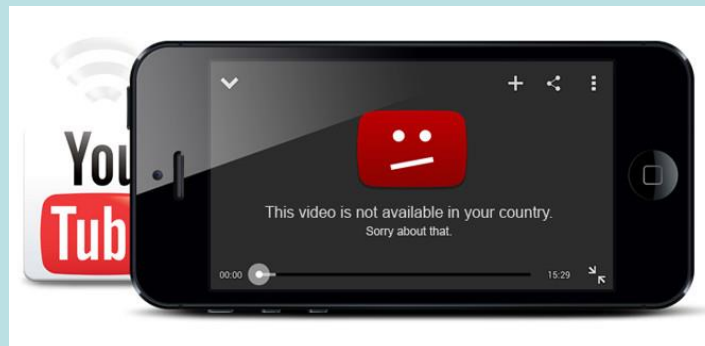


Geo-blocking = language blocking.

- Stops customers from accessing content in languages they do not speak.
- Customers are unlikely to know about products that they cannot find.
- Perhaps unavoidable: no-one speaks all languages, but current online translation is insufficient.
- Prevents customers from even *trying* to conduct cross-border commerce.
- Disproportionately impacts speakers of lesser used languages.

Case Studies: MG ALBA, Scottish Gaelic TV

- Under the BBC rights system it's problematic to re-broadcast outside of UK.
- Gaelic speakers and learners form a global diaspora, if outside UK cannot access Gaelic TV.
- Vital for Gaelic to attract learners globally, lack of media undermines this.





Case Studies: S4C Welsh TV

- It is our objective to ensure that our content is available to the widest possible audience, and that we engage with Welsh people and Welsh speakers living outside of the UK as part of that;
- There is a need to restrict which locations can watch specific elements of our content as we are sometimes only able to buy rights to show content within the UK;
- Some types of broadcasting rights are very expensive to purchase internationally, and others are not available to us at all.



ELEN Recommendations

- **Copyright, Portability, Geo-blocking has a huge language dimension for all European languages, especially RMLs.**
- Vital to include impact assessments on RM languages at all stages of the process.
- Build in obligations to ensure international transmission for RML content, especially for cross-border minorities.
- Build in obligations for services in all languages of a territory, still no Netflix in Catalan, for example.

- **Need to lift geo-blocking on content with a strong public service flavour and limited commercial value such as news, current affairs, and events, with regard to the wider democratic, social, cultural value that might be created within the EU.**
- The territory of broadcasting rights to be based on language groups instead of state borders?
- Our Digital Language Diversity Project working to increase digital content in RMLs www.dldp.eu
- Regional & autonomous govts to sign Aland Isles/ELEN MoU.
- ‘Cracking the language barrier’, working with language technology organisations <http://www.cracking-the-language-barrier.eu> to address the linguistic digital divide.



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