



**2022/2038(INI)**

13.1.2023

# **AMENDMENTS**

## **1 - 170**

**Draft report**  
**Petra Kammerevert**  
(PE738.565v02-00)

Implementation of the Audiovisual Media Services Directive  
(2022/2038(INI))



**Amendment 1**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Citation 1 a (new)**

*Motion for a resolution*

*Amendment*

— *having regard to the Member States competences to develop ambitious cultural policies in the audiovisual field at national level, in consistence, with TEU Art. 3, TFEU Art. 6 and 167,*

Or. en

**Amendment 2**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș, Morten Løkkegaard**

**Motion for a resolution**

**Citation 3 a (new)**

*Motion for a resolution*

*Amendment*

— *having regard to the Council conclusions of 4 April 2022 on building a European Strategy for the Cultural and Creative Industries Ecosystem,*

Or. en

**Amendment 3**

**Diana Riba i Giner**

**Motion for a resolution**

**Citation 7 a (new)**

*Motion for a resolution*

*Amendment*

— *having regard to the Europe's Media in the Digital Decade: An Action Plan to Support Recovery and Transformation from the Commission on 3 December 2020,*

**Amendment 4**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Citation 11 a (new)**

*Motion for a resolution*

*Amendment*

— *having regard to the provisions of the European Charter for Regional or Minority Languages , regarding the media,*

Or. en

**Amendment 5**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Recital A**

*Motion for a resolution*

*Amendment*

A. whereas the country of origin principle laid down in Article 2(1) of the Directive has successfully proved itself as an important pillar for the free and unhindered dissemination of information and for the cross-border distribution of audiovisual media services and constitutes an important basis for the protection of audiovisual media service providers *and end-users and for the promotion of cultural diversity and pluralism of opinion in the Union;*

A. whereas the country of origin principle laid down in Article 2(1) of the Directive has successfully proved itself as an important pillar for the free and unhindered dissemination of information and for the cross-border distribution of audiovisual media services and constitutes an important basis for the protection of audiovisual media service providers;

Or. en

**Amendment 6**  
**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***A a. whereas the Directive plays a key role in structuring the European audiovisual ecosystem by pursuing the objectives of creativity and diversity, and is thus a cornerstone of the implementation of Article 167 TFUE;***

Or. en

**Amendment 7**

**Sabine Verheyen, Michaela Šojdrová**

**Motion for a resolution**

**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***A a. whereas the country of origin principle facilitates the cross-border provision of services by providing legal certainty and incentivizes investments in innovative and creative productions;***

Or. en

**Amendment 8**

**Emmanuel Maurel**

**Motion for a resolution**

**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***Aa. whereas the main objective of the AVMSD is to protect cultural diversity and pluralism of opinion in the European Union under Article 167 TFEU;***

Or. fr

**Amendment 9**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Recital A a (new)**

*Motion for a resolution*

*Amendment*

***A a. whereas the main objective of the AVMS Directive is to protect the cultural and language diversity of the European Union under Article 167 TFEU;***

Or. en

**Amendment 10**  
**Sabine Verheyen, Tomasz Frankowski, Michaela Šojdrová**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

***A b. whereas, territorial and exclusive licensing play a fundamental role in driving investment in the creation, financing, marketing and distribution, and thus availability of all types of audiovisual content across the EU and across all distribution channels;***

Or. en

**Amendment 11**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

***A b. whereas the AVMS Directive provisions on the promotion and distribution of European works are essential to ensure cultural and linguistic diversity in the audiovisual sector as***

*global companies emerge in the European audiovisual production and distribution market;*

Or. en

**Amendment 12**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Recital A b (new)**

*Motion for a resolution*

*Amendment*

*Ab. whereas the Media and Audiovisual Action Plan (MAAP) highlights the negative consequences of the penetration of the European market by video-on-demand platforms;*

Or. fr

**Amendment 13**  
**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**  
**Recital A c (new)**

*Motion for a resolution*

*Amendment*

*A c. whereas the cultural diversity is at the core of the AVMSD and contributes to supporting and promoting European creation in its diversity, therefore it should remain prominent as its guiding principle;*

Or. en

**Amendment 14**  
**Sabine Verheyen, Michaela Šojdrová**

**Motion for a resolution**  
**Recital A d (new)**

***A d. whereas, the country of origin principle is enshrined in EU law, and has greatly contributed to the growth and success of the European audiovisual sector, as well as to the discoverability of European works;***

Or. en

**Amendment 15**

**Sabine Verheyen, Tomasz Frankowski, Michaela Šojdrová**

**Motion for a resolution**

**Recital B**

*Motion for a resolution*

B. whereas new horizontal legal provisions at Union level make it necessary to clarify its their interconnection with this specific legal framework for audiovisual media service providers in a consistent and coherent manner;

*Amendment*

B. whereas new horizontal legal provisions at Union level make it necessary to clarify its their interconnection with this specific legal framework for audiovisual media service providers in a consistent and coherent manner; ***whereas the potential for conflict and thus the need for consistency and coherence has increased significantly in recent times due to enacted or proposed legislation at EU level in the “digital decade”, namely, the DSA, which addresses players in the distribution and value chain of audiovisual content and has direct links with the AVMSD; whereas more evident links exist in the proposals for an EMFA and the proposal for a regulation on political advertising, which address issues directly relevant for the audiovisual media sector;***

Or. en

**Amendment 16**

**Andrey Slabakov**

**Motion for a resolution**

**Recital B**



*Motion for a resolution*

B. whereas new horizontal legal provisions at Union level make it necessary to clarify *its* their interconnection with this specific legal framework for audiovisual media service providers in a consistent and coherent manner;

*Amendment*

B. whereas new horizontal legal provisions (*such as Directive (EU) 2019/790 "Copyright Directive"*) at Union level make it necessary to clarify their interconnection with this specific legal framework for audiovisual media service providers in a consistent and coherent manner;

Or. en

**Amendment 17**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Recital B a (new)**

*Motion for a resolution*

*Amendment*

***B a. whereas easily accessible and comprehensive user information on the ownership of media producers can be key in combating further media concentration, and whereas at the same time there is a need to swiftly clarify which data on the use by streaming services of content must be transparent and available to the corresponding film producers, as well as to individual users;***

Or. de

**Amendment 18**

**Petra Kammerevert, Sylvie Guillaume, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution**

**Recital C**

*Motion for a resolution*

*Amendment*

C. whereas positive encouragement and promotion of professional audiovisual media services from the Union can make an important contribution to the global fight against disinformation and fake news;

C. whereas positive encouragement and promotion of professional audiovisual media services from the Union can make an important contribution to the global fight against disinformation and fake news; ***whereas this contributes to the effective implementation of the right to information and to the promotion of public discourse based on a multitude of opinions;***

Or. de

#### **Amendment 19**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș, Morten Løkkegaard**

#### **Motion for a resolution**

##### **Recital D**

##### *Motion for a resolution*

D. whereas, in light of the omnipresence of digital media services, the acquisition of media literacy by children and adolescents, as well as by adults, is an indispensable basic skill, which, in addition to functional understanding, must include the ability for critical (self-)reflection regarding media usage patterns;

##### *Amendment*

D. whereas, in light of the omnipresence of digital media services ***and of the profusion of information sources on the internet***, the acquisition of media literacy by children and adolescents, as well as by adults, is an indispensable basic skill, which, in addition to functional understanding, must include the ability for critical (self-)reflection regarding media usage patterns;

Or. en

#### **Amendment 20**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

#### **Motion for a resolution**

##### **Recital D a (new)**

##### *Motion for a resolution*

##### *Amendment*

***D a. whereas Article 13(2) of the Directive allows Member States to impose obligations to finance European works on***

*audiovisual media services established in another Member State but operating on their territory; whereas this financing may take the form of a contribution to the national film funds, and of direct investment in European works; whereas 14 Member States have decided to introduce this obligation;*

Or. en

**Amendment 21**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Recital D a (new)**

*Motion for a resolution*

*Amendment*

*D a. whereas the United Nations Convention on the Rights of Persons with Disabilities (CRPD) legally binds the European Union and all Member States to ensure the right to accessibility (Article 9), freedom of expression, opinion, and access to information (Article 21) and participation in cultural life (Article 30);*

Or. en

**Amendment 22**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Recital D a (new)**

*Motion for a resolution*

*Amendment*

*Da. whereas the entertainment industry is undergoing major changes, and whereas this has an impact on intellectual property rights;*

Or. fr

**Amendment 23**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Recital D b (new)**

*Motion for a resolution*

*Amendment*

***D b. whereas European works, as defined in Article 1 of the Directive, are defined to include works originating from the Member States but also from third countries, subject to certain conditions; whereas the current definition of European works does not include any mandatory criteria relating to direct and indirect European control of the production company, or to intellectual property rights;***

Or. en

**Amendment 24**

**Emmanuel Maurel**

**Motion for a resolution**

**Recital D b (new)**

*Motion for a resolution*

*Amendment*

***Db. whereas there is a risk to European creation in the current practice of vertically integrated platforms under which producers cede intellectual property rights to the works they disseminate;***

Or. fr

**Amendment 25**

**Diana Riba i Giner**

**Motion for a resolution**

**Recital D b (new)**

*Motion for a resolution*

*Amendment*

***D b. whereas the amount of audiovisual production in European regional and minority languages is inadequate in all EU member states;***

Or. en

**Amendment 26**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Recital D c (new)**

*Motion for a resolution*

*Amendment*

***D c. whereas millions of children throughout Europe use their regional or minority languages (RMLs) in everyday life, are educated in RML medium schools, yet have little media in their own language;***

Or. en

**Amendment 27**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Recital D c (new)**

*Motion for a resolution*

*Amendment*

***Dc. whereas the weakness of intellectual property retention poses a threat to content creators;***

Or. fr

**Amendment 28**  
**Diana Riba i Giner**

**Motion for a resolution**

**Recital D d (new)**

*Motion for a resolution*

*Amendment*

***D d. whereas independent and impartial national and regional media regulatory authorities are a precondition for media freedom and pluralism in order to protect the media from undue political and commercial interference as they safeguard independent, accountable, and transparently operating media services;***

Or. en

**Amendment 29**

**Emmanuel Maurel**

**Motion for a resolution**

**Recital D d (new)**

*Motion for a resolution*

*Amendment*

***Dd. whereas many non-EU countries shoot works in the United Kingdom, which means that many US-UK co-productions qualify as European productions, rendering meaningless Article 13(1), which introduces a quota of 30% of European works;***

Or. fr

**Amendment 30**

**Emmanuel Maurel**

**Motion for a resolution**

**Recital D e (new)**

*Motion for a resolution*

*Amendment*

***De. whereas a specific definition of European work is required so that the AVMSD can effectively defend the diversity of content produced in the EU;***

**Amendment 31**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Recital D f (new)**

*Motion for a resolution*

*Amendment*

***Df. whereas platforms do not provide access to audience data for works, but whereas this data is needed for rights holders, regulators and authorities in order to adapt policies to support creation;***

Or. fr

**Amendment 32**  
**Martina Michels**  
on behalf of the The Left Group  
**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 1 a (new)**

*Motion for a resolution*

*Amendment*

***1 a. Recognises as a good practice and strongly encourages member states to foresee in their legislation for the interconnections of the Directive with relevant horizontal legal provisions at the Union level, such as the DSA and the copyright Directive, safeguarding a framework for fair conditions for all workers in the cultural creative sector, participants and consumers;***

Or. en

**Amendment 33**  
**Andrey Slabakov**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date;

*Amendment*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date; ***also recalls the Commission's obligation to report on the application of Article 13(1) and (2) on the basis of the information provided by Member States by 19 December 2021 and of an independent study, taking into account the market and technological developments and the objective of cultural diversity;***

Or. en

**Amendment 34**  
**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date;

*Amendment*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date; ***draws attention to the Commission's media outlook announced in the Media Audiovisual Action Plan (MAAP) that will notably focus on the***



*consequences of the tackling of the EU market by the global VOD platforms;*

Or. en

**Amendment 35**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 2**

*Motion for a resolution*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date;

*Amendment*

2. Recalls the Commission's obligation, as laid down in Article 33, second sentence of the Directive, to submit a report on the application of the Directive no later than 19 December 2022, and reminds the Member States' of their obligation under Article 7(2) of the Directive to report to the Commission on progress regarding accessibility by the same date; *when assessing the Member States' implementation of their obligations under the AVMSD, the Commission should verify that their understandings of 'proportionate measures' are not voiding Article 7;*

Or. en

**Amendment 36**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a. Recalls the Commission's obligation to report on the application of Article 13 para 1 and 2 on the basis of the information provided by Member States by 19 December 2021 and of an independent study, taking into account the market and technological**

*developments and the objective of cultural diversity; Regrets that the Commission has not yet provided [on time] its report on the application of the 2010/13/EU Directive for the period 2015-2019, which would have been interesting for benchmarking the implementation of the revised Directive;*

Or. en

**Amendment 37**  
**Morten Løkkegaard**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

*2 a. Stressess the importance of the country of origin principle; highlights that the latest revision of the AVMSD introduced derogations to the country of origin principle, in particular under article 13; notes that the derogations leads to significant fragmentation of the single market, contributing to a re-nationalisation of the European audiovisual market and risks discouraging market players from entering smaller European markets to the detriment of all actors involved and the European citizens;*

Or. en

**Amendment 38**  
**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

*2 a. Recalls the Commission's obligation to report on the application of*

*Art. 13 (1) and (2) on the basis of the information provided by Member States by 19th December 2021 and of an independent study, taking into account the market and technological developments and the objective of cultural diversity;*

Or. en

**Amendment 39**  
**Andrey Slabakov**

**Motion for a resolution**  
**Paragraph 2 a (new)**

*Motion for a resolution*

*Amendment*

**2 a.   *Regrets that the Commission has not yet provided its report on the application of the 2010/13/EU Directive for the period 2015-2019, which would have contributed significantly in providing an accurate benchmarking of the implementation of the revised Directive;***

Or. en

**Amendment 40**  
**Peter Pollák**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

*Amendment*

3.       Calls on the Commission to take the necessary measures to prevent any abuse of rights in the application of Article 2(4) of the Directive;

3.       Calls on the Commission to take the necessary measures to prevent any abuse of rights in the application of Article 2(4) of the Directive; ***including by some Member States when imposing very restrictive requirements for broadcasters which are detriment of a healthy audiovisual media environment and good functioning of EU single market;***

#### **Amendment 41**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

#### **Motion for a resolution**

##### **Paragraph 3**

##### *Motion for a resolution*

3. Calls on the Commission to take the necessary measures to prevent any abuse of rights in the application of Article 2(4) of the Directive;

##### *Amendment*

3. Calls on the Commission to ***promptly*** take the necessary measures to ***address the shortcomings and*** prevent any abuse of rights in the application of Article 2(4) of the Directive;

Or. en

#### **Amendment 42**

**François-Xavier Bellamy**

#### **Motion for a resolution**

##### **Paragraph 4 a (new)**

##### *Motion for a resolution*

##### *Amendment*

***4a. Recalls that the derogation from the country of origin principle, established during the revision of the AVMSD in 2018, should be retained, in particular as regards the participation of all audiovisual media service providers in the funding of the audiovisual and cinematographic creation of a Member State whose national market is targeted; stresses that the aim of this is to strike a better balance between the rules that apply to different actors providing the same service, and also to ensure fair competition between all actors targeting a national market; stresses the need to assess the transposition of this mechanism, ensuring that any obligation to participate in funding ultimately contributes to the preservation of the cultural offer and to the outreach of***

*European creation;*

Or. fr

**Amendment 43**  
**Andrey Slabakov**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

*4 a. Notes that different levels of consumer protection with regards to commercial communications and the protection from harmful and illegal content exist in different environments; underlines that this creates an un-even level playing field between audiovisual media services and video sharing platforms which is detrimental to consumer protection and sustained investments in news and audiovisual content; notes that whilst audiovisual media service providers are subject to strict rules to protect viewers from harmful content under articles 6 and 6a of the AVMSD, video sharing platforms are only subject to limited requirements via article 28b which necessitates only to roll out some functionalities and modifying their terms and conditions;*

Or. en

**Amendment 44**  
**Morten Løkkegaard**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

*4 a. Notes that different levels of consumer protection with regards to commercial communications and the*

*protection from illegal content exist in different environments; underlines that this creates an un-even level playing field between audiovisual media services and video sharing platforms which is detrimental to consumer protection, especially concerning the protection of minors; underlines that the AVMSD is largely responsible for this regulatory asymmetry;*

Or. en

**Amendment 45**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 4 a (new)**

*Motion for a resolution*

*Amendment*

**4a.** *Calls for the definition of European work to be revised so as to consolidate the aspects relating to intellectual property and the exploitation of the work, and to enable effective enforcement of the AVMSD;*

Or. fr

**Amendment 46**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 4 b (new)**

*Motion for a resolution*

*Amendment*

**4b.** *Considers that ‘works originating in European third States party to the European Convention on Transfrontier Television’, in the wording of 1989, should not be classed as European works;*

Or. fr

**Amendment 47**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 4 c (new)**

*Motion for a resolution*

*Amendment*

**4c. Takes the view that any producers applying for their work to be classified as a European work must be established in an EU Member State and be holders of the rights, revenue and marketing mandates, as well as guarantors of the work's financial success;**

Or. fr

**Amendment 48**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 4 d (new)**

*Motion for a resolution*

*Amendment*

**4d. Considers that the producers established in a Member State must make the highest financial contribution to the total cost of production;**

Or. fr

**Amendment 49**  
**Catherine Griset**

**Motion for a resolution**  
**Paragraph 5**

*Motion for a resolution*

*Amendment*

5. Calls on the Member States to ensure, in transposing the Directive, that it is clear and easy to understand, in particular for end-users, whether the

5. Calls on the Member States to ensure, in transposing the Directive, that it is clear and easy to understand, in particular for end-users, whether the

protection of minors from harmful content, the protection of the general public against certain illegal content, and the content-related advertising restrictions of the Directive apply in the medium currently being used, especially online;

protection of minors from harmful content, ***such as pornography***, the protection of the general public against certain illegal content, and the content-related advertising restrictions of the Directive apply in the medium currently being used, especially online; ***the protection of minors must entail the full participation of stakeholders in the sector, through co-regulation and self-regulation instruments***;

Or. fr

**Amendment 50**  
**François-Xavier Bellamy**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5a. Notes that the digital space is being exploited abusively to disseminate content harmful to minors, particularly on websites and online platforms; considers, therefore, that measures for the protection of minors provided for in the revised AVMS Directive must be strengthened – in conjunction with any other legal instruments – by introducing financial penalties for websites and online content-sharing platforms which fail to comply with the applicable obligations by strengthening the capacity of national media regulators and the competent authorities to prosecute meaningfully any infringements identified, thus ensuring swift and effective action, but also encouraging coordination between public and private stakeholders in taking preventive action; takes the view that the self-regulation arrangements applicable to online content-sharing platforms are insufficient; stresses that stakeholders in the audiovisual sector must comply with the same obligation to protect minors***



*from damaging content;*

Or. fr

**Amendment 51**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5 a. Notes that the requirements for the protection of minors and consumers are still regulated very differently in the case of traditional media providers and that of VODs, thus undermining the harmonising provisions of the Directive in practice; calls, in particular, for the measures taken and the degree of implementation of Article 28b in the case of VODs to be examined as part of the ongoing evaluation of the implementation and effectiveness of the directive;***

Or. de

**Amendment 52**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

***5 a. Notes that different levels of consumer protection with regards to commercial communications; Underlines that this creates an un-even level playing field between audiovisual media services and video sharing platforms which is detrimental to consumer protection;***

Or. en

**Amendment 53**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 5 b (new)**

*Motion for a resolution*

*Amendment*

**5 b.** *Notes that whilst audiovisual media service providers are subject to strict rules to protect viewers from harmful content under articles 6 and 6a of the AVMSD, video sharing platforms are only subject to a light-touch regime via article 28b which requires them only to roll out some functionalities and modifying their terms and conditions;*

Or. en

**Amendment 54**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 5 c (new)**

*Motion for a resolution*

*Amendment*

**5 c.** *Is aware that article 5 recognises the ability of Member States to adopt legislative measures providing that, in addition to the information listed in paragraph 5.1, media service providers under their jurisdiction make accessible information concerning their ownership structure, including the beneficial owners; calls legislators to increase transparency requirements by turning article 5.2 from an enabling provisions into an obligation to pursue an objective of general interest;*

Or. en

## Amendment 55

Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski

### Motion for a resolution

#### Paragraph 6

##### *Motion for a resolution*

6. Considers that horizontal legislation applicable to audiovisual media services, such as the Digital Services Act or horizontal co- and self-regulation standards, such as the 2022 Strengthened Code of Practice on Disinformation, should always be interpreted in a manner that is consistent with the objectives of the Directive;

##### *Amendment*

6. Considers that horizontal legislation applicable to audiovisual media services, such as the Digital Services Act or horizontal co- and self-regulation standards, such as the 2022 Strengthened Code of Practice on Disinformation, should always be interpreted in a manner that is consistent with the objectives of the Directive; ***calls, with particular regard to the DSA, the EMFA proposal and the Regulation on political advertising for a clarification on the interplay of the AVMSD, not only in light of the endeavour to create legal certainty and ensure effective (cross-border) law enforcement but also in light of the maintenance of value decisions of the AVMSD such as the independence of supervision and the protection of editorial content;***

Or. en

## Amendment 56

Petra Kammerevert, Sylvie Guillaume, João Albuquerque, Hannes Heide, Victor Negrescu

### Motion for a resolution

#### Paragraph 6 a (new)

##### *Motion for a resolution*

##### *Amendment*

***6 a. Stresses the usefulness of the ‘MAVISE’ database<sup>1a</sup>, managed by the European Audiovisual Observatory, which provides information on audiovisual media services, video-sharing platforms, and their jurisdiction in Europe, and calls for further efforts to expand its reach and facilitate its use by***

*all interested users;*

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<sup>1a</sup> <https://mavise.obs.coe.int/>

Or. de

**Amendment 57**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

**6 a.    *Recalls that sectoral laws remain the core part of the regulatory framework for the media in the Union and calls upon European decision-makers to confirm and respect the basic principle that sectorial law shall prevail over horizontal law;***

Or. en

**Amendment 58**

**François-Xavier Bellamy**

**Motion for a resolution**

**Paragraph 6 a (new)**

*Motion for a resolution*

*Amendment*

**6a.    *Calls on the Commission to ensure greater legal certainty by clarifying the relationship between the various pieces of EU legislation that may impinge on the regulation of the audiovisual sector;***

Or. fr

**Amendment 59**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

## Paragraph 7

### *Motion for a resolution*

7. Calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA, to work on common qualitative and quantitative targets to promote the further development of accessible services and to improve the accessibility of services overall;

### *Amendment*

7. ***Notes that co-legislators have introduced important novelties in the revised Directive, notably a provision protecting the integrity of audiovisual media services (Article 7b) and a provision recognizing the ability of Member States to adopt measures promoting the prominence of audiovisual media services of general interest (Article 7a); highlights the need to ensure proper implementation of these provisions, considering the key role that device manufacturers and user interface providers play for the way in which citizens access, discover and find audiovisual media services online;*** calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA, to work on common qualitative and quantitative targets to promote the further development of accessible services and to improve the accessibility of services overall;

Or. en

## Amendment 60

**Petra Kammerevert, Sylvie Guillaume, João Albuquerque, Hannes Heide, Victor Negrescu**

### **Motion for a resolution**

#### **Paragraph 7**

### *Motion for a resolution*

7. Calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA, to work on common qualitative and quantitative targets to promote the further development of accessible services and to improve the accessibility of services overall;

### *Amendment*

7. Calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA ***and in dialogue with relevant civil society organisations***, to work on common qualitative and quantitative targets to ***continually*** promote the further development of accessible services and to improve the accessibility of services overall; ***clear targets, based in***

*each case on the most up-to-date technical developments, in relation to the respective access services, with clear deadlines set in relation to their respective implementation, are desirable; reporting on improvements in accessible offers must be publicly available;*

Or. de

**Amendment 61**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 7**

*Motion for a resolution*

7. Calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA, to work on common qualitative and quantitative targets to promote the further development of accessible services and to improve the accessibility of services overall;

*Amendment*

7. Calls on the Commission, on the basis of the Member States' reports and in cooperation with ERGA, to work on common qualitative and quantitative targets to promote the further development of accessible services *for persons with disabilities* and to improve the accessibility of services overall; *Such targets should state, with clear timelines, what percentage of audiovisual content should be made accessible and for what type of access service. These targets should be based on the situation of media accessibility in the Member State;*

Or. en

**Amendment 62**  
**Petra Kammerevert, Hannes Heide, Victor Negrescu**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

**7 a. Notes the potential of using artificial intelligence to increase the accessibility of audiovisual offers and**

*calls on the Commission and the Member States to promote this in a strategic and targeted manner;*

Or. de

**Amendment 63**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 7 a (new)**

*Motion for a resolution*

*Amendment*

**7 a.   Calls on the Commission to request European standards for access services, including icons, which respect existing practices but can be used by countries in which there is no quality guidance;**

Or. en

**Amendment 64**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 7 b (new)**

*Motion for a resolution*

*Amendment*

**7 b.   Recommends the future AccessibleEU Centre to create a forum for all the stakeholders affected by the European Accessibility Act (EAA) and the Audiovisual Media Services Directive (AVMSD) to exchange practices and find synergies to improve media accessibility in the EU;**

Or. en

**Amendment 65**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 7 c (new)**

*Motion for a resolution*

*Amendment*

**7 c.    *Calls on the Commission to procure a study to measure and benchmark media accessibility between Member States;***

Or. en

**Amendment 66**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș, Tomasz Frankowski**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

*Amendment*

8.       Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general interest; suggests, furthermore, that ERGA develop guidelines in this regard;

8.       Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general interest; suggests, furthermore, that ERGA ***should help to*** develop guidelines in this regard, ***with a view to a harmonised European approach, based on an analysis of best practices; believes that progress could be made towards an obligation of prominence for general interest audiovisual media services, under the condition that the scope and understanding of the general interest content is harmonised and does not go against EU values;***

Or. en

**Amendment 67**

**Petra Kammerevert, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution**  
**Paragraph 8**



*Motion for a resolution*

8. Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general interest; suggests, furthermore, that ERGA develop guidelines in this regard;

*Amendment*

8. Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general interest; suggests, furthermore, that ERGA develop guidelines in this regard, ***detailing how to promote audiovisual media services of general interest without restricting existing systems or their further development;***

Or. de

**Amendment 68**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. ***Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general interest; suggests, furthermore, that ERGA develop guidelines in this regard;***

*Amendment*

8. ***Calls for an obligation on platforms to ensure audiovisual media services of general interest and European works receive sufficient visibility, and for ERGA to publish guidelines for the proper implementation of this obligation;***

Or. fr

**Amendment 69**  
**François-Xavier Bellamy**

**Motion for a resolution**  
**Paragraph 8**

*Motion for a resolution*

8. Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general

*Amendment*

8. Encourages Member States to better use and exploit the opportunities that can arise from the appropriate promotion of audiovisual media services of general

interest; suggests, furthermore, that ERGA develop guidelines in this regard;

interest; ***takes the view that the measures laid down in Article 7(a) could be further strengthened***; suggests, furthermore, that ERGA develop guidelines in this regard;

Or. fr

**Amendment 70**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

***8 a. Regrets that only very few Member States have yet taken measures to promote the prominence of general interest audiovisual media services in accordance with Article 7a; Underlines the importance of numeric buttons on remotes, devices and user interfaces to ensure the visibility and findability of general interest services; Notes that some manufacturers are removing these buttons from their remotes, putting at stake traditional channel numbering systems and preventing the audience from directly accessing their favourite linear channels; Highlights the need to ensure proper implementation of these prominence provisions, considering the key role that device manufacturers and interface providers play for the way in which users access, discover and find audiovisual media services online;***

Or. en

**Amendment 71**  
**Petra Kammerevert, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

**8 a.** *Considers that there is a need for pre-defining, diversity-securing and specific media law requirements for the use and integration of artificial intelligence (AI), especially when it comes to the generation or distribution of audiovisual content; in this context, AI-supported models must be designed or, where necessary, their use restricted in such a way that they serve an open-ended model of discourse and equal opportunities in the media, and also promote critical-creative impulses and are open to being confronted with the counter-argument to one's own position;*

Or. de

**Amendment 72**  
**Andrey Slabakov**

**Motion for a resolution**  
**Paragraph 8 a (new)**

*Motion for a resolution*

*Amendment*

**8 a.** *Underlines the importance of numeric buttons on remotes to ensure the visibility and findability of general interest services; Notes that some manufacturers are removing these buttons from their remotes, putting at stake traditional channel numbering systems and preventing the audience from directly accessing their favourite linear channels;*

Or. en

**Amendment 73**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 8 a (new)**

**8a. Recalls that a Member State may impose obligations to ensure that operators of interfaces not established on its territory provide audiovisual media services of general interest and European works with sufficient visibility;**

Or. fr

**Amendment 74**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș, Tomasz Frankowski**

**Motion for a resolution  
Paragraph 9**

*Motion for a resolution*

9. Points out, in this regard, that services or content of general interest are deliberately not limited to public service media but also include content provided by commercial media service providers aimed at meeting social, democratic and cultural needs;

*Amendment*

9. Points out, in this regard, that services or content of general interest are deliberately not limited to public service media but also include content provided by commercial media service providers aimed at meeting social, democratic and cultural needs, **as they may represent a greater diversity of views on the political spectrum;**

Or. en

**Amendment 75**

**Petra Kammerevert, Sylvie Guillaume, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution  
Paragraph 9**

*Motion for a resolution*

9. Points out, in this regard, that services or content of general interest are deliberately not limited to public service media but also include content provided by commercial media service providers aimed

*Amendment*

9. Points out, in this regard, that services or content of general interest are deliberately not limited to public service media but also include **services or** content provided by commercial media service

at meeting social, democratic and cultural needs;

providers aimed at meeting social, democratic and cultural needs;

Or. de

#### **Amendment 76**

**François-Xavier Bellamy**

#### **Motion for a resolution**

##### **Paragraph 10**

##### *Motion for a resolution*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

##### *Amendment*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there; ***recalls that it is important for these measures to be based on transparent and objective criteria;***

Or. fr

#### **Amendment 77**

**Emmanuel Maurel**

#### **Motion for a resolution**

##### **Paragraph 10**

##### *Motion for a resolution*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

##### *Amendment*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability ***and prominence*** of content, ***European works*** and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

Or. fr

**Amendment 78**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

*Amendment*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure ***prominence of European audiovisual works***, findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

Or. en

**Amendment 79**  
**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**  
**Paragraph 10**

*Motion for a resolution*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

*Amendment*

10. Considers that the objectives of the Directive are served by Member States taking measures to ensure ***discoverability of European works and*** findability of content and services of general interest vis-à-vis relevant user interfaces and platform services that offer their services to users in the territory of that Member State but are not themselves established there;

Or. en

**Amendment 80**  
**Petra Kammerevert, Hannes Heide, Victor Negrescu**

**Motion for a resolution**

**Paragraph 10 a (new)**

*Motion for a resolution*

*Amendment*

**10 a. Calls on the Commission and the Member States, through consistent, coherent implementation and application of this Directive in conjunction with the Digital Services Acts, to minimise the regulatory disparities that exist regarding audiovisual offerings from different providers but which are available on one and the same online platform, while at the same time enforcing high standards with regard to respect for human dignity, ensuring the protection of minors, public order and safety, and a respectful, pluralistic and well-functioning democratic discourse;**

Or. de

**Amendment 81**

**Petra Kammerevert, Sylvie Guillaume, Hannes Heide, Victor Negrescu**

**Motion for a resolution**

**Paragraph 10 b (new)**

*Motion for a resolution*

*Amendment*

**10 b. Stresses that Member States are free to include other types of media, such as radio, online audio or press, when transposing the directive into national law;**

Or. de

**Amendment 82**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

**11 a. Urges the Commission to examine the effects of the transpositions and applications of Articles 13(1) (30% quota) and 13(2) (investment obligation), in particular, in order, on the one hand, to meet the requirements of Article 13(5) and, on the other hand, to determine in general how European works are promoted in view of the relevant and current cultural, technical and commercial developments taking place in a disparate European media landscape with small and large regional, European and non-European providers;**

Or. de

**Amendment 83  
Andrey Slabakov**

**Motion for a resolution  
Paragraph 11 a (new)**

*Motion for a resolution*

*Amendment*

**11 a. Welcomes the smooth and effective implementation by Member States of the minimum required 30% quota obligation for European works in on-demand services' catalogues, which has had a positive impact on cultural diversity through the exposure of the EU audience to European works and by offering opportunities for European creations to reach viewers across the EU;**

Or. en

**Amendment 84  
Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution  
Paragraph 12**



**12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level;**

**deleted**

Or. en

**Amendment 85**

**François-Xavier Bellamy**

**Motion for a resolution**

**Paragraph 12**

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level;

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level; ***points out that this is a mechanism the aim of which is to promote cultural diversity and stimulate European creation; stresses, however, that because of the late transposition of the revised AMS Directive by the Member States it is still too early to draw conclusions regarding implementation of Article 13, and in particular the provisions thereof on a minimum share of European works that providers of on-demand audiovisual media services should include in their catalogues, or provisions on financial contributions; calls on the Commission to carry out as soon as possible an assessment of the real impact of those provisions on cultural diversity and the promotion of European and independent creation; calls on the Commission to analyse the need for any future changes to the minimum thresholds for European works in the catalogues of providers of on-demand audiovisual media services in conjunction with the necessary assessment of the relevance of the criteria defining a European work; takes the view that, in order to define a European work, criteria such as ownership of intellectual property rights and authorisations for usage by***

*European creators and producers could be taken into account, thus allowing them to retain artistic control over their works; considers that that can help to ensure greater fairness in terms of contractual links between European creators and large platforms;*

Or. fr

**Amendment 86**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

12. *Considers it appropriate to maintain* the European quota targets as minimum targets *at their current* level;

*Amendment*

12. *Stresses the importance of the quota obligations and the financing tools introduced by Articles 13(1) and 13(2) of the AVMS Directive, which are fundamental to the objectives of promotion and diversity of the European audiovisual sector on which the Directive is grounded, emphasises the importance of the provisions on the promotion and distribution of European works along with discoverability tools provided by ERGA to Member States and their direct impact on local audiovisual creation and business ecosystems, reminds the Member States that the European quota targets are minimum targets, and they can go beyond these targets at national* level;

Or. en

**Amendment 87**

**Andrey Slabakov**

**Motion for a resolution**

**Paragraph 12**

*Motion for a resolution*

*Amendment*

12. Considers it appropriate to ***maintain the*** European quota ***targets as*** minimum ***targets at their current level;***

12. Considers it appropriate to ***envisage raising the minimum 30% share of*** European ***works in on-demand services'*** catalogues in the next revision of the Directive considering that the quota was already met in most Member States at the time of adoption of the Directive; suggests that a 50% minimum quota would remove the gap with broadcasters' obligations and would encourage the production of diversified European and authored works;

Or. en

**Amendment 88**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Considers it ***appropriate*** to maintain the European quota targets ***as*** minimum ***targets at their current level;***

*Amendment*

12. Considers it ***necessary*** to maintain the European quota targets ***and the*** visibility enhancing tools provided by ERGA to Member States; points out that Member States must be able to impose higher quotas for European or national works;

Or. fr

**Amendment 89**  
**Martina Michels**  
on behalf of the The Left Group  
**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Considers it appropriate to ***maintain*** the European quota targets as minimum ***targets at their current level;***

*Amendment*

12. Considers it appropriate to ***understand*** the European quota targets as minimum ***requirements and to include the*** cultural and economic effects of higher

*national quotas in the European debates on progress in implementation and on measures to ensure cultural diversity;*

Or. de

**Amendment 90**  
**Catherine Griset**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level;

*Amendment*

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level; ***states that European cultural creation must be safeguarded and supported through domestic preference rules;***

Or. fr

**Amendment 91**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 12**

*Motion for a resolution*

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level;

*Amendment*

12. Considers it appropriate to maintain the European quota targets as minimum targets at their current level ***and that the provision is implemented taking into account official languages in the Member States;***

Or. en

**Amendment 92**  
**Andrey Slabakov**

**Motion for a resolution**

## **Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

**12 a.** *Notes that the quota of European works for on-demand services does not exclude certain types of programmes contrary to the quota for broadcasters of Article 16 that excludes news, sports events, games, advertising, teletext services and tele-shopping; also notes that the business models of on-demand services have evolved to include non-scripted programmes in addition to films and series; calls, therefore, on the Commission to assess the types of programmes offered by on-demand services to ensure that the focus of the quota on films and series is not undermined by other programmes and to review the 2020 guidelines on the calculation of European works if necessary;*

Or. en

## **Amendment 93**

**Petra Kammerevert, Hannes Heide, Victor Negrescu**

**Motion for a resolution**

**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

**12 a.** *Draws the Commission's attention to its reporting obligation under Article 13(5) of the AVMSD and calls on it, in particular, to examine whether the rule in Article 13(2) could, in certain circumstances, run counter to the country of origin principle, lead to fragmentation of the internal market or possibly discourage market participants from investing in smaller markets, ultimately harming cultural and media diversity, and calls on the Commission to suggest possible solutions where appropriate;*

**Amendment 94**  
**François-Xavier Bellamy**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12a. Stresses that practices such as the acquisition by platforms, in perpetuity, of all intellectual property rights of European creators and producers can have a negative impact on cultural diversity; calls on the Commission to consider, in connection with any potential revision of the AMS Directive by 2026, measures to enhance enforcement of intellectual property rights;***

Or. fr

**Amendment 95**  
**Martina Michels**  
on behalf of the The Left Group  
**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Proposes that the effective access to European works in online catalogues, in particular those of the major streaming providers in accordance with Article 13(1), be the focus of independent implementation studies and their social evaluations, in order to thus help to ensure findability in a lasting manner, firmly establishing this as a necessary concept for safeguarding cultural diversity based on effective practical experience;***

**Amendment 96**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Requests a detailed monitoring of the implementation of Art. 13(1) to discover differences in the approaches of broadcasters and VoDs with regard to the provision as well as possible differences in the qualifications of European works, calls on the Commission to assess the types of programmes offered by VoD services to ensure that the focus of the quota is not undermined by filling it with non-scripted programmes;***

Or. en

**Amendment 97**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Recommends to envisage raising the minimum 30% share of European works in on-demand services' catalogues in the next revision of the Directive considering that the quota was already met in most Member States at the time of adoption of the Directive;  
Suggests increasing the quota to reduce the gap with the broadcasters' obligation and encouraging the production of European and independent works;***

Or. en

**Amendment 98**  
**Morten Løkkegaard**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Recognises that implementation of the provisions foreseen in the AVMSD has been disproportionate in some cases; notes that this can be detrimental to the healthy European audiovisual media environment and undermine the single market; considers that a maximum harmonisation approach may be more appropriate in some areas of the AVMSD to avoid abuses and disproportionate implementation;***

Or. en

**Amendment 99**  
**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**  
**Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

***12 a. Considers that the introduction of minimum quotas for European works are a useful tool to promote the creation and access to European works; considers it necessary to ensure regular monitoring of the percentage of European works in catalogues and to adjust the level of obligation if necessary, with a view to ensure the presentation of a diversity of works;***

Or. en

**Amendment 100**



**Emmanuel Maurel**

**Motion for a resolution  
Paragraph 12 a (new)**

*Motion for a resolution*

*Amendment*

**12a. Points to the importance of providing Member States, in particular through ERGA, with effective means and tools to monitor compliance with the requirements of the Directive, as well as penalties for non-compliance;**

Or. fr

**Amendment 101**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution  
Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

**12 b. Emphasises that audiovisual media services also have an obligation to ensure the discoverability of European works by, for example, having a dedicated section for European works on the home page of the service or the possibility to search for European works in the search tool of the service, or European works being promoted with banners; and that reliable metadata is needed to ensure these obligations are met; calls on increasing the incentives for adopting national discoverability regimes for European works and audiovisual media services of general interest, believes that ERGA or the future Board for Media Services could be tasked to elaborate practical guidance on the basis of best practices to assist national authorities and help reduce the complexity of defining the different elements of sound and workable prominence regimes;**

Or. en

**Amendment 102**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Affirms that the definition of European works, both in its geographical scope and in its criteria relating to the production of the work, must effectively serve primarily the promotion of works produced in the European Union and whose exploitation benefits companies established in the Union; in this respect, recalls that the European Commission has planned to publish a Media Outlook to study the major media trends and analyse their impact on media markets and business models; regrets that this report could not be published in due time; considers that, should the Media Outlook data show a major imbalance, the definition of European works could be adapted so that the quotas better reflect the above-mentioned objectives;***

Or. en

**Amendment 103**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Notes that the quota of European works for on-demand services does not excludes certain types of programmes contrary to the quota for broadcasters of Article 16 that excludes news, sports events, games, advertising, teletext services and tele-shopping; also notes that the business models of on-demand***

*services have evolved to include non-scripted programmes in addition to films and series; Calls therefore on the Commission to assess the types of programmes offered by on-demand services to ensure that the focus of the quota on films and series is not undermined by other programmes and to review the 2020 guidelines on the calculation of European works if necessary;*

Or. en

**Amendment 104**  
**Petra Kammerevert**

**Motion for a resolution**  
**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

*12 b. Maintains an open and broad understanding of the concept of 'European audiovisual work' as laid down in the European Convention on Transfrontier Television of the Council of Europe of 5 May 1989<sup>1a</sup>, reiterates the diversity-enhancing effect of such a broad understanding and rejects any attempts, especially those of the Commission, to restrict or narrow it;*

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<sup>1a</sup> <https://rm.coe.int/168007b0f0>

Or. de

**Amendment 105**  
**Morten Løkkegaard**

**Motion for a resolution**  
**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Underlines that European works quotas diverging from the directive or national sub-quotas, additional investment requirements and complex financial contribution obligations create significant compliance costs for market operators, especially for European actors attempting to expand to new markets within the EU; emphasizes that this undermines the integrity of the single market;***

Or. en

**Amendment 106**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Calls on the European Commission and the Member States, when applying rules for fair and equal regulation to all providers of audio-visual productions in the age of media convergence, to pay particular attention to the role of streaming services in promoting, publicising and making European works findable;***

Or. de

**Amendment 107**

**Andrey Slabakov**

**Motion for a resolution**

**Paragraph 12 b (new)**

*Motion for a resolution*

*Amendment*

***12 b. Encourages the Commission to evaluate the implementation of the***

*general obligation of prominence of European works in Article 13(1) and to present proposals for specific measures to be applied by all Member States;*

Or. en

**Amendment 108**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

*12 c. Welcomes the transposition by several Member States of the possibility of having European works financed by video-on-demand services operating in their territory; considers that one way of making this mechanism even more virtuous would be to channel this funding towards independent producers respecting the European copyright framework as well as national authors' and performers' rights;*

Or. en

**Amendment 109**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

*12 c. Encourages the Commission to evaluate the implementation of the general obligation of prominence of European works in Art 13(1) and calls on the Commission and ERGA to promote the exchange of best practices between Member States regarding the deployment of discoverability tools, to, in the long term, present proposals for specific*

*measures to be applied by all Member States;*

Or. en

**Amendment 110**  
**Andrey Slabakov**

**Motion for a resolution**  
**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

*12 c. Welcomes the introduction by a majority of Member States of financial obligations requiring on-demand services to invest part of their revenues earned in the country in the local production (via contributions to funds or direct investment), thus maintaining a steady and diverse industrial audiovisual ecosystem in these countries;*

Or. en

**Amendment 111**  
**Morten Løkkegaard**

**Motion for a resolution**  
**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

*12 c. Notes with concern the emergence of multiple and differing financial contribution at member state level; highlights that this is inconsistent with the country of origin principle and undermines the integrity of the single market; furthermore, it exacerbates asymmetries between Audiovisual Media Services and online platforms;*

Or. en

**Amendment 112**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

***12 c. Considers that there is an urgent need, when examining the implementation of the AVMSD in the Member States, for the Commission to penalise systematic violations of fundamental rights, for example under the guise of protecting minors by, for instance, excluding LGBTI topics from national programmes and advertising;***

Or. de

**Amendment 113**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 12 c (new)**

*Motion for a resolution*

*Amendment*

***12 c. Considers it appropriate to monitor closely the European quota targets implementation, including the types of audiovisual works covered and volume calculation for the on-demand services quota and to do so taking language as a unit of analysis;***

Or. en

**Amendment 114**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 12 d (new)**

*Motion for a resolution*

*Amendment*

***12 d. Welcomes the introduction by a majority of Member States of financial obligations requiring on-demand services to invest part of their revenues earned in the country in the local production (via contributions to funds or direct investment), taking into account the cultural and linguistic diversity of the territorial area in which they are located or are conducting their service to; Encourages the Commission to present a proposal making this financial obligation mandatory and ensure the production of content in languages with lower audiovisual production;***

Or. en

**Amendment 115**

**Andrey Slabakov**

**Motion for a resolution**

**Paragraph 12 d (new)**

*Motion for a resolution*

*Amendment*

***12 d. Encourages the Commission and Member State to review national administrative practices regulating quota compliance and financial obligations, with a view to establish best practices and reduce the administrative and financial burden for national administrations and for broadcasters and on-demand services;***

Or. en

**Amendment 116**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 12 e (new)**



*Motion for a resolution*

*Amendment*

**12 e. Urges to facilitate accessibility (dubbing, subtitles, audio descriptions or others) in all languages of the territory where the audiovisual media service is provided;**

Or. en

**Amendment 117**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 12 f (new)**

*Motion for a resolution*

*Amendment*

**12 f. Is concerned by the implementation of the AVMSD in Hungary, which openly discriminates against the LGBT community and contravenes fundamental rights enshrined in articles 7,9 11, 16 and 21 of the Charter of Fundamental Rights of the European Union by seeking to ban or limit exposure to LGBT communities and issues in programming and advertising content;**

Or. en

**Amendment 118**  
**Catherine Griset**

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Encourages, furthermore, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award**

**deleted**

*decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;*

Or. fr

#### **Amendment 119**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

#### **Motion for a resolution**

##### **Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Encourages, furthermore, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;**

*deleted*

Or. en

#### **Amendment 120**

**Emmanuel Maurel**

#### **Motion for a resolution**

##### **Paragraph 13**

*Motion for a resolution*

*Amendment*

**13. Encourages, furthermore, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should**

**13. Points up the importance of the obligations regarding quotas and funding tools laid down in Articles 13(1) and 13(2) of the AMS Directive, which are essential for realising the objectives of promoting**

*provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;*

*the European audiovisual sector and ensuring its diversity;*

Or. fr

#### **Amendment 121**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis**

#### **Motion for a resolution**

##### **Paragraph 13**

###### *Motion for a resolution*

13. Encourages, furthermore, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;

###### *Amendment*

13. Encourages, furthermore, *in addition to traditional direct investment in film production and the regionally different film support structures that have evolved to achieve high-quality audiovisual content produced in the EU*, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;

Or. de

#### **Amendment 122**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou**

#### **Motion for a resolution**

## Paragraph 13

### *Motion for a resolution*

13. Encourages, ***furthermore, greater agreement on common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;***

### *Amendment*

13. Encourages ***the integration of criteria related to*** talent development, social obligations, inclusion, diversity, gender equality or greening ***into existing tax incentives; recalls that tax incentives are only one tool among others to encourage production, and that they do not qualify as financial obligations in the sens of the Directive;***

Or. en

## Amendment 123

Andrey Slabakov

### Motion for a resolution

#### Paragraph 13

### *Motion for a resolution*

13. Encourages, furthermore, greater agreement on common EU-wide requirements ***in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;***

### *Amendment*

13. Encourages, furthermore, greater agreement on common EU-wide requirements ***ensuring that only European works whose production contracts respect the moral rights and right to appropriate and proportionate remuneration of their authors can qualify for the quotas of Articles 13, 16 and 17 and receive financial support at European and local levels;***

Or. en

## Amendment 124

Diana Riba i Giner

**Motion for a resolution**  
**Paragraph 13**

*Motion for a resolution*

13. Encourages, furthermore, **greater agreement on** common EU-wide requirements in investment incentive schemes in the form of tax credits; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;

*Amendment*

13. Encourages, furthermore, **to assess the possibility of** common EU-wide requirements in investment incentive schemes in the form of tax credits **as a way to complement the financial obligations provisions in the directive**; considers that such schemes should provide automatic eligibility mechanisms so that they are less dependent on award decisions by panels, are not capped and provide additional incentives for social or cultural effects that are desirable in terms of media policy, such as talent development, social obligations, inclusion, diversity, gender equality or greening;

Or. en

**Amendment 125**

**Alexis Georgoulis, Laurence Farreng, Diana Riba i Giner, Andrey Slabakov, Ibán García Del Blanco, Tomasz Frankowski, Irena Joveva, Dace Melbārde, Niklas Nienaaß, Hannes Heide, Salima Yenbou, Martina Michels**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

**13 a. Recognizes the importance of the introduction of a minimum VoD quota and considers that ensuring its effective implementation is a priority; calls on the European Commission, Member States and audiovisual regulators to proceed to a detailed monitoring of its concrete implementation in all Member States as well as to assess its impact on the geographical, cultural, linguistic and artistic diversity of audiovisual works available to the European audience, including authored works; considers that equating a season of a series with one title**

*should be assessed in due time in light of the objective of ensuring a balanced representation of cinematographic works and TV series;*

Or. en

**Amendment 126**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

*13 a. Considers that any derogation to the country of origin principle and the introduction of any new barriers and restrictions to the freedom to provide services as established under Articles 56-62 of the Treaty on the Functioning of the European Union, need to be assessed against the safeguards of proportionality, flexibility, predictability and non-discrimination;*

Or. en

**Amendment 127**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

*13 a. Considers that when a Member State decides to impose financial obligations in favour of public broadcasters they should promote equal treatment and benefit all the different public broadcasters in the territory;*

Or. en

**Amendment 128**  
**François-Xavier Bellamy**

**Motion for a resolution**  
**Paragraph 13 a (new)**

*Motion for a resolution*

*Amendment*

**13a. Points out that, for the European audiovisual media market to function properly, effective measures to combat piracy of copyright-protected content are required too;**

Or. fr

**Amendment 129**  
**Sabine Verheyen, Michaela Šojdrová**

**Motion for a resolution**  
**Paragraph 13 b (new)**

*Motion for a resolution*

*Amendment*

**13 b. Emphasises the importance of the ability for Member States to develop investment obligations as per Art. 13.2 as these are essential for culturally diverse audiovisual ecosystems to be sustained locally in a globalised production and distribution market; welcomes the introduction by a majority of Member States of financial obligations requiring VoD- services to invest parts of their revenues in local productions; recalls the high level of flexibility left to Member States in designing investment obligations via direct investment (production and/or rights acquisition) or paying a levy to a support fund, suggests that greater efforts should be made on common European standards in investment incentive schemes;**

Or. en

#### **Amendment 130**

**Alexis Georgoulis, Laurence Farreng, Diana Riba i Giner, Andrey Slabakov, Ibán García Del Blanco, Tomasz Frankowski, Irena Joveva, Dace Melbārde, Niklas Nienaaß, Hannes Heide, Massimiliano Smeriglio, Salima Yenbou, Martina Michels**

#### **Motion for a resolution**

##### **Paragraph 13 b (new)**

*Motion for a resolution*

*Amendment*

***13 b. Stresses the importance of prominence, promotion and discoverability of European works and that they should be the subject of more attention and proposals, on the continuity of the work done by ERGA on the matter; calls on the Commission to present guidelines on how Member States can ensure the prominence and the discoverability of European works, with a view to improving access to a greater cultural and linguistic diversity, and suggests that these guidelines may define the terms of prominence and discoverability; stresses the need for access to online consumption data in order to properly evaluate the impact of the prominence obligation in particular;***

Or. en

#### **Amendment 131**

**François-Xavier Bellamy**

#### **Motion for a resolution**

##### **Paragraph 13 b (new)**

*Motion for a resolution*

*Amendment*

***13b. Stresses that the principle of licence fee territoriality, which is inherent to the audiovisual sector's funding model, plays a crucial role with regard to cultural diversity in that it prevents concentration of dominant players on the market, which would be detrimental to independent, alternative offerings; therefore restates the need to safeguard that principle and to***



*keep audiovisual media services outside the scope of Regulation 2018/302, ensuring the sustainability of a diversified audiovisual offering and thus complementing the objectives of the AMS Directive;*

Or. fr

**Amendment 132**

**Alexis Georgoulis, Laurence Farreng, Diana Riba i Giner, Andrey Slabakov, Ibán García Del Blanco, Tomasz Frankowski, Irena Joveva, Dace Melbārde, Niklas Nienaß, Hannes Heide, Massimiliano Smeriglio, Salima Yenbou, Martina Michels**

**Motion for a resolution  
Paragraph 13 c (new)**

*Motion for a resolution*

*Amendment*

*13 c. Insists on the importance of the article 13.2 on the possibility to introduce financial obligations (contributions to funds or direct investment obligations) on the basis of a targeted derogation to the country-of-origin principle, as Member States retain full competence over their cultural policies including for the audiovisual sector; highlights that financial obligations are instrumental in stimulating private investments and public support policies to the benefit of European works and to sustain local audiovisual ecosystems in a changing market context; encourages Member States implementing financial obligations to make sure that they benefit European independent producers and authors as well as different audiovisual genres and the linguistic expressions;*

Or. en

**Amendment 133**

**François-Xavier Bellamy**

**Motion for a resolution**

**Paragraph 13 c (new)**

*Motion for a resolution*

*Amendment*

**13c.** *Points out that data collection by platforms on the use of audiovisual works offers them considerable competitive advantages; calls on the Commission to seek appropriate solutions to this market imbalance and ensure that audiovisual services are able to access data relating to use of their own content;*

Or. fr

**Amendment 134**

**Andrey Slabakov**

**Motion for a resolution**

**Paragraph 14**

*Motion for a resolution*

*Amendment*

**14.** *Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, does not serve the intended objective; notes that quota levels are purely quantitative targets which can best be achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service;*

*deleted*

Or. en

**Amendment 135**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 14**

**14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, does not serve the intended objective; notes that quota levels are purely quantitative targets which can best be achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service;**

**deleted**

Or. en

**Amendment 136**

**Martina Michels**

on behalf of the The Left Group

**Alexis Georgoulis, Emmanuel Maurel**

**Motion for a resolution**

**Paragraph 14**

14. Considers that equating a season of a series with one **title**, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, does not serve the **intended objective**; notes that **quota levels are purely quantitative targets which can best be achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service**;

14. Considers that equating a season of a series with one **film**, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, does not serve the **objective of ascertaining the share of European productions achieved in relation to non-European offers**; notes that, **in the interests of proportionality and effectiveness, the guidelines explicitly encourage Member States to introduce weighting mechanisms, whereby, for example, titles with significantly higher production costs compared to other titles in the catalogue also receive a higher value in the calculation; considers that the result of a weighting mechanism must reflect the production effort and, at the same time, be suitable as an assessment**

*key for a straightforward quantitative comparison of all productions in available catalogues;*

Or. de

**Amendment 137**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *does not serve the intended objective; notes that quota levels are purely quantitative targets which can best be achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service;*

*Amendment*

14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *results in the wider dissemination of European works on platforms;*

Or. fr

**Amendment 138**  
**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**  
**Paragraph 14**

*Motion for a resolution*

14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *does not serve the intended objective; notes that quota levels are purely quantitative targets which can best be*

*Amendment*

14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *should be assessed in due time in light of the objective of ensuring a balanced representation of cinematographic works*

*achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service;*

*and series;*

Or. en

#### **Amendment 139**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

#### **Motion for a resolution**

##### **Paragraph 14**

###### *Motion for a resolution*

14. Considers that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *does not serve the intended objective; notes that quota levels are purely quantitative targets which can best be achieved equitably by means of a minute-by-minute count in relation to the total size, measured in minutes, of the currently available catalogue of a video-on-demand service;*

###### *Amendment*

14. Considers *that a diverse and balanced representation of audiovisual formats should be promoted on video-on-demand services, namely between television series and cinematographic works; considers in this respect* that equating a season of a series with one title, as set out in the guidelines pursuant to Article 13(7) of the Directive on the calculation of the share of European works in on-demand catalogues, *should be evaluated to secure this objective and provide European consumers with a varied offer;*

Or. en

#### **Amendment 140**

**Ibán García Del Blanco, Niklas Nienaaß, Andrey Slabakov, Alexis Georgoulis, Salima Yenbou, Laurence Farreng, Anne-Sophie Pelletier, Hannes Heide**

#### **Motion for a resolution**

##### **Paragraph 14 a (new)**

###### *Motion for a resolution*

###### *Amendment*

*14 a. Calls on Member States to better protect the European model of author's rights against practices, such as work-for-hire contracts and buy-out contracts,*

*where the intellectual property rights of creators are waived in full or in part; stresses that, in order to be considered an European work pursuant to Article 13(7) of the Directive, the law governing the contract must be that of the European Union or of one of its Member States; suggests that this latter requirement also applies to the eligibility criteria to benefit from funding under the Creative Europe Media programme;*

Or. en

**Amendment 141**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

**Motion for a resolution**

**Paragraph 14 a (new)**

*Motion for a resolution*

*Amendment*

*14 a. Calls for further analysis of the actual implementation of the guidelines pursuant to Article 13(7) of the AVMSD for calculating the share of European works in on-demand catalogues, in order to assess whether the calculation of shares of works in the catalogues of on-demand service providers but also as regards low turnover and low audience providers are sufficiently clear and allow for the application to be harmonised to a sufficient extent;*

Or. en

**Amendment 142**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Paragraph 14 a (new)**

*Motion for a resolution*

*Amendment*

*14 a. Stresses that the prominence of*

*European works as required by Article 13 of the Directive cannot be achieved without transparent access to data on the consumption of works; recalls that this data is necessary both for national financing funds and for private audiovisual actors; calls on the European Commission and the Member States for an initiative for the transparency of data relating to the success of works;*

Or. en

**Amendment 143**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 14 a (new)**

*Motion for a resolution*

*Amendment*

*14a. Consider that strategies should be developed to improve the discoverability of European works on platforms;*

Or. fr

**Amendment 144**  
**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**  
**Paragraph 14 b (new)**

*Motion for a resolution*

*Amendment*

*14 b. Considers that the role of the Directive is also to structure a European environment beneficial to European audiovisual creation; believes that such an environment should include some form of protection of European works, intellectual property and production capacity, and to ensure that European audiovisual actors receive adequate economic benefits from the exploitation of their works; calls therefore on the*

*Commission and the Member States to continue their discussions on the protection of strategic cultural assets;*

Or. en

**Amendment 145**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

15. Calls for the potential of co- and self-regulation to be exploited to the full and for their respective impact on audiovisual media service providers to be evaluated regularly;

*Amendment*

15. Calls for the potential of co- and self-regulation to be exploited to the full and for their respective impact on audiovisual media service providers to be evaluated regularly ***to provide the best possible quality and impact;***

Or. en

**Amendment 146**  
**Victor Negrescu**

**Motion for a resolution**  
**Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

***15 a. Calls on all Member States to swiftly implement the Audiovisual Media Services Directive as revised in 2018 in all its provisions; Calls on the Commission to closely monitor development in this regard with special attention to Article 30 provisions on the role, powers and independence of audiovisual media services regulators; Insists that national regulatory authorities or bodies shall exercise their powers impartially and transparently and in accordance with the objectives of this Directive, in particular media pluralism, cultural and linguistic diversity, consumer protection,***



*accessibility, non- discrimination, the proper functioning of the internal market and the promotion of fair competition; and that national regulatory authorities or bodies should have adequate financial and human resources and enforcement powers to carry out their functions effectively;*

Or. en

**Amendment 147**

**Petra Kammerevert, Sylvie Guillaume, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution  
Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

*15 a. Calls on the Commission to further investigate the fast-growing offer of audiovisual media services produced by online influencers, with a focus on youth and consumer protection, and to fully enforce the clear and recognisable separation between advertising and own content; the failure to identify commercial communications as such is increasingly becoming a problem in terms of competition and has a negative impact on the protection of minors and consumers;*

Or. de

**Amendment 148**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution  
Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

*15 a. Considers that consideration could be given to the implementation of Article 14 of the Directive, concerning the*

*broadcasting of events of major importance and the possibility for the general public to watch them, particularly with regard to the acquisition of audiovisual sports rights by video-on-demand subscription services;*

Or. en

**Amendment 149**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 15 a (new)**

*Motion for a resolution*

*Amendment*

*15 a. Calls to Member States and regional governments to ensure that national and regional regulatory authorities exercise their powers impartially and transparently and in accordance with the objectives of this Directive, in particular media pluralism, cultural and regional diversity, language preservation, and consumer protection;*

Or. en

**Amendment 150**  
**Petra Kammerevert, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution**  
**Paragraph 15 b (new)**

*Motion for a resolution*

*Amendment*

*15 b. Notes that in addition to IPTV and OTT TV operators, many platform providers relevant for the distribution of and access to audiovisual media services, radio services and print or audio online services in the EU do not fall within the scope of the Digital Market Act and are therefore not obliged to grant access to data generated in relation to the use of a*

*corresponding media service and may also continue to place their own services or offers before those of third parties; both have a detrimental impact on the European media landscape, harm fair competition in the media and need to be addressed by legislation;*

Or. de

**Amendment 151**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 15 b (new)**

*Motion for a resolution*

*Amendment*

*15 b. Stresses that in more than half of the EU Member States, the appointment of heads of national and regional media regulatory authorities(NRMRs) or members of the bodies is considered either medium or high risk, according to the latest Media Pluralism Monitor of the Centre for Media Pluralism and Media Freedom (CMPF) showing clearly that stronger enforcement mechanisms are needed;*

Or. en

**Amendment 152**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 15 c (new)**

*Motion for a resolution*

*Amendment*

*15 c. Recalls that ERGA is composed of national independent regulatory authorities and those regional independent regulatory authorities with competencies in the field of audiovisual media services; believes that national and*

*regional independent regulatory authorities can represent the Member State in a rotating system and participate in the meetings;*

Or. en

**Amendment 153**

**Petra Kammerevert, João Albuquerque, Hannes Heide, Victor Negrescu**

**Motion for a resolution**

**Paragraph 15 c (new)**

*Motion for a resolution*

*Amendment*

*15 c. Calls on the Member States and the Commission to ensure wherever possible that the identity of the audiovisual media service provider is clearly identifiable by users, including online, by means of a logo or other type of branding;*

Or. de

**Amendment 154**

**Diana Riba i Giner**

**Motion for a resolution**

**Paragraph 15 d (new)**

*Motion for a resolution*

*Amendment*

*15 d. Asks Member States and regional governments with competences with in the field of audiovisual media services to establish national and regional regulatory authorities with competences in the field of audiovisual media services that are independent of their governments or other public or private bodies; recalls that regulators should exercise their powers impartially and transparently, according to Article 30 (2);*

Or. en

#### **Amendment 155**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

#### **Motion for a resolution**

##### **Paragraph 16**

##### *Motion for a resolution*

16. Urges the Member States to fulfil their obligation under Article 30(4) of the Directive regarding the financial and human resources of national regulatory authorities or bodies in light of their increasingly complex tasks and to promote their cross-border cooperation and insists on the need to safeguard the independence required by the Directive;

##### *Amendment*

16. Urges the Member States to fulfil their obligation under Article 30(4) of the Directive regarding the financial and human resources of national regulatory authorities or bodies in light of their increasingly complex tasks and to promote their cross-border cooperation and insists on the need to safeguard the independence required by the Directive; ***Stresses the importance of providing ERGA with effective means and tools to monitor compliance with the obligations laid down in the Directive, as well as sanctions in the event of non-compliance, requests more independence for ERGA by, among others, setting up an own Secretariat independent from the Commission;***

Or. en

#### **Amendment 156**

**Sabine Verheyen, Michaela Šojdrová, Tomasz Frankowski**

#### **Motion for a resolution**

##### **Paragraph 16 a (new)**

##### *Motion for a resolution*

##### *Amendment*

***16 a. Stresses the need to protect SMEs, to ensure the proper functioning of the audiovisual sector and adverse offer to the benefit of the EU audience;***

Or. en

#### **Amendment 157**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

17. Urges the Commission to issue in good time the guidelines required under Article 33a(3) on the scope of the Member States' reports on the implementation of the measures for the development of media literacy skills, so that the timely submission of these reports is not further delayed;

*Amendment*

17. Urges the Commission to issue in good time the guidelines required under Article 33a(3) on the scope of the Member States' reports on the implementation of the measures for the development of media literacy skills, so that the timely submission of these reports is not further delayed; ***reiterates that recipients of media services within the European Union have a right to receive and impart information pursuant to Article 11 of the Charter of Fundamental Rights of the European Union and recalls that this right, and the ability to access free and pluralistic media services in the European Union, cannot be enjoyed by all unless it is accompanied by sufficient media literacy education, as particularly addressed by the revised Audiovisual Media Services Directive; emphasises that media literacy should not be limited to learning about tools and technologies, but should aim to equip citizens with the critical thinking skills required to exercise judgment, analyse complex realities and recognise the difference between opinion and fact;***

Or. en

**Amendment 158**

**Ibán García Del Blanco, Niklas Nienaaß, Alexis Georgoulis, Salima Yenbou, Laurence Farreng, Anne-Sophie Pelletier, Hannes Heide**

**Motion for a resolution**

**Paragraph 17**

*Motion for a resolution*

17. Urges the Commission to issue ***in good time*** the guidelines required under Article 33a(3) on the scope of the Member

*Amendment*

17. Urges the Commission to issue ***without undue delay*** the guidelines required under Article 33a(3) on the scope

States' reports on the implementation of the measures for the development of media literacy skills, so that the timely submission of *these* reports is not further delayed;

of the Member States' reports on the implementation of the measures for the development of media literacy skills, *as is it referred in Recital 59 of the AVMSD, in order to ensure a more effective and unified implementation and control of the AVMSD among all the State Members*, so that *the implementation of the directive and* the timely submission of *control* reports is not further delayed;

Or. en

#### **Amendment 159**

**Sabine Verheyen, Michaela Šojdrová**

#### **Motion for a resolution**

##### **Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

**17 a. Notes that challenges to the right to receive and impart information and to the ability to access free and pluralistic media services are often compounded as a result of the predominance of certain online platforms; therefore recommends that consideration be given to create levy on these platforms from which funding could be sourced for the establishment and strengthening of media literacy initiatives across Member States;**

Or. en

#### **Amendment 160**

**Emmanuel Maurel**

#### **Motion for a resolution**

##### **Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

**17a. Calls for all measures to be taken to guarantee cultural diversity, pluralism of opinion in the EU, the independence of**

*European producers, their capacity for innovation and preservation of the intellectual property of their works, based in particular on an in-depth analysis of market developments in the EU*

Or. fr

**Amendment 161**

**Laurence Farreng, Irena Joveva, Ilana Cicurel, Salima Yenbou, Vlad-Marius Botoș**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

**17 a. Stresses that the future dissolution of the ERGA in favour of the European Board for Media Services, in light of the upcoming European Media Freedom Act, should not hamper the proper application of the revised Directive;**

Or. en

**Amendment 162**

**Sabine Verheyen**

**Motion for a resolution**

**Paragraph 17 b (new)**

*Motion for a resolution*

*Amendment*

**17 b. Understands that Article 14 of the AVMSD is sometimes implemented in a disproportionate manner, inter alia, concerning the volume of events covered, the rules on negotiations with qualified bidders and qualifying criteria, or their overall fitness for the current competitive landscape; Calls on the Commission to closely monitor these rules and assess their adequateness in the future;**

Or. en



**Amendment 163**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 17 b (new)**

*Motion for a resolution*

*Amendment*

***17b. Stresses that the worrying rise in audiovisual production costs is due in particular to the absence of regulation in that sector and that effective implementation of the obligations contained in the AVMS Directive will prevent future increases;***

Or. fr

**Amendment 164**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 17 c (new)**

*Motion for a resolution*

*Amendment*

***17c. Points out that the obligations imposed on non-linear services are justified and could be stepped up;***

Or. fr

**Amendment 165**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 17 f (new)**

*Motion for a resolution*

*Amendment*

***17f. Calls for platforms to provide rights holders, the ERGA and the competent national authorities with all the data needed to gauge the distribution of***

*works;*

Or. fr

**Amendment 166**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 17 g (new)**

*Motion for a resolution*

*Amendment*

***17g. Calls for a ban on content modification without the agreement of audiovisual media service providers in order to guarantee editorial freedom and pluralism;***

Or. fr

**Amendment 167**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Recalls the importance of Recital 71 of the AVMS Directive, which seeks to strengthen the criteria defining an independent production, specifying that it should be the work of an independent producer and own the related revenues and exploitation rights (including secondary rights).***

***Furthermore, the broadcaster of such an independent production should not hold, directly or indirectly, more than the producer's majority share of the production or resulting revenues, nor should it be given financial, technical, legal and artistic responsibility for the production of the work;***

**Amendment 168**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

**18 a. Regrets that some Member States defined independent producers in a way that allows producers linked to a media service provider to be considered as such; is concerned that this leads to market concentration and departs from the cultural and language diversity objective of the directive;**

Or. en

**Amendment 169**  
**Diana Riba i Giner**

**Motion for a resolution**  
**Paragraph 18 b (new)**

*Motion for a resolution*

*Amendment*

**18 b. Reminds the Member States that an Independent European audiovisual producer is a company which is not, directly or indirectly, majority controlled by an audiovisual media service provider, either in shareholding or commercial terms; notes that majority control is considered to occur when more than 25% of the share capital of a production company is held by a single audiovisual media service provider (50% when several audiovisual media service providers have shares or other means of control in the company)<sup>1a</sup>;**

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<sup>1a</sup> **Creative Europe Programme (CREA)  
Call for proposals**

[https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/crea/wp-call/2023/call-fiche\\_crea-media-2023-devslate\\_en.pdf](https://ec.europa.eu/info/funding-tenders/opportunities/docs/2021-2027/crea/wp-call/2023/call-fiche_crea-media-2023-devslate_en.pdf)

Or. en

**Amendment 170**  
**Emmanuel Maurel**

**Motion for a resolution**  
**Paragraph 18 d (new)**

*Motion for a resolution*

*Amendment*

***18d. Stresses the need to strengthen recital 71 of the AVMS Directive setting out the main specifications of an independent producer by including new criteria.***

***An independent producer must not be established outside the territory of the Union or be controlled by capital of non-EU origin.***

***In addition, the producer must be completely independent of the broadcaster and must not be owned directly or indirectly by a broadcaster in terms of either equity or voting rights.***

***Finally, an independent producer must not hold, directly or indirectly, any broadcaster share capital or voting rights and the broadcaster must not be in the hands of any shareholder or group of shareholders controlling the producer.***

Or. fr