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DRAFT OPINION

of the Committee on Legal Affairs

for the Committee on the Internal Market and Consumer Protection

on Implementation of the 2018 Geo-blocking Regulation in the digital single market
(2023/2019(INI))

Rapporteur for opinion: Karen Melchior

SUGGESTIONS

The Committee on Legal Affairs calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas Regulation (EU) 2018/302 on addressing unjustified geo-blocking and other forms of discrimination based on customers' nationality, place of residence or place of establishment within the internal market and amending Regulations (EC) No 2006/2004 and (EU) 2017/2394 and Directive 2009/22/EC of 28 February 2018 does not address geo-blocking of digital media content; whereas the Regulation mandates a review to assess if its scope should be extended to these sectors;
- B. whereas the Commission's review shows that European Consumers only have access to a small proportion of the total content made available online in the Union; whereas the number of consumers trying to access digital media content offered in other Member States is growing rapidly, and 1/3 citizens have expressed interest in doing so;
- C. whereas citizens who have purchased digital media content and move to another member state often find they can no longer access that content due to geo-blocking;
- D. whereas citizens living in border regions and linguistic minorities are often prevented from accessing content in their native languages due to geo-blocking, which hinders their access to and enjoyment of cultural content;
- E. whereas the European Parliament has called for these issues to be addressed in its resolution of 13 November 2018 on minimum standards for minorities in the EU; whereas the European citizens' initiative "Minority SafePack" called to address these issues through the development of a unitary European copyright that will lead to the abolishment of licensing barriers within the Union;
- F. whereas the Commission organised a stakeholder dialogue to find solutions to these issues, however there were no significant agreements to that end, and the proposals put forward would not adequately address issues with geo-blocking of digital media content;
- G. whereas persistent barriers to access to digital media content, such as price, fragmentation, geo-blocking, and unavailability of dubbing or subtitles force citizens to resort to piracy in order to access content;
- H. whereas the growth of on-demand content and the shrinking role of television and radio should prompt a rethink in the Union's approach to content licencing;
 1. Calls on the Commission to rapidly create the legal and regulatory conditions to ensure freedom of service, dissemination and reception of digital media content in regions where minorities live, so that they can watch and listen to content in their mother tongue, without geo-blocking of this content if it is broadcast or provided from

another country;

2. Calls on the Commission to investigate means of giving citizens access to the public media platforms of member states whose citizenship they hold, regardless of where they reside;
3. Calls on the Commission to guarantee citizens' long-term access to digital media content they have purchased, regardless of where that content was purchased.
4. Calls on the Commission to introduce legislation obliging commercial providers of digital media content operating in multiple member-states to allow Union citizens to purchase access to the catalogue of the member state of their choice.
5. Calls on the Commission to prohibit digital media content platforms from geo-blocking, and prohibit restrictions by rights-holders on passive sales, either of individual content or of subscriptions.
6. Considers that the existing model for media licensing is incompatible with the trend away from television and radio, and towards on-demand content, calls on the Commission to review the Union approach to media licensing.