MEPs rally against planned EU copyright reform

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News

Fierce battle lines are being drawn ahead of a crunch parliamentary vote on a planned shakeup of EU-wide copyright laws.

On 20 June, Parliament’s legal affairs committee will vote on the biggest potential change to copyright law in Europe in the last 30 years.

The European Commission made the initial proposal two years ago and at its heart were two radical changes that fundamentally change copyright practice in most of Europe.

First it creates a new ancillary right for news publishers, often dubbed ‘the link tax’, and second, it places a new general obligation on internet platforms and websites to pre-monitor user content on their website for copyright infringements.
Critics, including ECR group MEP Dan Dalton, say that both of these changes will hit consumers and small businesses in Europe “very hard.”

The so-called ‘neighbouring right’ clause in the directive has arguably proved to be the most controversial element of the draft law.

Now, more than 100 MEPs (32 Greens/EFA, 25 ALDE, 18 S&D, 14 GUE, seven ECR, six EFDD and two EPP) have sent a letter to Axel Vos, who is Parliament’s rapporteur on the file.

Vos, an EPP group member, supports the controversial legislation which is also backed by most major media and press publishers.

Internet companies like Google and Twitter, however, fiercely oppose it.

The MEPs’ letter, seen by this website, reads, “We are extremely worried about the impact that the introduction of a new neighbouring right for press publishers will have on access to news and information.

“While we support efforts to ensure a level playing field between online platforms and businesses through the enforcement of competition and consumer rules, we believe that the introduction of a new European neighbouring right will have a nocent and injurious effect on citizens’ access to quality news and information. We urge you to:

“1. Listen to the voices of consumer groups, small publishers, civil society and the business community who are overwhelmingly opposed to the introduction of a new copyright restricting access and sharing of news and information.

“2. Take account of the perspective of over 200 European copyright legal and academic experts who argue that a neighbouring right ‘would likely impede the free flow of information that is of vital importance to democracy’, ‘would be likely to harm journalists’ and would ‘exacerbate existing power asymmetries in media markets that already suffer from worrying levels of concentration in many member states.’

“3. Respect the advice of the European Parliament’s own independent, non-partisan academic study of similar rules in Germany and Spain which raised doubts that ‘the proposed right will do much to secure a sustainable press’ and highlighted worrying issues on the possible future of linking in Europe.

“4. Consider the significant majority of amendments tabled by individual MEPs which called for the neighbouring right to be scrapped or replaced by a less invasive, more proportionate legal solution to the historical challenges faced by European publishers, journalists and freelancers.”

The letter goes on, “Ahead of the vote, we urge you to consider the deletion of Article 11 of the
directive of copyright in the digital single market, and find an alternative, less invasive, and more proportionate solution to support quality journalism and freedom of the press in the digital age.”

However, the EPP is spearheading a vocal lobbying effort designed to ensure that the legislation is adopted at committee stage later this month. The party and its affiliate in the Parliament says it will give much needed legal protection for publishers across Europe.

An EPP policy paper on the copyright directive, also seen by this website, states that it “has strong concerns that the growth of traditional media in the digital sphere is challenged by some news aggregators and online service providers that develop their activities by using rights-holders’ content without contributing to sustain the investments in its creation and without ensuring fair remuneration of the creators.”

The paper goes to say, “The EPP is of the opinion that a specific right for publishers provides more legal certainty regarding licensing and enforcement of rights. Strengthening the press publishers’ position also contributes to safeguarding quality journalism over fake news.

“Therefore, the EPP is in favour of a genuine right for press publishers as proposed by the Commission in Article 11.”

About the author

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