

*Traduction de courtoisie*

Mrs. Neelie KROES  
Vice-President for the Digital Agenda

Mrs. Androulla VASSILIOU  
Commissioner for Education, Culture,  
Multilingualism, Sport, Media and Youth

Mr. Michel BARNIER  
Commissioner for the Internal Market and  
Services

European Commission  
BERL 10/034  
B – 1049 BRUXELLES

Dear Vice-President and Commissioners,

To tackle the great economic, social and political challenges it faces, Europe must optimise its use of all those assets that ensure the vitality of its culture. In the Communication on the cultural and creative sectors adopted at your initiative on the 26th September, the European Commission confirmed this urgent need. The time has now come to draw the proper conclusions for all of the Union's policies. We Ministers of Culture wish to contribute to this through this letter.

More than ever, creation of cultural works in Europe needs to be recognised as a major issue. Both the influence of our continent throughout the world and its prosperity are dependent on it. We are sure that the Creative Europe Programme we are working on with Commissioner Vassiliou will form a valuable contribution, but many other aspects must be taken into account.

Firstly, intellectual property rights must be designed to guarantee the remuneration of creators. The digital revolution requires us to modernise these rights, but they remain essential to the viability of creation and cultural diversity. A Europe without modern, ambitious copyright laws would be a continent destined to consume content that is often imported from the same country. Its cultural heritage would be sacrificed, the aim of renewing and enriching that heritage given up.

In implementing its strategy for an Internal Intellectual Property Rights Market put forward by Commissioner Barnier, the Commission shows its awareness on the subject. An initial success has been achieved with the adoption of the Directive on Orphan Works. We are also putting a great deal of effort into the draft Directive on the Collective Management and Licensing of Online Music. Concerning the dissemination of audiovisual works and private copying, we are certain that solutions can be found to reflect this vision of modern, ambitious copyright.

Secondly, in the new digital cultural economy, we must be careful not to systematically prioritise the interests of distributors and consumers of works over those of their creators. The digital strategy led by Vice-President Kroes is a crucial project in this area.

The giant players in the digital distribution of cultural content play an obvious role in dynamic economic activity and the new cultural economy, but they do not spontaneously share all our public policy aims. In terms of competition policy and the protection of personal information, each has acquired greater awareness and there are no challenges to the legitimacy of regulation. The same must apply to the cultural sector. In the past, Europe has been a successful vector for the continent's creative ambitions in audiovisual terms, in both its financial instruments and its statutory laws. This aim must remain valid in the new digital environment.

Thirdly, in each Member State, we must safeguard the possibility of implementing cultural policies relevant to the major issues we face. Relations with major digital players are always unequal, even for the most determined Member States. In this area, Europe must provide support and act as a source of heightened influence. From tax law to the internal market, from digital strategy to commercial policy and competition policy, the issue is a ubiquitous one. The legitimacy of policies that encourage and support creation must be better supported. The aim is not only to protect existing policies, but also clearly to agree on the need to ensure that ambitious creation policies are viable.

We thank you for your commitment to these major issues.

Yours faithfully,

Copy: Mister Giorgos DEMOSTHENOUS,  
Minister of Education and of the Culture of the Republic of Cyprus