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Diversity of
Cultural Expressions

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**CONFERENCE OF PARTIES TO THE
CONVENTION ON THE PROTECTION AND PROMOTION OF THE
DIVERSITY OF CULTURAL EXPRESSIONS**

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**National Road Map for the Implementation of the 2005 Convention
in the Digital Environment**

Culture today is undergoing profound transformations caused by the rise of digital technology. The methods of creation, production, and distribution of culture are adapting to this environment, and new players are emerging while people's cultural habits and practices are changing.

The founding principles of the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (UNESCO, 2005) are more relevant than ever in a digital space that offers opportunities and progress, but also poses risks and new challenges.

For many years, France has been committed to protecting and promoting the creation and production of, and access to, cultural goods and services in the digital environment, while also taking advantage of the opportunities it offers. Several examples of this commitment can be cited. Since 2003, the French National Centre of Cinematography and the Moving Image (CNC) has been supporting video games. In 2007, the High Authority for the Dissemination of Works and the Protection of Rights on the Internet (HADOPI) was created and entrusted with several tasks relating to the protection, on the Internet, of the interests of the copyright holders of works protected under intellectual property. In order to defend cultural exception, France has taken several initiatives. Since 2013, measures have been taken at the European level to reinforce cultural diversity obligations in the European Audiovisual Media Services Directive (AVMSD). At the national level, the vote for the 2011 Law No. 2011 on the price of e-books created the conditions for fair competition for French industry players. Today, France wishes to remain proactive in the face of the rapid evolution of digital technologies and practices which continue to disrupt culture.

The Conference of the Parties to the 2005 UNESCO Convention addressed these issues in 2017 by adopting the Operational guidelines for the implementation of the Convention in the digital environment. Since then, all the States Parties to the Convention have been invited to prepare national road maps which describe the good practices they have undertaken, and which establish the focus of their future work and objectives. In 2020, France set up a working group composed of experts on digital issues who came from the public and private sectors, the spheres of research, and civil society. These qualified individuals have thus made it possible to develop an ambitious road map that indicates the existing courses of action that are to be continued or strengthened and which details the new main courses of work that are to be implemented.

The French national roadmap for the implementation of the 2005 Convention in the digital environment is based on three main themes:

- Supporting creation and protecting creators in the digital environment
- Promoting of the diversity of cultural offerings in the digital environment
- Developing audiences and access to culture in the digital environment

These three concepts are not separate from one another; rather, they form a coherent and interdependent whole. The main courses of work presented involve the issues of sustainability, inclusion, gender equality, and access to culture and knowledge, which must be taken into account in the digital environment, and which help to protect and promote the diversity of cultural expressions in the current context.

In a spirit of exchange and mutual inspiration, France, through this undertaking, is demonstrating its strong commitment to defend the principles of the 2005 Convention and to adapt its implementation as necessary to the challenges of digital technology.

I. Supporting the creation and protecting creators in the digital environment

As the first link in the value chain, creation must have the means for production, for its modernization, and for adapting to the digital context while allowing creators to flourish within a protective and fair framework. Support for creation must be based on the regular assessment of cultural policies and an understanding of the changes brought about by digital technology.

Finally, foreign cultural policy must respond and adapt to the challenges of digital technology. Accordingly, at least the following four major objectives should be achieved:

1. Support for creative industries	2. Establishment of a protective regulatory framework	3. Study of the changes brought about by digital technology	4. Adaptation of foreign cultural policy to digital technology
Assisting creation in the digital environment	Defending the social and economic rights of creators in the digital environment	Mapping the players and observing the impact of digital technology on culture	Encouraging international exchanges and supporting export culture
Supporting the digitalization and modernization of cultural industries	Encouraging the adoption of good practices by cultural players	Assess and compare cultural policies	Reinforce the digital transformation of cultural diplomacy

Support for creative industries

a. Assisting the creation in the digital environment

- **Supporting** all the players in the creative sector chain, from development to distribution, by strengthening the systems that help or encourage creation in the digital environment and making them easier to understand.

Best practice: Aid from the French National Centre of Cinematography and the Moving Image (CNC) aims to support all the players in the creative chain, from development to distribution, through the Digital Experience Fund (*Fonds d'aide aux Expériences numériques*), which supports innovative audio-visual works based on an interactive and/or immersive creative approach, and through the Multimedia and Digital Artistic Creation Support System (*Dispositif d'Aide pour la Création Artistique Multimédia et Numérique – DICRéAM*), which encourages the emergence and development of new artistic practices that can be collaborative, participatory and, above all, transdisciplinary.

- **Supporting** the emergence of new and innovative digital practices in artistic creation and encouraging research on, and the production and distribution of, multidisciplinary works incorporating digital technology in the visual and performing arts by exploring the forms both in situ and online.

Best practice: The *Chimères* programme of the French Ministry of Culture, which supports multidisciplinary artistic residencies dedicated to research and production incorporating digital technology into live performance.

- **Strengthening the presence of female cultural professionals and their works** in creative sectors in the digital environment.

Best practice: "Women in Games France" is a professional association working for diversity in the video game industry in France. Its goal is to double the number of women and non-binary persons in the industry in 10 years. The association carries out actions by means of four main approaches: improving the visibility of women in the industry; raising awareness of the stakeholders on the value of gender diversity; supporting women in the industry by means of training and networking; and informing girls about professions in the video game industry.

On the initiative of the Ministry of Culture, all institutions of higher education in the field of culture are very involved through the development of ethical charters. The efforts of a working

group on equality in video games and digital experiences, led by “the French National Centre of Cinematography and the Moving Image (CNC)”, have resulted in the adoption of an ethical charter by several private and public schools. This charter has been extended to video game and digital creation companies. In order for companies to join the National Video Game Union, they must now sign the charter.

Les Internettes is an association that has developed a platform where female creators of digital content can train, meet and share practices and material.

b. Supporting the digitalization, modernization, and ecological transition of cultural industries

- **Helping the cultural sectors with the digitization**, recording, and alternative methods of distribution of works (cinematographic, literary, musical, theatrical, and so on) online.

Best practice: Aid from the French National Centre of Cinematography and the Moving Image (CNC) supports the distribution of video-on-demand (VOD) cinematographic and audio-visual works, regardless of marketing method (rental, permanent download, subscription). CNC aid also supports the digitization and distribution of heritage cinematographic works through VOD.

Aid from the *Centre nationale de la musique* (CNM), including aid to support streaming content. The *Diffusions Alternatives* (alternative broadcasting) aid programme supports innovative projects which guarantee artistic employment and focus on the connection with the audience. This programme contributes to diversity and complements other CNM aid programmes.

Aid from the National Book Centre (CNL), including a grant for the retroactive digitization of printed magazines. A grant to support publishers who take economic risks for printing or digital publishing of exceptional importance. Grants are given to authors in order to contribute to the quality and diversity of publisher-commissioned work by authors and illustrators, in print and/or digital versions.

The *Cinémathèque Afrique* participates in the safeguarding of African heritage through a restoration and digitization programme.

As part of the “*France Relance*” recovery plan and the 4th Future Investment Programme (PIA 4), the Government is launching a call for proposals to support the digitalization of the cultural and creative industries (CCIs) by encouraging the deployment of new cultural and artistic offerings based on disruptive innovations. Among the thematic variations that make up the various components of this call for proposals, the first two selected are: augmented reality applied to the performing arts (transposition of audio-visual techniques for recording, broadcasting, conservation, and so on) of every type (theatre, dance, music, and so on); and the digitization of heritage and architecture (digitization of architectural and heritage works for the purposes of preservation and of providing innovative cultural offerings to a wider public).

- **Ensuring the conservation** of works produced in a digital environment by adapting to technological developments.

Best practice: The evolution of the digital copyright process of the National Library of France, enables the collection and preservation of the growing number of digital objects becoming part of the heritage.

- **Assisting with the modernization** of cultural businesses by supporting technical and research and development investments which contribute to the digital and sustainable modernization of cultural production equipment. **Reinforcing** the digital strategies of public cultural institutions, including the strategy for supporting creation in digital environments, the broadcasting of online programming, the digital relationship with audiences, the digitalization of organizations, and the training of agents.

Best practice: The *Choc de Modernisation* scheme, a part of the crisis-response measures taken within the framework of the post-COVID-19 recovery plan, provides exceptional support for technical investment projects which contribute to the digital and sustainable modernization

of film production.

The i-Nov innovation contest includes a section that is dedicated to cultural and creative industries, operated by Bpifrance, and aims to finance projects which harness the potential of structural technologies for the sector. Applicants must submit disruptive solutions which are closely related to the market and innovative in terms of technology, particularly in the areas of immersive technologies (virtual reality/augmented reality), big data, artificial intelligence, and blockchain systems.

The Government launched a call for expression of interest in its “*Solutions de billetterie innovantes*” (innovative ticketing solutions) project. Part of the PIA 4, the project aims to support interoperable ticketing solutions which ensure the fair distribution of value for cultural businesses, provide cultural businesses with access to the data they generate through their activities, encourage the coexistence of different types of ticketing, and, finally offer services which help to optimize marketing.

The “*Alternatives vertes*” (green alternatives) call for proposals launched by the Government within the framework of the PIA 4 will make it possible to support concrete projects which, innovatively and in all the economic segments of the CCI value chain (creation, production, distribution, end of life), give prominence to an approach which is fully in line with the fundamentals of the circular economy, from the principles of eco-design to end-of-life management strategies.

- **Supporting the ecological transition of culture in the digital environment** and moving towards more digital restraint in order to honour France’s commitments under the Paris Agreement on climate change and to comply with the United Nations’ Sustainable Development Goals.

Best practice: In February 2021, the ministers responsible for information and communications technology and the environment announced the launch of a reflection process involving digital-industry players and aimed at developing an environmental code of conduct. This project should begin with a consultation with the stakeholders in order to prepare an initial assessment of the practices observed. The project should make it possible to reference and disseminate responsible practices in the various sectors of the digital industry, including those related to cultural services and applications. The reflection process will, naturally, cover the main VOD services and social networks, which account for a great deal of traffic.

In 2021, the CNC launched “*Action!*”, a plan for a public policy on ecological transition and energy transition the objective of which is to ensure that the sectors covered by the CNC adapt to environmental issues. This new action plan is based on four subjects central to environmental issues: technical means, mobility, supply and waste management, and digital issues.

Establishment of a protective regulatory framework that is conducive to cultural diversity

a. Defending the social and economic rights of creators in the digital environment

- **Defending** copyright and the principle of proportional remuneration for creators by establishing a legal and regulatory framework adapted to the new distribution channels and new modes of consuming cultural content.

Best practice: The transposition of European directives on copyright and related rights strengthens rights holders’ ability to be remunerated by online content-sharing platforms and improves the protection of the rights that authors and performers enjoy in the context of their relationships with the persons exploiting their works.

Work is being conducted on better consideration of professional charters and, in particular, on the fair remuneration of artists (production of works, shows, talks, and so on). In this

connection, a particularly inspiring model is the charter of authors and illustrators working in the children's and young-adult literature industry (*Charte des auteurs et illustrateurs jeunesse*).

France's new decree concerning on-demand audio-visual media services (SMAD) came into force in July 2021. It implements the right granted to France by the 2018/1808/UE Audio-visual Media Services Directive (AVMSD)¹ to apply to on-demand audio-visual services established in another Member State but targeting French territory (Netflix, Amazon Prime Video, Disney+, and so on) the same rules for contributing to the financing of cinematographic and audio-visual works as are applied to such services established there. These players will thus participate in supporting the creation and distribution of French and European works abroad.

- **Protecting** copyright and related rights by establishing effective legal procedures; reinforcing the means of action, the powers, and the tools of the authorities responsible for regulating and protecting access to cultural works in the digital era in order to fight new forms of online piracy.

Best practice: The High Authority for the Dissemination of Works and the Protection of Rights on the Internet (HADOPI) was established pursuant to the Law of 12 June 2009 and the Law of 28 October 2009. It was created mainly to protect copyright on the Internet through the implementation of what is known as the "graduated response procedure", whose objective is to fight peer-to-peer (P2P) exchanges of dematerialized cultural goods (such as films, music, TV series, and so on). HADOPI itself does not impose sanctions, but it can transmit to the courts the files of Internet users who, after receiving at least two warnings, including one by mail, continue to use their Internet connections for P2P sharing of such goods.

The implementation of legal procedures: the courts can stop any infringement of a copyright or related right caused by the content of an Internet site, and in particular illegal streaming, by means of a summary procedure.

ARCOM (the Regulatory Authority for Audiovisual and Digital Communication) was created pursuant to the enactment of the October 2021 law on the regulation and protection of access to cultural works in the digital age. ARCOM is the result of the merger between HADOPI and the Higher Audiovisual Council (CSA). This new organization has new powers, including the power to fight new forms of online piracy and to support the progressive convergence of audio-visual and digital matters. In order to dry up their sources of revenue, particularly advertising, ARCOM will thus be responsible for compiling blacklists of websites whose business model is based on piracy. It can also directly contact Internet service providers and search engines to block or dereference those sites that "mirror" the content of sites that have already been the subject of a court decision.

b. Encouraging the adoption of good practices by cultural players

- **Raising awareness among cultural sector stakeholders** on good practices to adopt in order to respect copyright and related rights and ensure the fair remuneration of creators through the implementation of sectoral charters, discussion sessions, and training sessions.

An educational tool has been put online to make accessible the - sometimes complex - law applicable to the distribution of cultural content. The platform is intended for cultural players and for citizens. It is designed to educate holders of content such as books, photographs, or musical recordings. Specifically, so that such a holder can ask him- or herself the right

1. In late 2020, the Government transposed Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018 (Audio-visual Media Services Directive) by means of Decree No. 2020-1642 of 21 December 2020. This European directive allows each Member State of the European Union to apply its own system for contributing to cinematographic and audio-visual production, to on-demand television and audio-visual media services which fall under the jurisdiction of another Member State and which target its territory, by derogation from the Country of Origin Principle.

questions before publishing content, it provides information on determining whether the content concerned is protected by copyright or a related right or whether other rights are applicable.

- **Encouraging greater transparency** of recommendation tools and a better understanding of digitized cultural data. Ensuring that good practices are in place to support online diversity.

Study of the changes brought about by digital technology

a. Mapping the players and observing the impact of digital technology on culture

- **Producing studies and reports** on the issues related to digital technology in the cultural sectors in order to ensure informed decision-making by public decision makers (online cultural practices and custom, platform remuneration methods, economic models for online cultural services).

Best practice: Podcasts – IGAC (General Inspection of Cultural Affairs) report on the ecosystem of on-demand audio (podcasts): issues of sovereignty, regulation, and support for digital audio creation.

Streaming – CNM study on the evolution of modes of remuneration by streaming platforms.

A study on digital practices in theatres which was published by the Ministry of Culture which looks at digital technology and live performance (*Numérique et spectacle vivant : une nouvelle scène à investir*). This work was devised as the beginning of a dialogue conducted with professionals in the field of artistic creation and addresses the issue of the digital identity and digital strategy of cultural structures.

- **Supporting the development of platforms designed to map** the assistance, players, and offerings associated with creation in the digital environment.

Best practice: The guides and referencing of support for professionals in the sector, such as the guide to support for artists wishing to work in the digital environment.

The IFdigital website lists works and professionals in France's fields of digital art, immersive experiences, video games, innovative books, and cultural education and mediation. Ensuring the diversity of cultural expressions is a major challenge for these fast-growing sectors. This bilingual site (English/French) aims to support their international development.

- **Studying the environmental impact** of digital cultural practices

Best practice: The joint study centre established by ARCOM (Regulatory Authority for Audiovisual and Digital Communication) and ARCEP (Electronic Communications, Postal and Print Media Distribution Regulatory Authority) plans to conduct a study on the environmental issues associated with audio-visual distribution. In particular, this work will make it possible to study the environmental impact of the distribution of online services and of the broadcasting of television services over the air.

- Establishing platforms to combat gender inequalities in the cultural sectors

Best practice: The digital platform "*Elles font la culture*", launched by the Ministry of Culture in 2021, provides women photographers with resources essential to understanding their rights and the support mechanisms which they can access. This platform aims to make creation-support mechanisms more accessible to women and, eventually, to facilitate the recruitment and programming of women photographers.

BANDSHE is an association which aims to support, showcase, and democratize the place of women in live music. Recently, with the support of the Ministry of Culture and the National Music Centre, it launched an eponymous online referencing and recruitment platform for female technicians, musicians and live-music professionals.

b. Assessing and comparing cultural policies

- **Conduct international monitoring** of the protection of copyright and related rights on the Internet in order to compare national policies with different foreign models and possibly draw inspiration from them so as to improve national systems.

Best practice: HADOPI's international monitoring reports analyse different foreign systems for fighting the infringement of copyright and related rights on the Internet. The latest available version, published in 2019, examined situations in 23 countries, both within and outside the European Union. The next edition, to be published in spring 2021, will examine 31 countries, including France.

- **Regularly assessing the impact** that cultural policies concerning digital technology have on the cultural sectors to ensure their effectiveness and enable their improvement.

Best practice: The CNC's observatory for video on demand, founded in December 2005, has been supplemented with new analytical themes: international comparisons, an assessment of the impact of the COVID-19 crisis, a look at the practices of young people, and an analysis of the profile of consumers of VOD series.

Adaptation of foreign cultural policy to digital technology

a. Encouraging international exchanges and supporting export

- **Encouraging international exchanges and cooperation** in innovative sectors and with regard to issues related to culture in the digital environment.

Best practice: The programmes organized by the Institut français in order to host international digital-culture professionals help to strengthen international cooperation in innovative sectors. An example is the "*Focus médiation numérique et innovation Culturelle*" (focus on digital mediation and cultural innovation) programme.

Digital Crossroads, "*Rencontres Internationales de la Création Numérique* (international meetings on digital creation)": The Institut français is organizing a new series of online exchanges on and exploration of French digital creation in collaboration with the French festivals in the sector (Annecy Festival, Cannes Film Festival, NewImages Festival). Its objectives are to promote French digital creation, to encourage networking among French and foreign professionals in order to support the export of works and expertise in the sector, to develop co-productions, and to enable the opening up of new markets for these industries.

"Digital Lab Africa", created in 2016 by the Institut français of South Africa, is now the first entity to provide support for the production of digital content across French- and English-speaking sub-Saharan Africa. Its objective is to provide a springboard for creators of innovative content (digital art, immersive reality, video games, music, animation) on the African continent by accelerating the development of their projects.

The Grid is an initiative of EUNIC (European Union National Institutes for Culture) San Francisco, which brings together tech specialists and artists from around the world. It is part of the European Spaces of Culture, developed by EUNIC Global.

- **Facilitating cultural, artistic, and academic mobility** in the fields of art, innovation, and technology.

Best practice: Villa Albertine was launched in 2021 by the French Embassy in the United States of America and is supported by France's Ministry for Europe and Foreign Affairs and Ministry of Culture. It offers French artists the opportunity to create links with the United States through 10 creative spaces in 10 American cities, including San Francisco, which hosts residencies combining arts and digital technology.

- **Encouraging the export** of French digital cultural and creative industries by supporting French companies and creations on international markets.

Best practice: The priority cultural and creative industries (CCIs) mission entrusted to 37 embassies in April 2019 makes it possible to target actions, for the 2020–2022 period, in countries deemed strategic for their export potential by professionals in the French cultural and creative sectors. It is directly and indirectly supported by the Ministry for Europe and Foreign Affairs, the Ministry of Culture, the Institut français, Business France, and organizations dealing with exporting cultural sectors – CNM, UniFrance (association in charge of internationally promoting cinematographic and audio-visual works), the International Bureau of French Publishers (BIEF), and the French Overseas Architects association (AFEX) – which collaborate with the cultural action and cooperation network in order to better promote French creations abroad.

b. Reinforcing the digital transformation of France’s cultural diplomacy

- **Supporting the digital transformation of the French cultural network abroad** by providing staff with training on digital issues and the use of digital tools and platforms.

Best practice: In 2021, the Ministry for Europe and Foreign Affairs supported the digital transformation of the network with increased resources and the following measures were planned:

- training on digital technology issues and digital tools and practices;
- the establishment of remote offerings for centres dedicated to courses, the production of tools and expertise;
- the enhancement and production of digital programming content;
- a call for proposals for digital transformation projects for the network.

II. Promoting the diversity and discoverability of the cultural offering in the digital environment

The second major challenge for cultural diversity in the digital environment is the availability of the offering and its enhancement, which must be underpinned by measures that allow the discoverability of cultural content and enhanced by tools for referencing and analysing the cultural offering online. In a globalized digital environment, international cooperation is encouraged to promote the diversity and discoverability of the cultural offering.

1. Enrichment of the cultural offering online and its enhancement	2. Modernization of the regulatory framework to preserve cultural diversity	3. Referencing of the offering and encouragement of reflection on the distribution models for online cultural content	4. Encouragement of international cultural cooperation
Fostering the development of the cultural offering online	Defending the diversity of cultural content online	Facilitating the legibility and visibility of cultural content	Building joint strategies
Supporting cultural players in the digitization and promotion of cultural content	Adapting legislation to the digital context	Encouraging research	Raising awareness in partner countries

Enrichment of the cultural offering online and its enhancement

a. Fostering the development of the cultural offering online

- **Supporting digitization:** the attractiveness of cultural content is fuelled by digitization and the ability to make a growing body of resources available without the constraints of time, distance, or number of users. The digitization of cultural content is one of the conditions for implementing a strategy that promotes the dissemination of culture to the greatest number of people, the development of digital education and the emergence of new online services.

Best practice: Sectorial digitization projects carried out by the major national cultural operators (National Library of France – BnF, National Book Centre – CNL, National Audiovisual Institute – INA, National Centre of Cinematography and the Moving Image – CNC, *Réunion des musées nationaux et du Grand Palais* – RMN-GP),

The French National Programme for Digitization and Enhancement of Cultural Content (PNV) aims to enhance local heritage and make it digitally accessible.

- **Facilitating the dissemination of descriptive data on cultural content:** the richness and quality of these data allow Internet users to navigate and explore intelligently an exponentially growing body of content.

Best practice: The French Ministry of Culture relies on the potential of data to promote the diverse heritage it serves, protects and enhances: its “cultural data and content” road map identifies measures to support the semantisation of cultural data, the production and sharing of structured cultural repositories as well as the improvement of aggregation tools and the development of portals.

- **Supporting the emergence of innovative cultural services** provided by public and private players that facilitate access to heritage, culture, and creation.

Best practice: Support for the emergence of innovative cultural services led by players external to the French Ministry of Culture, in particular with the call for proposals of innovative digital services which not only finance and supports solutions that facilitate access to heritage, culture, and creation, but also meets the objectives of transmitting knowledge and cultural democratization.

- **Ensuring the availability of multilingual cultural offerings, especially French and European, in the digital environment.**

Best practice: ARTE Europe’s digital multilingual audio-visual offering in six languages (French, German, English, Spanish, Polish and Italian) is co-financed by the European Commission.

The subscription video-on-demand (SVOD) streaming platform SALTO, the result of synergy and mutualization between French public and private players, has been providing an offering focused on French productions since early 2021.

French cultural institutions regularly enrich their contributions to the European digital library *Europeana*, a multilingual European online access point that interconnects digital collections belonging to the cultural heritage of Member States.

TV5MONDEplus is a digital platform for French-language audio-visual content launched in 2020 by TV5 Monde and TV5 Québec Canada. Accessible free of charge (with advertising) from 200 countries and territories around the world, TV5MONDEplus proposes five subtitling languages (French, English, Spanish, German and Arabic).

b. Supporting cultural players in the digitization and promotion of cultural content

- **Supporting cultural players in their adaptation to digital practices** by assisting them with digitization, training them, sharing best practice on open data and making them aware

of issues relating to metadata and Internet standards.

Best practice: Several best practice guides concerning open public cultural data, metadata, and standards as well as 3D digitization.

The National Programme for Digitization and Enhancement of Cultural Content (PNV) is a programme intended to support the territorial policy of digitizing cultural content, which is strongly oriented toward uses, the dissemination of culture to as many people as possible, the development of digital education and the emergence of new online services. It is implemented in partnership with the Regional Directorates of Cultural Affairs (DRAC).

The PNV enables the enhancement of the offering of digital cultural resources.

As part of the France-Quebec initiative on the online discoverability of French-language cultural content (*Mission franco-québécoise sur la découvrabilité en ligne des contenus culturels francophones*), in 2021, the French and Quebec ministries of culture organized a series of professional exchanges via round tables and conferences dedicated to the issue of discoverability. These took place both in the framework of the *Entreprendre dans la Culture* Forum (27–30 September 2021) and as part of Montreal Digital Week “MTL Connect” (12–15 October 2021), an international forum dedicated to digital transition. The objective of these round tables is to create a framework for regular multisectoral exchanges allowing the communication of best practice between all cultural players.

- **Implementing a policy in favour of open public cultural data** in order to improve the visibility of cultural works and institutions online, and to promote the development of a digital economy in the field of culture that is conducive to creation and innovation.

Best practice: Formalization of a digital strategy for the dissemination and reuse of digital public data in the cultural sector.

The thematic open data platform of the French Ministry of Culture, linked to the national website data.gouv.fr: www.data.culture.gouv.fr

Publication of a practical guide on open cultural public data.

- **Encouraging research and development programmes** that contribute to the crossover between digital science and culture.

Best practice: Support for a cultural research and development programme through the framework agreement signed with the French National Institute for Research in Digital Science and Technology (Inria), a key public player in applied research in digital science.

Modernization of the regulatory framework to preserve cultural diversity

a. Laying down the obligation for digital platforms to fund works

Best practice: Obligation for platforms to contribute financially to the creation and exposure of French and European cinematographic and audio-visual works. The French decree concerning on-demand audiovisual media services (SMAD), which came into force in July 2021, in accordance with the European Union’s new Audiovisual Media Services Directive (AVMSD) lays down the terms and conditions for the funding and exposure of cinematographic and audio-visual works by international video-on-demand (VOD) platforms targeting the French territory. These new players will thus participate in supporting the creation and distribution of works abroad. This is a fundamental milestone in the integration of platforms into the creative funding ecosystem, promoting the independence and diversity of creation, and is an example of the adaptation of public policies to the digital age.

b. Ensuring the visibility of services of public interest in the audio-visual environment

Best practice: The AVMSD, as amended in 2018, gives European Union Member States the ability to take measures to ensure the appropriate visibility of services of public interest. France

implemented this provision at the end of 2020 to ensure the exposure of services of public interest on new audio-visual distribution platforms, in order to adapt its regulations to the new consumption patterns of audio-visual content. In the digital environment, content recommendations and categorization are subject to commercial partnerships between manufacturers of audio-visual equipment and publishers of operating systems or audio-visual services, who naturally pursue their own objectives, aimed primarily at maximizing their revenues. These agreements can lead to the weakening of the cultural diversity of the content showcased, overrepresentation of sensationalist content and a proliferation of disinformation.

c. Defending the linguistic and geographical diversity of cultural content online by imposing quotas in the catalogues of cultural content platforms.

Best practice: Unlike the system of funding creation by publishers of services, the AVMSD does not provide for a derogation from the Country-of-Origin Principle for the application of the broadcasting quota system. However, the directive introduced two new rules, applicable to VOD platforms, concerning the broadcasting of audio-visual and cinematographic works: on the one hand, it provides for a quota of at least 30% of European works within the catalogues of audio-visual media services; on the other hand, these works must be showcased in these catalogues, in other words, their visibility must be ensured on the consumer's home screen. For publishers based in France, the regulations provide for quotas of 60% European works and 40% original French-language works.

d. Creating the conditions for fair competition in the digital environment

Best practice: Adoption of the law on the price of e-books (Law No. 2011–590 of 26 May 2011), following the example of the Law “Loi Lang”, which gives the publisher the power to set the same selling price for digital books for all retailers whether they operate from France or abroad, should help to create the conditions for fair competition.

Best practice, especially for services in the field of culture and media: The European Commission's draft regulation on digital markets (Digital Markets Act – DMA), under discussion in the European Parliament and Council, could be an important step forward in terms of economic regulation of digital markets, particularly for cultural players. It establishes a new regulatory model based on a system of asymmetrical obligations that exclusively targets a limited number of major platforms (such as app stores, operating systems, search engines, marketplaces and social networks), known as “gatekeepers”. Culture and media players who offer their services through these very large platforms could benefit from certain provisions of the DMA aimed at these access controllers, such as the prohibition of self-preference or exclusivity practices in distribution methods, fair and non-discriminatory access to app stores and so forth.

e. In trade negotiations, guaranteeing the ability of States to protect and promote cultural diversity in the digital environment

Best practice: The French authorities and the European Union ensure that in the framework of bilateral or multilateral free trade negotiations, the right of States to regulate and support the cultural and audio-visual sectors is guaranteed, regardless of the method of distribution of the cultural and audio-visual services, in order to protect and promote cultural diversity online and offline. Without the preservation of this flexibility, the regulatory adjustments mentioned above would not have been possible.

Referencing of the offering and encouragement of reflection on the distribution models for online cultural content

- **Facilitating the visibility and legibility** of the legal offering of cultural content online, by proposing referencing tools and by establishing partnerships with the players of the cultural recommendation.

Best practice: HADOPI's search tool: HADOPI (now ARCOM) set up a search tool for websites and services that respect copyright. The objective is to allow the consumer to know which websites and services respect copyright and to direct them towards these offerings.

The French National Centre of Cinematography and the Moving Image (CNC) has a service for referencing the French legal offering of films online, allowing Internet users to know where to find a VOD film on the Internet and how to access it, rent it or buy it, to know in which language it is available and whether it exists in high definition.

- **Encouraging research** on the economic, ethical and sociological issues surrounding the diversity and quality of cultural content online, in particular by promoting exchanges between the academic and professional worlds.

Best practice: The Chair in Cultural Pluralism and Digital Ethics hosted by the Sorbonne school of media and digital studies (*École des Médias et du Numérique de la Sorbonne – EMNS*), in Paris, encourages reflection on the diversity and quality of cultural and media content and on data processing, while respecting privacy and democratic debate. The Chair mobilizes a national and international network of experts.

Encouragement of international cultural cooperation

- **Building joint strategies on an international scale** to respond more effectively to the challenges of discoverability in a globalized digital environment.

Best practice: The joint France-Quebec initiative on the online discoverability of French-language cultural content, with an international scope, proposes 12 objectives based on four main aims:

- to support training and assist in ramping up the skills of cultural players;
- to increase the availability and promotion of French-language content online;
- to improve understanding of the environment that conditions discoverability;
- to transform public policies, adapting the Quebec and French regulatory frameworks if necessary.

The France-Quebec initiative should thus enable the implementation of an exemplary framework for action that can be used as a model, particularly within the Francophonie.

- **Raising awareness and encouraging partner countries** to adopt strategies to promote and protect the diversity of cultural content online.

Best practice: The multi-stakeholder working group on cultural diversity online led by Canada, of which France is a member, released guidelines in June 2021 that encourage greater exposure to a diversity of cultural content, information and news online. The working group is seeking to broaden international consensus among countries, the private sector and civil society organizations.

III. Developing audiences and access to culture in the digital environment

1. Support for the development of digital cultural practices	2. Use of digital technology as a tool for development, equality and cultural democracy	3. Study of digital cultural practices	4. International cooperation
Improving public access to online cultural offerings	Putting digital technology at the service of culture	Observing and analysing online practices and uses	Promoting the discovery of digital cultures worldwide

Training the public and raising awareness about digital cultural practices	Strengthening the cultural participation of citizens	Measuring the impact on the public of the online cultural offering	Making digital technology a lever for the international distribution of artistic creation
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Support for the development of digital cultural practices

a. Improving public access to online cultural offerings for all audiences

- **Improving the access of marginalized and young people** to online cultural offerings and encouraging access to rich, high-quality content and resources, which are fundamental levers for meaningful participation in cultural life.

Best practice: France's Culture Pass, introduced in 2020, facilitates young people's access to local cultural offerings and digital offerings **in order to strengthen and diversify cultural practices.**

- **Ensuring broad and inclusive access** to online cultural content and services to ensure equality in the digital age.

Best practice: Support action, implemented in the framework of the European Union's Directive 2019/882 on the accessibility requirements for products and services, which aims to make digital files, players, platforms and so forth accessible to people with disabilities.

b. Training the public and raising awareness about digital cultural practices

- Promoting understanding of the functioning of digital ecosystems in a context where they contribute to the increasingly massive dissemination of false information and conspiracy theories.

Best practice: Since 2018, the French Ministry of Culture has been developing a media and information literacy plan for all audiences, including young people and adults, which aims to provide keys to understanding how the media and digital networks work, and to develop critical thinking. In particular, it supports training for trainers (teachers, facilitators, educators, librarians and journalists, among others) in order to increase the number of people reached and to design and distribute educational tools.

- **Supporting the education community** to encourage legal practices and equal access to online cultural offerings.

Best practice: HADOPI (now ARCOM) offers educational content and activities to raise awareness among the education community as part of its mission to encourage the development of legal offerings. In 2018, HADOPI created educational modules for students in collaboration with the association *Génération Numérique* (Digital Generation). Since then, more than 400 interventions have raised awareness among approximately 12,500 students at all levels of study.

Four French public institutions (National Commission on Information Technology and Liberties – CNIL, Higher Audiovisual Council – CSA, Defender of Rights, and HADOPI) have pooled their educational resources to offer an educational kit for trainers and parents. This initiative is a first step in the coordination of the awareness action of four regulators in the digital field.

Use of digital technology as a tool for development, equality and cultural democracy

a. Putting digital technology at the service of heritage and territories

- **Making digital technology a lever to increase the attractiveness of territories and**

enhance heritage by promoting the development of innovative cultural mediation services.

Best practice: Since the end of 2020, the *Centre des Monuments Nationaux* has successfully conducted virtual guided tours, for schoolchildren and the public in France and abroad, of a dozen monuments (Château d'If, Château d'Angers, Château d'Azay-le-Rideau, medieval towers of La Rochelle). These free visits, an experiment carried out with 2,500 students and 1,600 members of the public, were a resounding success.

b. Putting digital tools at the service of cultural democracy

- Producing editorialized platforms for aggregating cultural offerings

Best practice: The #Culturecheznous platform brings together the online offering of nearly 500 cultural players.

The French Government's *Histoire des arts* Internet portal brings together online educational resources from approximately 430 cultural players.

The *Dictionnaire des francophones* is a free, collaborative dictionary, in the spirit of Wiki, and is accessible on mobile phones. Piloted by the French Ministry of Culture, the dictionary is one of the emblematic measures of the action plan "An ambition for the French language and plurilingualism", presented by the President of the Republic, which is based on semantic web technology that has allowed new advances in the links between languages and digital content. The dictionary was launched in March 2021 and contains some 500,000 entries (with time this should reach 1 million). The International Organization of la Francophonie and many French-speaking countries have promoted the availability of lexical corpora related to the varieties of the French language.

- Putting digital tools at the service of the fight against sexual and gender-based violence in cultural events

Best practice:

"Safer" is an association supported by the French Ministry of Culture and the *Centre national de la musique* (CNM) that has developed various digital resources to fight against sexual and gender-based violence in festive environments. It provides: a free safety app to festival-goers, with a temporary geolocation system allowing Safer teams to intervene quickly at the scene of an aggression, responding as quickly as possible to alerts; an online resource centre with an educational device, which can provide festival volunteers with the information needed to implement applications; and MOOC training courses that can be consulted at any time on the subject of violence.

- Supporting the development of cultural and artistic spaces for online audiences

Best practice: The French office for the dissemination of contemporary performing arts (*Office national de diffusion artistique* – ONDA) implemented the "*l'Écran Vivant*" programme in response to the COVID-19 crisis, aiming to provide exceptional support to artists and structures for the presentation of live performances through experimentation with digital content. In a context where health restrictions have contributed to the lack of dissemination of creations, the *l'Écran Vivant* programme aims to support the experimentation of content adapted to new digital uses that complement and enrich the experience of live performance.

Study of digital cultural practices

a. Observing and analysing online practices and uses

- Improving understanding of and response to digital uses and capturing and engaging new audiences on audience hubs by seeking them out where they are and by assimilating their codes and practices.

Best practice: The French Ministry of Culture regularly conducts a survey on the cultural practices of the French, which, since 2008, has focused great attention on new technologies linked to digital development.

The consumer barometer, carried out annually by HADOPI since 2011, shows the main trends in terms of consumption of dematerialized cultural goods, legality of practices and perception of legal offerings.

As part of its mission to observe Internet usage, since 2011, HADOPI has been measuring and analysing the consumption of dematerialized cultural goods and their perception by Internet users.

b. Measuring the impact on the public of the online cultural offering

Best practice: Publication of a study on the multiplication of subscription video-on-demand (SVOD) services, carried out jointly by the Higher Audiovisual Council (CSA) and HADOPI, aiming to measure the impact on Internet users' practices of the multiplication of video-on-demand (VOD) and sports offerings.

International cooperation

a. Promoting the discovery of digital cultures worldwide

- Raising the awareness of international audiences about digital cultures

Best practice: The *Institut Français* and the French cultural network abroad organize the Digital November festival every year all over the world. This world festival allows us to examine the role of digital technologies in our societies, to train people on new uses and provide opportunities to discover the wealth and the diversity of digital creation.

- Making French cultural content accessible internationally via editorialized platforms

Best practice: *Culturethèque* is a digital Francophone media library with 120 countries already connected, more than 200,000 users, between 2,000 and 2,500 visitors per day and 340,000 documents.

The European Film Factory is a European programme for film education and cooperation, developed with the support of the MEDIA sub-programme of Creative Europe, running since 2019. The project combines innovative teaching methods and film education to provide opportunities to discover European cinematographic heritage.

b. Making digital technology a lever for the international distribution of artistic creation

- Promoting online and international distribution of artistic creation through innovative partnerships

Best practice: The online art festival "French Waves", initiated by the French Embassy in China, in partnership with the television channel Tencent Art, offers the Chinese public the best of artistic creation in the form of free-access video content. The content was imagined by seven of the great names in French culture: the Fédération de la Haute Couture et de la Mode (FHCM), the Palace of Versailles, the Palais de Tokyo, the Festival d'Avignon, the Ballet National de Marseille (BNM), the Jeu de Paume and Radio France.

MyFrenchFilmFestival (MyFFF) is the first French-language film festival to be entirely dematerialized. Each year, for one month, it offers a selection of 10 short films and 10 feature films in competition, with subtitles in 10 languages. Internet users can access the films on MyFrenchFilmFestival.com, as well as on more than 50 VOD platforms that relay the festival worldwide, including iTunes (in more than 90 countries), Google Play, Amazon and MUBI.

- Promoting the dissemination of digital exhibitions to international audiences

Best practice: Several cultural establishments have created virtual self-guided tours of their exhibitions (such as the *Réunion des musées nationaux et du Grand Palais* – RMN-GP, with the exhibitions *Noir & Blanc: a photographic aesthetic* and *Women Painters*, and the National Museum of the Renaissance with the exhibition *Le renouveau de la Passion*). These self-guided virtual tours are a means of developing the reputation of the museums and enabling national and international audiences to discover the collections.

- **Hosting spaces for the discovery of digitized cultural content in areas far from cultural centres**

Best practice: *Micro-Folies*, opened in France and abroad, foster cultural democratization and offer places of cultural life by enhancing access to digitized cultural content.