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Brussels, 19 May 2016

Dear President Juncker,
Dear First Vice-President Timmermans,
Dear Vice-President Ansip,
Dear Commissioner Oettinger,
Dear Commissioner Jourová,
Dear Commissioner Bieńkowska,
Dear Commissioner Navracsics
Dear Commissioner Vestager,
Dear Commissioner Moscovici,

**European consumers ask to include non-audiovisual content
in the geo-blocking proposal**

I write to you on behalf of BEUC, The European Consumer Organisation, concerning the upcoming proposal for a regulation on geo-blocking and other forms of discrimination that European consumers face based on place of residence or nationality within the Single Market.

BEUC is a strong supporter of the European Commission's plans to put an end to geo-blocking practices in the Single Market. It is high time that the European Commission ensures that the fundamental freedom to provide goods and services across the EU, which has long been the focus of the EU's Single Market policy, is finally complemented by measures that do not permit the fragmentation of markets to the detriment of consumers.

Allowing consumers to explore the benefits of the European market when shopping and accessing goods, services and content online must be at the heart of the Commission's policies for the Digital Single Market. We need a European Union that delivers concrete results to its citizens. The upcoming initiative on geo-blocking is an important piece for achieving this objective.

Nobody would accept that a high street record shop or book shop refuses to sell a CD or a book to a consumer because of his nationality or place of residence. Yet, in the on-line world this is a common practice.

Because of the nature of the Internet, consumers are increasingly frustrated by such practices, particularly in relation to digital content.

How will we explain to European consumers, and in particular the younger generation, that geo-blocking should continue for these products which are the most obvious to be purchased on-line across borders? There is ample evidence showing that consumers are willing to pay for legal offers but that too often they cannot do so because of outdated business practices aiming to maximise profits.

There is no good reason why, in a Digital Single Market, consumers should continue to be blocked and unable to decide where across the EU they want to purchase goods, services or digital content.

The upcoming geo-blocking proposal is a unique opportunity to tackle (part of) this problem. We acknowledge that a true Single Market which benefits consumers and companies alike cannot be built in a day. It has to be a gradual process. In times of Euroscepticism, the European Commission should take a strong stance to realise the potential of one of the greatest assets of the European Union: its Single Market, which will in the end benefit both consumers and businesses.

We have solid competition laws in place but enforcement is not enough without a clear framework that applies *ex-ante* to all market players. This proposal will complement the objectives of EU competition policy by delivering clear rules establishing that traders cannot discriminate against consumers because of their nationality and country of residence.

In this regard, digital content and the cultural sector should not be an exception. Music and books are amongst the most obvious products that consumers can easily buy on-line and across borders. If we want Europe's cultural diversities to flourish we need to enable consumers to reach those services in the most convenient, and legal way.

The European Commission already indicated in its Communication "Towards a Modern, More European Copyright Framework" that there will be specific measures to ensure consumers have access to audiovisual content. This is also in line with the preliminary results of the consultation on the revision of the Satellite and Cable Directive. However, in relation to non-audiovisual content like books, music, software and video games, there is no reason why it should be excluded from the geo-blocking proposal. Exempting this sector will significantly weaken the scope and objective of the regulation.

We look forward to continue our co-operation to build a Single Market for consumers.

Yours sincerely



Monique Goyens
Director General