



BRUSSELS RESOLUTION

On the occasion of the European Newspaper Publishers' Association (ENPA) Spring General Assembly meeting in Brussels, Belgium on 21 May 2010 – the ENPA General Assembly adopts the following Resolution:

ENPA RESOLUTION ON THE NEW EU DIGITAL AGENDA

In its resolution of 5 May 2010 on a new Digital Agenda for Europe, the European Parliament rightly underlines that “a European democratic society, the participation of citizens in public debate and access to information in the digital world depends on a vibrant and competitive press sector as the fourth pillar of democracy”.

Despite this important statement of the European Parliament, ENPA is concerned that the Commission's Communication on the new EU Digital Agenda has failed to identify the newspaper publishing sector as an indispensable player of the Information Society and has not addressed the key-priorities of the press sector.

The newspaper publishing sector in Europe is currently going through a crucial and restructuring phase shaping the future of the press – print and digital – for the next five to ten years.

Publishers are at the front run of the digital revolution in providing a recognised value of their content on all digital platforms. This important contribution to a democratic European society and the growth and innovation of the digital environment is made in a context where everything is considered to be for free and where advertising revenues alone are insufficient to sustain innovation and development in the newspaper sector.

Although newspaper publishers in Europe welcome the Communication's reference to digital distribution of cultural, journalistic and creative content, the strength of the publishing sector and the need to develop innovative business models, including paid-for-offers, ENPA regrets that no concrete action-points have been foreseen in order to address the challenges and opportunities of the publishing sector, in particular of the press in Europe.

ENPA therefore invites the Commission's services to ensure that these challenges and opportunities of the press are included in the different key actions foreseen by the EU Digital Agenda. This can be achieved for instance in including the press sector in the scope of the Green Paper on Audiovisual works and other creative content which can notably ensure that copyright is not considered as an obstacle but rather as an indispensable tool to foster investment in content.

In addition, ENPA would like to reiterate the main priorities expressed in its Memorandum on the EU Digital Agenda and which still need to be addressed in the scope of the European debate on this issue. These priorities are the following:

- **Respect for freedom of expression and freedom of the press on all platforms including digital media.** Freedom of expression including freedom of the press is recognised as a fundamental right both by the Council of Europe and by the European Union. Any restrictions on the freedom of expression that may be necessary for reasons of public interest should be strictly limited by strong legal and democratic safeguards.



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- **Respect for copyright and remuneration of content owners.** Strong copyright and database protection is a vital pre-condition for ensuring that newspaper publishers can continue to invest in content production and develop financially sustainable business models. It is essential to preserve newspapers from third party using editorial content without prior authorisation and remuneration.
- **Fair competition in the advertising market.** Given the fact that newspapers depend on advertising for a significant proportion of their revenues, fair rules and a level playing field are indispensable for enabling newspapers' financial sustainability. ENPA is especially concerned about unfair competition from online search engines.
- **Freedom of commercial communication.** Any bans and/or restrictions on advertising can have serious and negative impacts on newspapers' financial sustainability, as they push potential advertisers into finding alternative ways to market their products. EU decision makers must therefore prevent any advertising restrictions or bans in the interests of maintaining a free and pluralistic press.
- **Balanced approach to data protection.** Newspaper publishers take very seriously the need to protect the data and respect the privacy of their users and customers. ENPA recommends that the EU institutions, rather than seeking to change the relevant EU legislation, should instead focus on ensuring that existing rules are respected equally by all actors. Self-regulation can also be an effective means to address users' concerns.
- **Zero VAT rate for newspapers on all platforms.** Ideally, newspapers should be under a zero VAT rate, whether in their printed and digital versions. Newspapers foster the democratic debate and press freedom, contribute to education and media literacy, promote pluralism and diversity. In order to be able to fulfil this mission, all citizens should be able to buy newspapers at the lowest price. This is only possible if the VAT rate is maintained to the lowest level, ideally zero.
- **Ensure application of competition rules as regards the digital activities of public broadcasters.** It is the task of the EU institutions to ensure that the revised Communication on State Aid to Public Service Broadcasters is properly implemented and respected by public service broadcasters in all Member States. However, ENPA calls for increased awareness at EU level as the situation in certain EU countries has not changed: public service broadcasters keep on extending their activities, especially in the digital environment, at the detriment of the private media sector, including newspaper publishers. The role of public service broadcasters should be clearly defined and limited.
- **Balanced approach to responsibility for user-generated content.** Newspaper publishers are legally responsible for the editorial and professional content available on paper and digital versions. However, publishers also rely on the balanced approach of the E-commerce Directive, especially when user generated content is posted on their website. The new EU Digital Agenda should not question or increase publishers' liability for content posted by users on which they have no control.



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- **Promoting media literacy in the digital environment.** Newspapers are essential actors of the knowledge economy because publishers actively participate to young people education through media literacy programs and provide a platform for public debate to the young generation, whether in the paper or in the digital environment. The EU 2020 strategy which focuses particularly on education and knowledge as factors for growth should reflect the newspapers' role in this area.

Adopted on 21 May 2010 in Brussels, Belgium.

*The **European Newspaper Publishers' Association (ENPA)** is an international association, defending and promoting the interests of the European newspaper publishing industry at different European and international organisations and institutions. ENPA represents over **5,200 national, regional and local** newspaper titles, published in 23 European Union Member States plus Norway and Switzerland. More than **150 million** newspapers are sold and read by over **300 million** Europeans every day, in addition to the tens of millions of unique daily visits to newspapers' websites.*