



## Press release:

### **EFAD expresses deep disappointment with the PACE Opinion on the Council of Europe Convention on the co-production of audiovisual works in the form of series.**

**European Film Agency Directors association is deeply disappointed with the conclusions of the Opinion, which strips the Draft Convention from its core provisions designed to protect the diversity of European cultural creation for the benefit of audiences.** The report contradicts the **essential goals of the Convention**, framing it as a competitiveness and economic instrument, and will negatively impact the independent production sector's ability to develop the important cultural productions that are audiovisual works in the form of series, enjoyed by audiences both across Europe and around the world.

The Convention is **not** a regulatory tool nor a competitiveness instrument, but a **voluntary framework supporting cultural diversity** and co-productions where independent producers take the highest risks. Its goal is to reinforce the diversity of European co-production of works in the forms of series. Its original objective is to ensure fair value-sharing, prevent excessive concentration of rights, and allow producers to build sustainable IP catalogues. In today's media landscape, such safeguards are essential to rebalance negotiating power between independents and large global players.

The report adopted by the Committee on Culture, Science, Education and Media and by PACE amends the draft Convention by removing the eligibility conditions that:

- Limit the co-production shares of entities from non-party countries to 30%, while still enabling their participation.
- Clarify the definition of independent producers in line with national law.
- Ensure that technical and artistic contributions of independent producers are duly taken into account.
- Protect the retention of IP rights by independent producers, ensuring they continue to benefit from the exploitation of their works.

These provisions were intended to **strengthen the vitality of the European sector, to the benefit of audiences and cultural diversity**, and that of independent producers participating in these co-productions, while **allowing media service providers** (broadcasters and streamers) to **take**

**part in the coproduction of works** both from the creative and the investment perspective. In no case does the draft Convention block the participation of broadcasters and streamers in the development and exploitation of the works produced under the Convention.

The removal of these provisions, on the other hand, undermines the sustainability and development of the sector the Convention aims to support, **enlarging its scope to works in which producers are limited to being service suppliers** thereby opening access of the Convention and associated public funding to broadcasters and in particular large non-European players.

Moreover, contrary to what is stated in the PACE opinion, the Convention **does not interfere with national or EU law**: it clearly respects national definitions, while the opinion's proposal to impose new national legislation goes beyond its intent and contradicts Council of Europe principles.

Finally, calls for an impact assessment ignore the extensive negotiations already held and the initial objective of the Convention: **it is not a market regulation tool but a cultural diversity instrument**, supporting those most at risk in the creative process and ensuring audiences benefit from a diverse flow of European series. The call for a market impact assessment completely disregards the cultural objective of the draft convention.

Should the PACE recommendations be implemented, the draft Convention will fall far short of its initial ambition as defined by the Ministerial declaration resulting from [The Budapest Drama Series Process](#).

**EFAD calls the Committee of Ministers of the Council of Europe to preserve the Convention's original ambition: to empower independent producers, safeguard cultural diversity, and ensure that European audiences — and viewers around the world — continue to enjoy diverse and distinctive stories. By supporting the Convention's safeguards, the Council of Europe will help strengthen the European audiovisual ecosystem, foster fair and sustainable collaboration, and deliver lasting cultural value to audiences.**

About EFAD: European Film Agencies Directors association (EFAD) brings together 38 national film and audiovisual agencies from European countries. EFAD membership covers the European Union countries, with two members from Belgium, as well as Albania, Bosnia and Herzegovina, Iceland, Montenegro, Norway, the Republic of North Macedonia, Serbia, Switzerland, Ukraine and the United Kingdom. EFAD members are government or government associated public bodies, in charge of national funding for the audiovisual sector and with a responsibility to advise or regulate on all aspects of audiovisual policies.

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