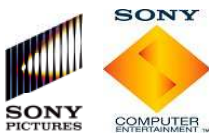




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Public Hearing: Priorities for a New Strategy for European Information Society (2010-15) – Oral Statement by the Creative Media Business Alliance (CMBA) – 23 September 2009

- On behalf of the Creative Media Business Alliance (or CMBA), I would like to thank the European Commission for the opportunity to participate in today's public hearing.

- CMBA was launched in 2004 and gathers some of Europe's top media and creative businesses and industry associations. It provides a platform for our members to contribute to ongoing discussions and joint efforts at the EU level to foster creativity, growth and employment in the Information Society.

- Today, the creative media sectors we represent are more than a mere driver for technology development or a simple "added value" to the Lisbon Agenda for European competitiveness.

- We in fact represent the true value of Information Society. We provide the "Information" for that society and it is that information and creative content the consumer is looking for when he switches on the TV or the iPod or other devices.

- However, this new Post-i2010 document fails to recognise, as did the the Lisbon Agenda before it, that a dynamic and competitive Information Society will not be created by hardware technology and distribution networks alone.

- Creative content companies make the new roads of the Information Society worth travelling and we therefore contribute to growth and employment by investing in,

<http://www.cmba-alliance.eu/>

producing and disseminating a huge array of content that educates, informs and entertains Europe's citizens.

- At the same time, we are eminently aware of the many responsibilities that come with the production, publication and distribution of content in the online world.
- By responsibilities, we refer here not only to our contribution to the creation of jobs, investment, innovation and cultural diversity but also – and very importantly – to the crucial need to safeguard and promote freedom of expression on the Internet!
- We defend content such as films and books against government censorship and we protect the sources of information that make independent news reporting possible.
- We comply with a multitude of laws and regulations – not only general media regulation, but specific rules such as those on financial reporting as well as the panoply of general laws on privacy, defamation, incitement, obscenity, intellectual property, competition, advertising and taxation.
- On top of that, we operate under extensive self-regulatory rules as well as codes of conduct which apply to the media. Our customers trust us, as major brand and trademark owners, to deliver what we promise.
- This is what makes our business and the freedom to publish and distribute content meaningful to the general public as well as to our customers.
- In this context, we would argue that the time is perhaps ripe to simply drop the word “digital” in “digital economy” as well as the word “information” in “information society”.
- Indeed, “digital economy” and “information society” sound like words of the past, which describe a transitional process: the “Conquest of the Wild West”, if you wish.

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- Unfortunately – but not unexpectedly – rogue players want to pull us all back and to continue living in this past, in this “Wild West”, and they do so by not respecting the rule of law.
- Some, such as cyber-squatters, spammers, identity thieves, virus disseminators, cyber-bullies and other illegal content providers call for more “data protection” and “safe harbours” on the Internet in the name of freedom of expression and hide behind these but do not respect them themselves. By doing this, these illegal operators of course contribute to giving “privacy protection” and “freedom of expression” a bad name in the online world.
- In this context, the sectors we represent within the CMBA are often associated with copyright enforcement efforts in the online world and we have noted that the topic of “copyright” actually features quite prominently in DG INFOSOC’s i2010 consultation questionnaire (often, by the way, in oddly derogatory terms, as an obstacle to innovation).
- But if you think about it you will soon realise that there is in fact no specific “copyright enforcement” problem on the Internet. What you will find is that the Internet is faced with a general lack of respect for the rule of law. Every day provides its share of examples of this phenomenon in newspapers the world over.
- The CMBA considers that this is an issue and a challenge completely missing from the wide array of topics covered by the European Commission’s Post-i2010 consultation.
- We clearly need a wake-up call, and fast! It is time for the Internet to grow up! What we need is just for the rule of law to be respected in the online environment as in the offline world.
- In conclusion, all rights and freedoms are limited by the rights and freedoms of others! That too is part of the freedom to publish, the essence of our business! Freedom of expression has never had greater potential than today and never has it been more important to

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maintain what we would call the freedom to publish and distribute creative content.

- Unless and until we recognize that freedom comes with responsibility, the dream of an online world characterized by freedom of expression and social interaction, flourishing e-commerce, e-government and respect for the rule of law will remain but a distant dream.