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**Presence and prominence
of European works in Netflix
Report**

1. Objectives of the report

The objectives of the report are as follows:

- a) To establish the presence of European works in the catalogue of programmes offered by Netflix in Spain.
- b) To identify the level of prominence of European works in the Netflix catalogue.

Additionally,

- c) To analyse the possible influence of the content recommendation algorithm on the levels of prominence of European works, based on the study of 5 distinctive profiles.
- d) To identify other data connected with the production of European works: the country of origin, the original language, the type and the year of production.

2. Sample

This study analysed the Netflix catalogue for Spain on 10 February 2020. The study was conducted on the offer appearing on the PC device interface.

3. Regulations

Section 1 of Article 13 of *Directive (EU) 2018/1808 of the European Parliament and of the Council of 14 November 2018, amending Directive 2010/13/UE on the coordination of certain provisions laid down by law, regulation or administrative action in member states concerning the provision of audiovisual media services (Audiovisual Media Services Directive)* sets forth a minimum of European works in the on-demand video service supply:

“Member States shall ensure that providers of on-demand audiovisual media services under their jurisdiction secure at least a 30 % share of European works in their catalogues and ensure prominence of those works”.

Regarding the specification of the concept of “prominence”, Recital 35 sets forth:

“[...] Prominence involves promoting European works through facilitating access to such works. Prominence can be ensured through various means such as a dedicated section for European works that is accessible from the service homepage, the possibility to search for European works in the search tool available as part of that service, the use of European works in campaigns of that service or a minimum percentage of European works promoted from that service's catalogue, for example by using banners or similar tools.”

4. Criteria regarding the presence and prominence of European works

Section 1 of Article 13 of the Directive does not define the unit of computation for the calculation of the 30% quota of European works in on-demand video catalogues.

To establish a calculation system, in 2019 the Commission consulted the Contact Committee that was set up to “monitor the implementation of the Directive and the developments of audiovisual communication services in the sector and to offer a forum for the exchange of views”¹, based on Article 29 of the Directive.

In addition, on 21 February 2020 the Commission ran a public survey to enable the draft of the *Guidelines on European Works, on the calculation of the 30% share of European works in Video on Demand (VOD) catalogues and on the definition of low audience and low turnover exemptions*².

This survey analyses the possible strengths and weaknesses inherent to three calculation methods based on different variables:

- a) The length of the works.
- b) The number of titles, where each full-length film and TV movie is counted as a single production and each entire series or series season is counted as another single production.
- c) The number of titles, where each full-length film, TV movie and individual episode of a series is counted as a single production.

This report presents the information on the production and prominence of European works in keeping with two systems:

- Calculation system 1: according to criterion b), per series.
- Calculation system 2: according to criterion c).

¹ <https://ec.europa.eu/digital-single-market/en/avmsd-contact-committee>

² https://ec.europa.eu/eusurvey/runner/EW_AVMSDsurvey2020

5. The on-demand video service offered by Netflix

5.1 The Netflix interface on a PC device

The Netflix interface on a PC device adopts the format of a continuous screen: the user can move through the menu of the audiovisual works offered by scrolling horizontally and/ or vertically.

At the time of the data collection (10 February), the screens were structured as follows:

- An initial screen made up of:
 - An almost full-screen advertisement promoting a specific work and including a play button.
 - The section “My list”, which contains the works that the individual user has voluntarily included under this heading.
- The subsequent screens are made up of 18 icons that reproduce the posters of each work offered, arranged in different sections (for example, “Netflix Originals”, “Trending now”, “Recommended for [*profile name*]”). Both the headings and the contents change over time.
- One of the screens includes a second advertisement that virtually covers the entire screen.

Image 1. Initial screen of the Netflix interface for PC (10/02/20)

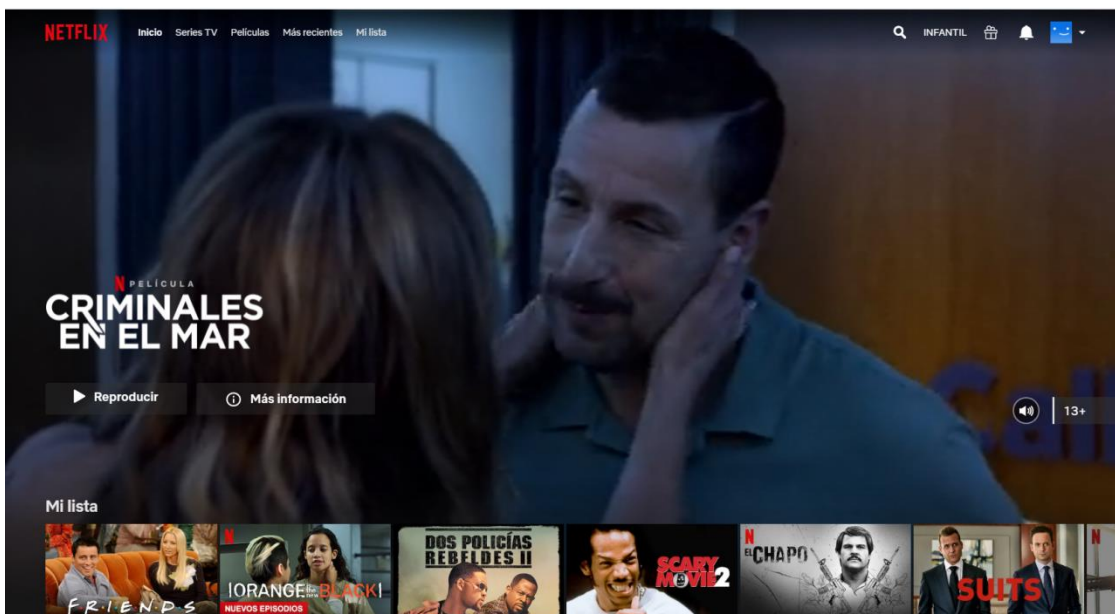
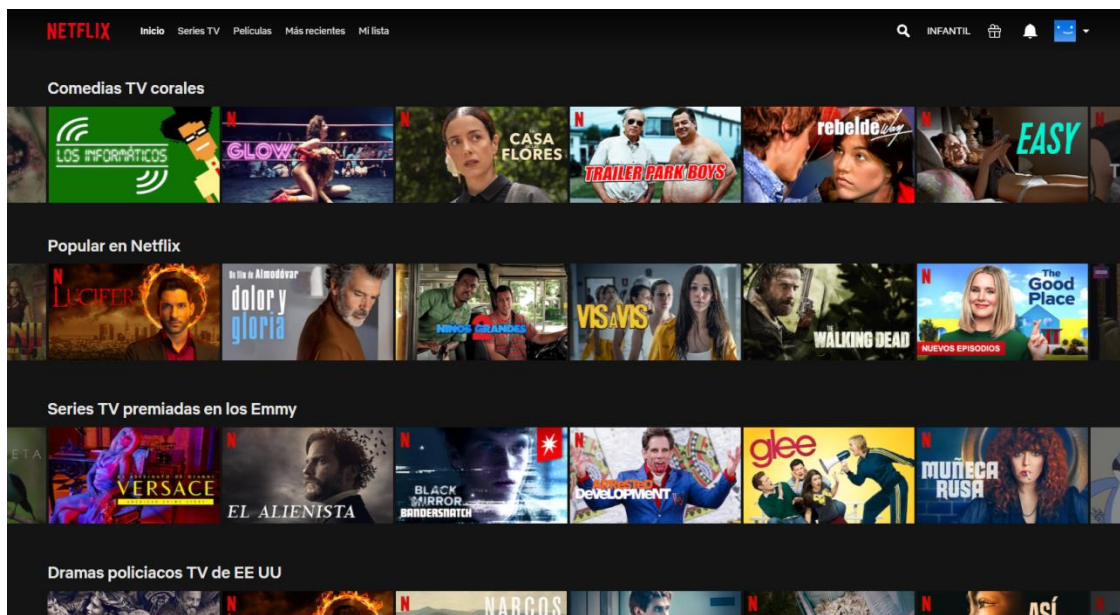


Image 2. Screen of the Netflix interface for PC showing the icons of the audiovisual works offered (10/02/20)



The interface includes a menu with different options:

In the upper left-hand section:

- “Home”, which enables the user to return to the initial screen.
- “TV shows”, “Movies”, “Recently added”: these are search tools predetermined by the provider.
- “My list”.

In the upper right-hand section:

- A free text search engine.
- The option of setting filters to show contents as children’s contents, and to do so from the other profiles.
- Three icons corresponding to:
 - A tool to share with other people a link to a given work or comments about it;
 - A mailbox to receive recommendations or alerts from Netflix;
 - The administration of the profiles.

5.2 User access to Netflix

The Netflix subscription service is accessed through profiles, which are understood as user accounts. According to Netflix,

“profiles allow different members of a household to have their own personalised Netflix experience, built around the TV shows and movies they enjoy.”³

In its premium option, Netflix offers the choice of defining 5 profiles (one of which is a children’s profile) for each user account. These profiles can be defined as soon as the account is activated and, in addition to asking for a profile name, the interface asks for the viewing preferences by asking the profile user to select three works from a list. Subscribers can decide not to answer this question, in which case the platform generates a “cold start” profile: a profile with no prior preference or viewing data that would enable the programme to guide the recommendations from the start.

Hence, the offer of on-demand video platforms is characterised by the personalisation of the offer through algorithms: unlike linear television, different people receive different audiovisual offers.

³ Netflix help centre (https://help.netflix.com/es-es/node/10421?ui_action=kb-article-popular-categories)

6. Methodology

6.1 The presence of European works

6.1.1 Sources of information

The information provided by Netflix in the application on a PC support has been completed and verified with other information sources.

Netflix catalogue

The entire Netflix catalogue was accessed by means of two complementary sources: the “Movies” and “TV series” options that appear in the menu of the interface; and the utility of the application JustWatch⁴.

At its website, in the version for Spain, JustWatch affirms:

“Here you can easily find where to stream your films and series in Spain. JustWatch is easy to use and efficient: choose your favourite online series and film streaming services at the WatchBar and find out what’s new on Netflix, HBO, Amazon Prime Video, Movistar Plus and another 12 legal streaming services.”

Production databases

As regards the data on the origin and year of production, the information provided by Netflix and JustWatch was contrasted with that of the following databases:

1. That of the rated films of the National Institute of Cinematography and Audiovisual Art (ICAA) of the Spanish Ministry of Culture and Sport (<https://sede.mcu.gob.es/CatalogoICAA>)
2. Lumière, of the European Audiovisual Observatory (<http://lumiere.obs.coe.int/web/search/>)
3. Internet Movie Database (Imdb) (<https://www.imdb.com/>)

⁴ The use of applications outside of the platform as a source of information was also discussed in the European Commission report *Film Availability in Netflix Country Stores in the EU* (2015). (<https://ec.europa.eu/jrc/sites/jrcsh/files/JRC98020.pdf>). JustWatch GmbH, the owner of this application, took part in the “Close the Loop” initiative for the use of digital marketing in the promotion of the audiovisual industry, which was funded by the European Union as part of the IBB ProFIT programme.

6.2 The prominence of European works

6.2.1 Indicators of the prominence of the offer

The assessment of the prominence of European works is based on that set forth in Directive AVMS, Article 13 and Recital 35, which relates “prominence” with ease of access:

“[...] Prominence implies the promotion of European works through the facilitation of access to them [...]”

By operationalising the concepts and data collection process, we adapted the methodological proposal of the study *L’oferta i la disponibilitat de contingut audiovisual en l’era de les dades massives*⁵, which was commissioned by the CAC. Three indicators were defined:

The positioning of the work

On a PC, the user accesses the Netflix offer by means of an interface with a continuous screen format. There, he / she can move right /left and up /down (scrolling), expanding the physical screen of operation.

The adjustment of the analysis tools to this positioning structure of a work among the group of works offered requires the adoption of a logical (non-physical) approach that takes on a continuum format in the offer: the “logic screen”, a concept that takes the content of the above-mentioned study by Carlos Castillo as a point of reference and reformulates it, adapting it to the analysis on a single audiovisual viewing support.

In this report, the **logic screen** is defined as the content of the set of physical screens that are located the same distance away from the first physical screen. The distance is measured by the number of complete or scrolling movements that it takes to reach them from the first screen.

Hence, for example, logic screen 2 encompasses the physical screens that are accessed from a single complete movement from the first screen; logic screen 3, in turn, requires two movements away from the screen, and so on (see Figure 1).

⁵ Castillo, [L’oferta i la disponibilitat de contingut audiovisual en l’era de les dades massives, 2018.](#)

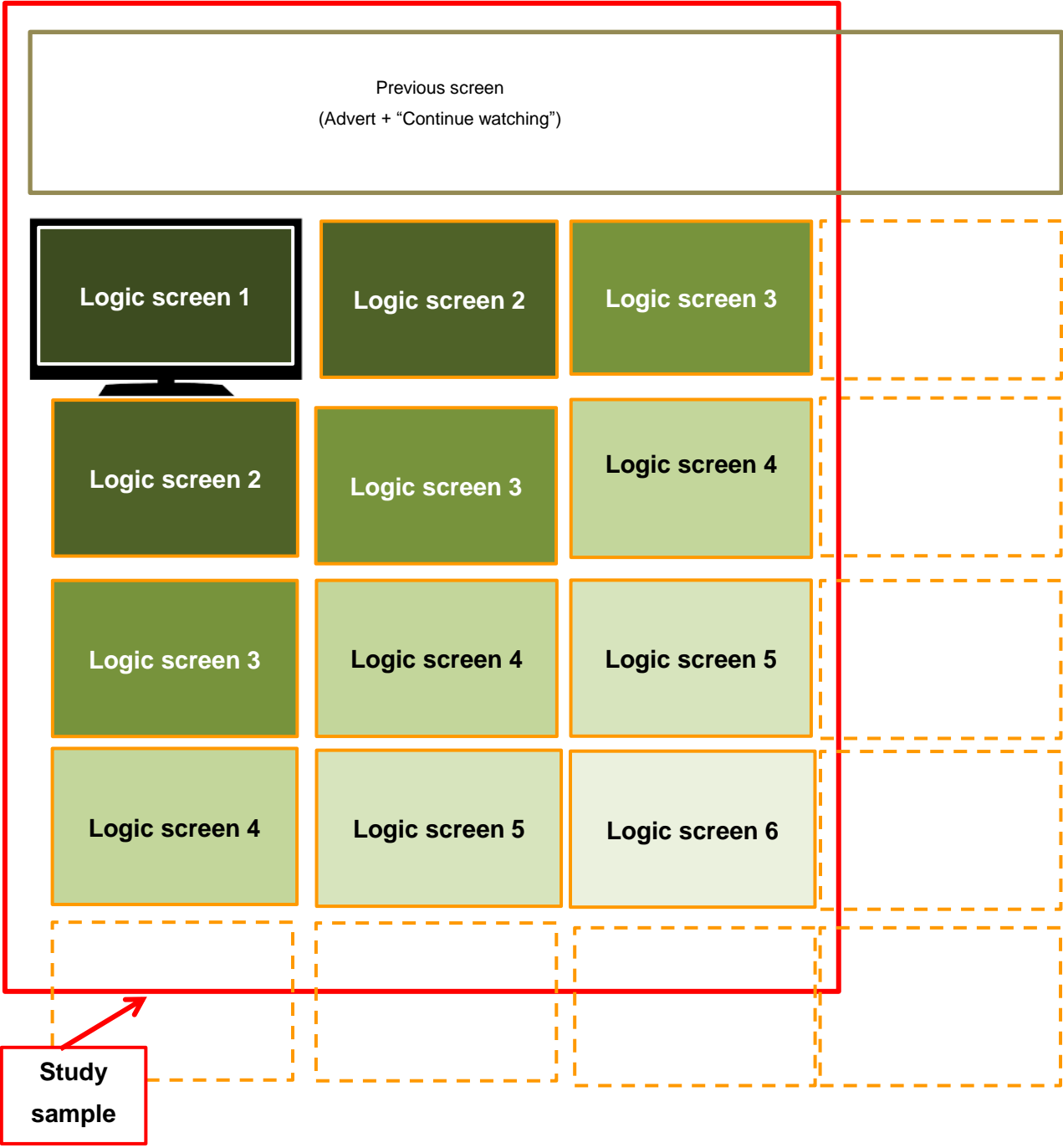
How the work is presented

There was an assessment of whether the advertisements of certain works were in some way highlighted (size, colour, text, movement) over the other works. The repetition of a given production in different sections was also considered a system designed to emphasise that specific work.

Tools to access the catalogue of European works

The platform was checked to determine whether or not there were tools affording direct access to European works, such as the user option to access all the European works as a group or the existence of a specific section in the interface, which Recital 35 of the Directive on audiovisual communications services suggests by way of example, as tools to contribute to the prominence of European works.

Figure 1. Netflix. Definition of the logic screens that formed the sample



6.2.2 Data collection

Given the nature of the offer on the Netflix interface as a continuum, the study of prominence was carried out based on a sample from the whole of the platform's offer:

- **The preliminary screen:** the advertisement promoting a work was taken into account.
- **The 12 physical screens** (after the preliminary screen) that the user can access by consecutive *scrolling* to the right (up to 2 times) and down (up to 3 times). These screens are determined by the identification of the 6 logic screens, as shown in Figure 1.

All the works present in these 12 screens were explored along with the offers in the sections associated with the Netflix recommendations system (for example, "Netflix originals", "Trending now", "Recommended for [*profile name*]", etc.).

The sections associated with the viewing activity ("Continue watching") or with the user's active definition of preferences ("My list") were not considered, as they are unrelated to the Netflix recommendation system.

For each work that appeared in this *sample*, the following aspects were taken into account:

- Location or locations of the work on the screen.
- Presence of the work in advertisements (and location).
- Title of the work.
- Type of the work: full-length films and TV movies or series productions.
- In the case of series, the number of episodes available on the platform.
- The year of production of the work (in the case of series, the period between the first and last available seasons).
- Origin of the production. In the case of European productions, the information also includes the original language.

6.2.3 Computation system of the prominence of the offer

6.2.3.1 Creation of profiles

The study of the offer of contents and the prominence of European works had to take into account the role played by the algorithms in the offer and the location of the works on the screen. It is for this reason that for this report the prominence of European works was calculated for 5 different profiles.

Two profiles corresponded to the cold start mode, where there was no prior audiovisual viewing history and no explanation of a preference for a given type of work: one profile (A) corresponded to an adult, whereas profile B was a child, created from the parental control tool provided by Netflix. The other three profiles were defined based on the audiovisual viewing preference for a given origin.

- Profile A. Cold start mode
- Profile B. Child. Cold start mode
- Profile C. Viewing preference: US productions
- Profile D. Viewing preference: European productions (except Spain)
- Profile E. Viewing preference: works produced within the territories of Spain

The definition process for each profile includes a series of actions that influence the recommendation of contents on the platform: when profiles are created, the platform asks the user to choose three works from a selection from the catalogue; in a period before the start of the study, works responding to the preestablished origin for each profile were viewed; the “Like” and “My list” function was used for those works coinciding with the origin criteria of each profile.

6.2.3.2 Data on the prominence of European works

The results obtained in the data collection phase would provide information to enable the assessment of the prominence of European works for the sample studied, on two levels.

- On one hand, **for each of the five defined profiles**, three pieces of information were provided:
 - a) The accumulated percentage of the presence of European works among the total number of works in each logic screen (screen 2 includes the data of screens 1 and 2; screen 3 includes the data of screens 1, 2 and 3, etc.).

The accumulated calculation aims to reflect as faithfully as possible user browsing habits, for in order to get to a subsequent screen, they must browse the ones that come before it.
 - b) The percentage of advertisements of European works among the total number of works advertised in this format (European and non-European).
 - c) The percentage of European works with repeated presence (in other words, productions that Netflix offered more than once in the sample studied) under different headings or sections in relation to the total number of works (European and non-European).
- On the other hand, **throughout the entire interface** the presence of any tool that could favour the prominence of European works was also noted.

6.3 The effect of algorithms on the offer of European works

This report also aims to explore the influence of algorithms on the concept of prominence of European works. Therefore, we have analysed the possible influence of such algorithms on the European works offered to each user based on a comparison of the offers received by each profile in the study.

In order to accentuate the hypothetical influence of an algorithm on the origin of the work, each profile was defined in accordance with this very factor.

The profiles were compared in terms of the following indicators:

- Proportion of European works in the entire sample analysed (the 12 physical screens).
- Proportion of European works regarding each one of the logic screen levels analysed.

The data were contrasted with those presented in profile A, which was created in cold start mode; in other words, where no prior steps were taken to indicate the preference of a given product.

7. Summary

Framework of the study

The presence and prominence of European works in the Netflix catalogue was analysed on 10 February in a PC interface. It is important to specify the date of data collection and the interface used, as the catalogues of on-demand video services change daily and the ease of accessing the works can vary, depending on the device used.

Given the current lack of definition of the calculation system to determine the proportion of European works contemplated by the new Directive (“30% of the catalogue”), the calculations were carried out twice, taking in two of the systems noted by the Commission: system 1, where each full-length film and each entire television series (all the episodes of a tv series together) are counted as *single* works, respectively; system 2, which considers each full-length film and each individual episode of a TV series a *single* work, respectively.

To assess the prominence of European works, one of the characteristic features of on-demand video services was adopted: the focus of the offer in keeping with the user profile. Hence, 5 different profiles were defined. In three of those profiles, viewing was based on preferences for works of different origin (including works from the US, European productions, works from the territories of Spain) prior to the data collection. Having multiple profiles moreover made it possible to analyse the influence of the algorithms on the prominence of European productions in the platform.

On 10 February 2020, the Netflix catalogue in Spain comprised 2,295 single productions and 1,217 series that translated to 30,588 episodes.

Table 1. Works offered by Netflix in Spain, by type, according to the two calculation systems (10/2/20)

Type	System 1	System 2
Full-length films and TV movies	2,295	2,295
Series productions	1,217	30,588
Total	3,512	32,883

The presence of European works in the Netflix catalogue varied, depending on the calculation system used; however, on the date of the study, it did not by any means reach 30%.

Hence, the proportion of European works in the catalogue was 22.2% using system 1 (counting all the episodes of a TV series together as an individual work) and 17.3% applying system 2 (counting each episode of a TV series as an individual work).

Regarding this divergence of figures, it is particularly worth noting that in the Netflix catalogue analysed here, the average number of episodes of the European TV series was lower than that of non-European productions.

Table 2. European works offered by Netflix throughout Spain (%) according to the two calculation systems (10/02/20)

Origin of the work	%	
	System 1	System 2
European	22.2	17.3
Non-European	77.8	82.7
Total	100	100

These differences were also reflected in other parameters.

As regards the original language of the European works, calculation system number 1 assigned a larger proportion of works originally produced in the official languages of Spain than system 2: 20.8% versus 11.9%. In comparison with the whole of the catalogue (European and non-European productions) the works originally produced in the official languages of Spain accounted for 4.6% (system 1) or 2.1% (system 2) of the total.

For their part, the works originally produced in Catalan accounted for 0.8% of the European works (according to system 1) and 1.3% (according to system 2). In relation to the whole catalogue, the Catalan language works accounted for 0.2%, according to the two calculation systems.

These data reflected the higher weight of fiction series over full-length films and TV movies among the original Catalan language works.

Table 3. Original languages of the European productions present in the Netflix catalogue, according to the two calculation systems (%).

Original languages of European works	%	
	System 1	System 2
Non-official languages of Spain	79.2	88.1
Official languages of Spain	20.8	11.9
Proportion of <i>original Catalan-language productions</i> among them	0.8	1.3
Total	100	100

The works offered in the Catalan language (with either audio or subtitle options) accounted for 0.3% of the Netflix catalogue, according to calculation system 1, and 0.5% according to system 2.

Netflix offered a total of 6 Catalan original version works according to calculation system 1 and 77 according calculation system 2, corresponding to 4 series and 2 full-length films. The 4 series also included subtitles in Catalan.

Moreover, in the entire catalogue, Netflix also offered Catalan as a language option for a total of 3 works produced in other languages (according to calculation system 1) or 72 works (according to calculation system 2): one Japanese animated series dubbed in Catalan; and two documentaries, one of which was a Spanish production and the other British, with subtitles in Catalan.

As regards the **year of production**, in the two calculation systems most of the works were produced in the last 10 years: 88.8% (system 1) and 84.8% (system 2).

Table 4. Year of production of European works offered by Netflix according to the two calculation systems

Years of production	%	
	System 1	System 2
More than 20 years ago	2.8	2.4
2000-2005	3.1	1.9
2005-2010	5.3	10.9
2010-2015	22.2	28.9
2015-2020	66.6	55.9
Total	100	100

The prominence of European works fundamentally depends on the viewing preferences of each profile, which are determined by the recommendation algorithms.

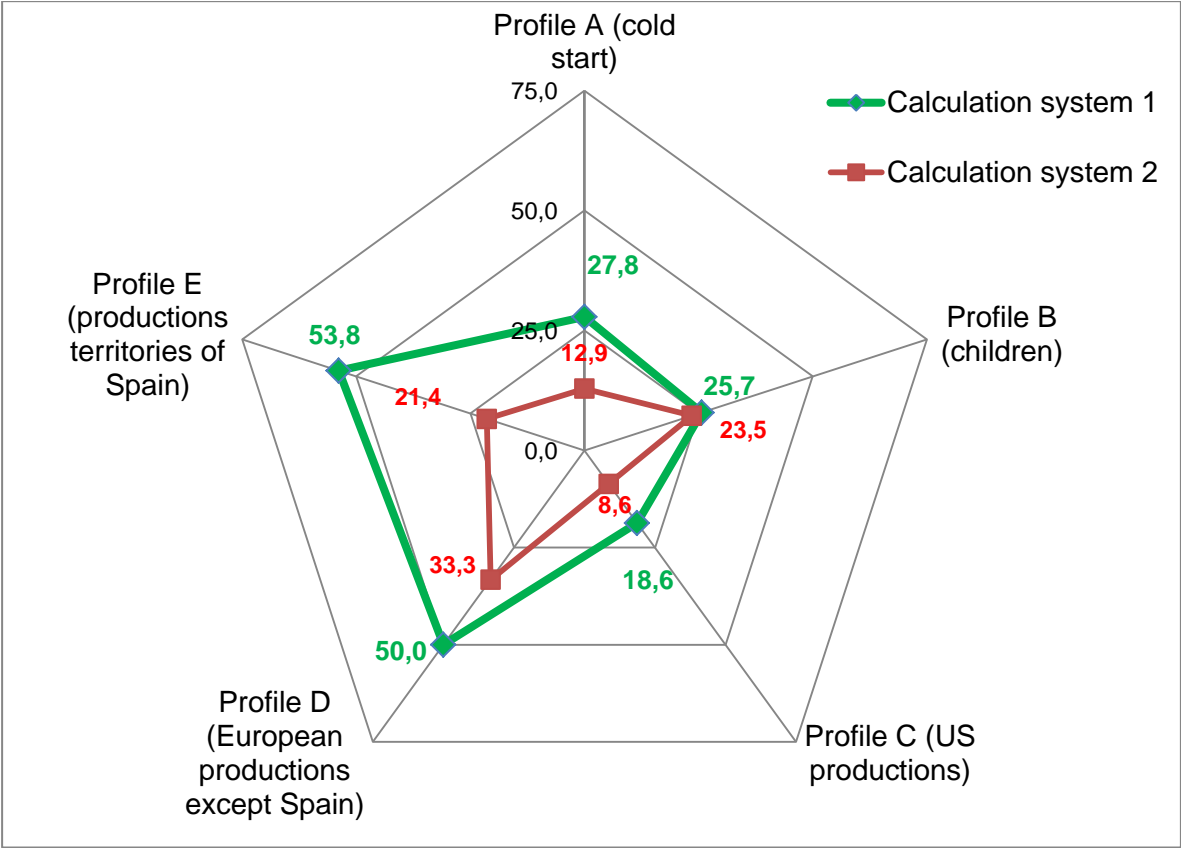
The study of the offer of works received by each profile within the scope of the 12 physical screens of the sample, has enabled us to see that the prominence of European works is a parameter that depends on the user's profile in the platform: the prominence is different in different profiles.

Figure 2 clearly reveals the differences among the profiles. Hence, the three with predetermined viewing preferences revealed behaviour directly related with their respective orientation: the proportions of the two profiles (D and E) focusing on European works (50% and 53.8%) were twice as high as those of the cold start profiles, whereas the profile with the preference for US productions showed a considerably lower proportion (18.6%).

On the other hand, in the two cold start mode profiles (A and B), in other words, those which did not initially state any a priori viewing preferences, the presence of European production titles was similar (27.8% and 25.7%).

As to the **prominence of the works available in Catalan** on Netflix, none of the 25 works (according to calculation system 1) in the two first logic screens of profile A (cold start) was offered with available Catalan audio or subtitle options.

Figure 2. European works offered by Netflix in the 12 physical screens analysed for each of the 5 defined user profiles, according to the two calculation systems. (%)



Netflix incorporates systems that operate to increase the prominence of European productions.

Beyond the quantitative presence of European works in the catalogue, Netflix has other mechanisms that facilitate access to the works of European origin: the offer of European works in the advertisements, the repeated offer of a single work under different headings, the option of running searches based on the origin of the production and the offer of European works on the initial browsing screens.

The two virtually full-screen advertisements promoting a given work corresponded to European productions in 3 of the 4 defined profiles.

These advertisements appeared on the initial screen and on a subsequent screen (among the 12 screens of the sample) in 4 of the profiles analysed (the child profile does not show adverts). Profile C, which preferred US productions, was the only profile where the advertisements corresponded to non-European works.

The repeated offer of a single work reinforces the features of the pre-defined viewer profiles.

Hence, with calculation system 1, in profiles with European and Spanish viewing preferences (D and E), there was a higher proportion of European works appearing more than once in the 12 physical screens of the sample than the actual proportion of European works present in such screens; in contrast, in profile C (preference for US productions), they were lower.

Nevertheless, the cold start profiles (A and B), which had no predefined viewing tendency, also showed repeated European works at a higher proportion than that of the whole of the sample analysed, comprising the 12 physical screens.

Table 5. Repetition in production offer. Percentage of European works offered more than once (under different headings or sections), in relation to the total number of repeated works (European and non-European), according to the two calculation systems. (%)

Profiles		System 1 (%)	System 2 (%)
Cold start mode	Profile A	30.0	6.2
	Profile B (children)	28.3	22.3
Prior viewing of works of a given origin	Profile C (European productions)	10.0	0.6
	Profile D (European productions, except Spain)	64.1	48.2
	Profile E (productions from the territories of Spain)	65.4	43.2

Netflix allows the search for European works in a free text search engine while introducing some headings that refer to the origin of the production, although the platform does not present a specific clearly defined section for European works, nor does it systematically identify them with a marker. The platform currently includes a recommendation heading that explicitly groups together European works.

As regards access to the works with audio or subtitles in Catalan, Netflix allows the search by means of the platform’s free text search engine.

In general, for all the profiles, Netflix offered more European works in the initial screens than in the subsequent ones.

Regardless of the calculation system used, the highest proportion of European works was found in the first two or three logic screens (see Tables 6 and 7). Figure 3 presents the proportions for each of the two calculation systems.

Table 6. Presence of European works on logic screens. Accumulated percentage for each profile. Calculation system 1.

Profiles		% of European works by logic screen (accumulated)					
		Logic screen 1	To logic screen 2	To logic screen 3	To logic screen 4	To logic screen 5	To logic screen 6
Cold start mode	Profile A	50.0	53.3	30.3	27.0	27.9	27.9
	Profile B (children)	21.1	26.8	25.2	23.9	24.7	24.5
Prior viewing of works of a given origin	Profile C (US production)	33.3	13.3	12.1	13.0	14.6	16.0
	Profile D (European production, except Spain)	66.7	63.3	62.1	58.3	54.9	53.7
	Profile E (production territories of Spain)	50.0	70.0	62.1	59.3	55.6	55.9

Table 7. Presence of European works on logic screens. Accumulated percentage for each of the profiles. Calculation system 2.

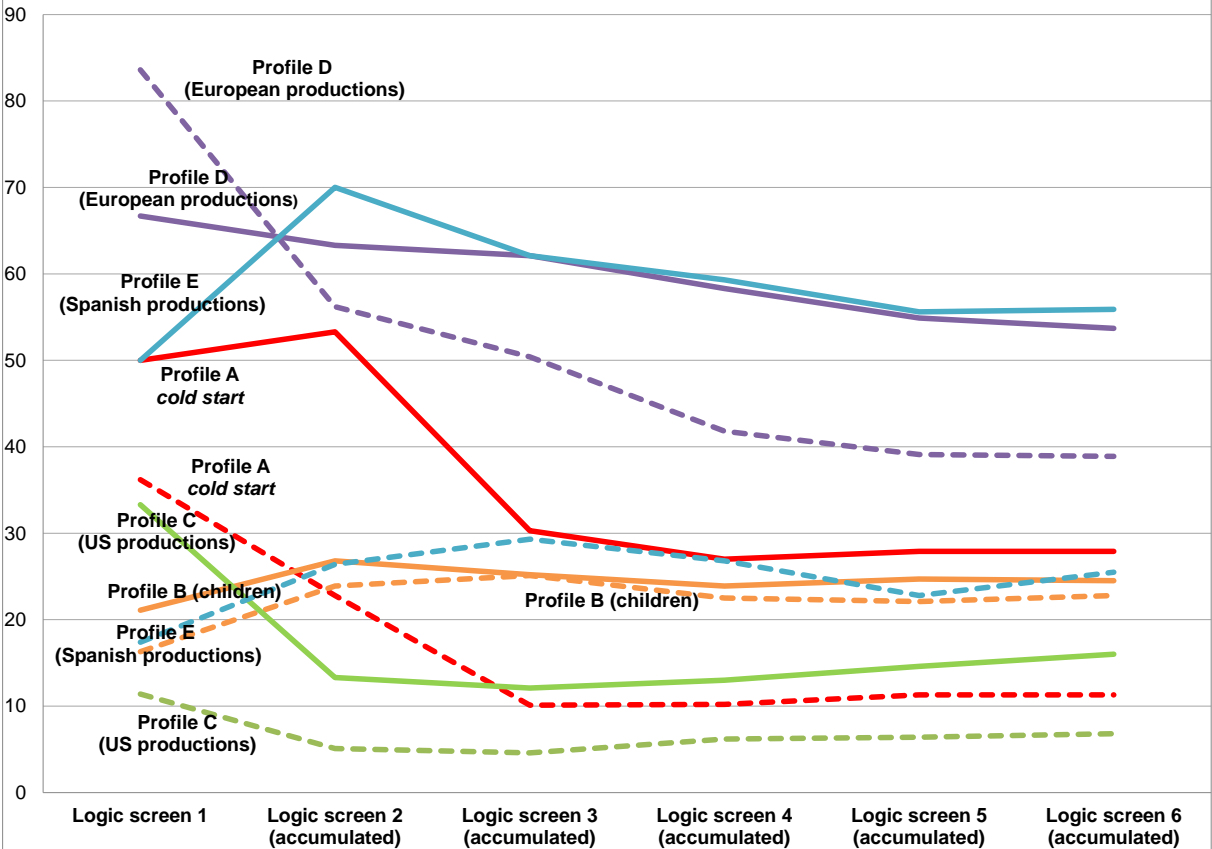
Profiles		% of European works by logic screen (accumulated)					
		Logic screen 1	To logic screen 2	To logic screen 3	To logic screen 4	To logic screen 5	To logic screen 6
Cold start mode	Profile A	36.2	22.8	10.1	10.2	11.3	11.3
	Profile B (children)	16.3	23.9	25.1	22.5	22.1	22.8
Prior viewing of works of a given origin	Profile C (US production)	11.4	5.1	4.6	6.2	6.4	6.8
	Profile D (European production, except Spain)	83.6	56.2	50.4	41.8	39.1	38.9
	Profile E (production territories of Spain)	17.4	26.4	29.3	26.8	22.8	25.5

Profile A (cold start) was an example of this. In the first two logic screens, it presented a higher proportion of European works (in the first screen, for example, 50% using calculation system 1 and 36.2% with system 2) than the proportion presented by the 6 logic screens as a group (27.9% and 11.3%, respectively).

The profiles with European viewing preferences (D and E) also received a majority offer of European works that was greater than the total percentage. Hence, for example, in profile D 66.7% (system 1) and 83.6% (system 2) of the productions on the first screen were European, whereas the proportion corresponding to the entire sample on the 6 logic screens

was lower (53.7% and 38.9%, respectively). Even profile C, which preferred US productions, presented on the first logic screen a higher percentage (33.3% or 11.4%, depending on the calculation system) than that of the total of the screens that formed the sample (16% and 6.8%).

Figure 3. European works offered at each level of the logic screen for each profile in the sample analysed, according to the two calculation systems (%)



In conclusion,

On the date the study was carried out (February 2020), **the presence of the European works in the Netflix catalogue accounted for less than 30% of the total offer**, regardless of the calculation system used in this report⁶.

Nevertheless, Netflix incorporates systems that operate to foster the **prominence of European works in the catalogue, such as the concentration of the offer of the European works in the first screens that are accessed when browsing.**

In quantitative terms, the European works accounted for 22.2% of the catalogue according to calculation system 1 (counting each full-length film, TV movie and each entire series or series season as a single title) and 17.3% according to calculation system 2 (which calculates each full-length film, each TV movie and each individual episode of a series all as single titles).

The offer of European works received by a profile with no predefined viewing preference (profile A) similarly fell below 30% (in a sample from the catalogue, made up of 12 physical screens of the PC interface), reaching 27.8% with calculation system 1 and 12.9% with system 2. In terms of prominence, the offer of European works for this same profile in fact exceeded 30% in the first three logic screens (according to system 1) and in the first logic screen (with system 2).

Regarding the **original languages of the European works**, the works originally produced in the official languages of Spain accounted for 20.8% (according to calculation system 1) and 11.9% of the European works (according to system 2). Among those productions, the works originally produced in Catalan accounted for 0.8% (according to system 1) and 1.3% of the European works (according to calculation system 2).

With reference to the presence of the Catalan language among the audio or subtitle options, **the offer only accounted for 0.3% of the Netflix catalogue, according to calculation system 1, and 0.5% with system 2.** This offer included the works originally produced in Catalan (which accounted for 0.2% of the works according to both calculation systems), as

⁶ These two systems appear in the European Commission's *Guidelines on European Works, on the calculation of the 30% share of European works in Video on Demand (VOD) catalogues and on the definition of low audience and low turnover exemptions* (https://ec.europa.eu/eusurvey/runner/EW_AVMSDsurvey2020)

well as one series (dubbed in Catalan) and two full-length films (subtitled) in other original languages.

Moreover, and in terms of the ease of access to these works, Netflix allows the search for works with audio or subtitle options in Catalan. Nevertheless, as regards prominence, none of these works with audio or subtitle options in Catalan appeared in the first two logic screens offered to a profile with no predefined preferences (profile A).