



In line with [our our analysis](#) of the Draft Opinion, **European Digital Rights** would like to comment on the draft compromise amendments tabled to CULT's [Draft Opinion](#) on The implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society (2014/2256(INI)).



Support Compromise amendments: 2, 4, 5, 6.



Oppose Compromise amendments: 1 and 3.

A short justification is given, when relevant.

DRAFT COMPROMISE AMENDMENTS AND VOTING LIST

Draft opinion by Isabella Adinolfi

**on ‘the implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society’
(2014/2256(INI))**

Documents: CULT draft opinion: PA\1043937 - PE544.403v01-00
CULT amendments: AM1051870 – PE549.431v01-00 (AM. 1-121)

DRAFT VOTING LIST

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph -1 (new)	1	Marlene Mizzi	+		
Paragraph -1 (new)	2	Helga Trüpel Michel Reimon	+		
Paragraph -1 (new)	3	Helga Trüpel Michel Reimon	+		
Paragraph -1 (new)	4	Helga Trüpel Michel Reimon	+		
Paragraph 1	5	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Davor Ivo Stier Therese Comodini Cachia Eva Paunova	-	identical deletion If adopted, Am. 8, Am. 9 and Am. 10 fall ► Go to Am. 11	
	6	Therese Comodini Cachia Andrea Bocskor Norbert Erdős	-		
Paragraph 1	7	Andrew Lewer	-		
	8	Michel Reimon Ernest Maragall	+		
	9	Isabella Adinolfi	+		
	10	Curzio Maltese Martina Michels	+		
Paragraph 1 a (new)	11	Michel Reimon Ernest Maragall	+		
Paragraph 1 a (new)	12	Rapporteur	+		
Paragraph 1 a (new)	13	Marc Joulaud		identical	

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
		Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Davor Ivo Stier Eva Paunova		<i>If adopted, Am. 15 falls</i> ► Go to Am. 17	
Paragraph 1 c (new)	14	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Marlene Mizzi			
Paragraph 1 e (new)	15	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Norbert Erdős			
Paragraph 1 a (new)	17	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Eider Gardiazabal Rubial		<i>If adopted, Am. 16 and Am 18 fall</i> ► Go to Am. 19	
Paragraph 1 g (new)	16	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Davor Ivo Stier Therese Comodini Cachia Eva Paunova		<i>identical</i>	
Paragraph 1 b (new)	18	Therese Comodini Cachia Andrea Bocskor Norbert Erdős			
Paragraph 1 a (new)	19	Curzio Maltese Martina Michels			
Paragraph 1 b (new)	20	Michel Reimon	+		

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
		Ernest Maragall Helga Trüpel			
Paragraph 1 b (new)	21	Rapporteur	+		
Paragraph 1 d (new)	22	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis		<i>If adopted, Am. 23 falls</i> ► <i>Go to Am. 24</i>	
Paragraph 1 b (new)	23	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta Eva Paunova Silvia Costa			
Paragraph 1 c (new)	24	Rapporteur	+		
Paragraph 1 c (new)	25	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>If adopted, Am. 26 and Am. 27 fall</i> ► <i>Go to Am. 28</i>	
Paragraph 1 b (new)	26	Dietmar Köster Luigi Morgano Mary Honeyball		<i>If adopted, Am. 27 falls</i> ► <i>Go to Am. 28</i>	
Paragraph 1 h (new)	27	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Davor Ivo Stier			
Paragraph 1 d (new)	28	Rapporteur			
Paragraph 1 d (new)	29	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Marc Joulaud Norbert Erdős			
Paragraph 1 d (new)	30	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Eva Paunova			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 1 g (new)	31	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Norbert Erdős		<i>identical</i>	
Paragraph 1 e (new)	32	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta Therese Comodini Cachia			
Paragraph 1 e (new)	COMP 1	Rapporteur	+	<i>If adopted, Am. 33, Am. 34 and Am. 3 fall</i> ► Go to COMP 2	
Paragraph 1 c (new)	33	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Therese Comodini Cachia Eva Paunova Silvia Costa		<i>identical</i> <i>If adopted, Am. 35 falls</i>	
Paragraph 1 f (new)	34	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Norbert Erdős		► Go to COMP 2	
Paragraph 1 e (new)	35	Dietmar Köster Luigi Morgano Mary Honeyball			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
		Giorgos Grammatikakis			
Paragraph 1 f (new)	COMP 2	Rapporteur	+	<i>If adopted, Am. 36, Am. 37 and Am. 38 fall</i> ► <i>Go to Am. 39</i>	
Paragraph 1 a (new)	36	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>If adopted, Am. 37 and Am. 38 fall</i> ► <i>Go to Am. 39</i>	
Paragraph 1 f (new)	37	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Davor Ivo Stier Eva Paunova			
Paragraph 1 f (new)	38	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Marlene Mizzi Eider Gardiazabal Rubial			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 2	39	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta Therese Comodini Cachia Eva Paunova		identical deletion If adopted, Am. 41 falls	
	40	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Norbert Erdős		► Go to Am. 42	
	41	Andrew Lewer			
Paragraph 3	42	Zdzislaw Krasnodebski		If adopted, Am. 43, Am. 44, Am. 45, Am. 46, Am. 47 and Am. 48 fall ► Go to Am. 49	
	43	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta		If adopted, Am. 44, Am. 45, Am. 46, Am. 47 and Am. 48 fall ► Go to Am. 49	
	44	Dietmar Köster Mary Honeyball		If adopted, Am. 45, Am. 46 and Am. 47 fall ► Go to Am. 48	
	45	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Norbert Erdős		If adopted, Am. 46 and Am. 47 fall ► Go to Am. 48	
	46	Andrew Lewer			
	47	Michel Reimon Ernest Maragall			
	48	Curzio Maltese	-		

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
		Martina Michels			
Paragraph 4	49	Andrew Lewer	-	identical deletion <i>If adopted, Am. 53 and Am. 54 fall</i>	
	50	Zdzislaw Krasnodebski Angel Dzhambazki			
	51	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta			
	52	Dietmar Köster Luigi Morgano Giorgos Grammatikakis			
	53	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Marc Joulaud Norbert Erdős		<i>If adopted, Am. 54 falls</i>	
	54	Mara Bizzotto	+		
Paragraph 4 a (new)	55	Dietmar Köster Luigi Morgano Giorgos Grammatikakis			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 5	56	Jean-Marie Cavada Angel Dzhambazki Therese Comodini Cachia		identical deletion	
	57	Dietmar Köster Luigi Morgano Giorgos Grammatikakis		If adopted, Am. 59, Am. 60, Am. 61, Am. 62 Am. 63 and Am. 58 fall ► Go to Am. 64	
	59	Marc Joulaud		If adopted, Am. 60, Am. 61, Am. 62 and Am. 63 fall ► Go to Am. 58	
	60	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		If adopted, Am. 61, Am. 62 and Am. 63 fall ► Go to Am. 58	
	61	Zdzislaw Krasnodebski		If adopted, Am. 62 and Am. 63 fall ► Go to Am. 58	
	62	Andrew Lewer		If adopted, Am. 63 falls ► Go to Am. 58	
	63	Curzio Maltese Martina Michels			
	58	Michel Reimon Ernest Maragall			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 5 a (new)	64	Helga Trüpel Michel Reimon	+		
Paragraph 5 a (new)	65	Sylvie Guillaume	+		
Paragraph 5 a (new)	66	Michel Reimon Ernest Maragall	+		
Paragraph 5 a (new)	67	Rapporteur	+		
Paragraph 5 a (new)	68	Jean-Marie Cavada Angel Dzhambazki Therese Comodini Cachia			
Paragraph 5 a (new)	69	Marc Joulaud Sabine Verheyen			
Paragraph 5 a (new)	70	Therese Comodini Cachia Andrea Bocskor Sabine Verheyen Marc Joulaud Norbert Erdős		<i>If adopted, Am. 71 falls</i> ► Go to Am. 72	
Paragraph 5 a (new)	71	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Eider Gardiazabal Rubial			
Paragraph 5 b (new)	72	Michel Reimon Ernest Maragall			
Paragraph 5 b (new)	74	Rapporteur	+		
Paragraph 5 b (new)	75	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta Eva Paunova			
Paragraph 5 d (new)	86	Michel Reimon Ernest Maragall			
Paragraph 5 b (new)	76	Jean-Marie Cavada Angel Dzhambazki Marc Joulaud Sabine Verheyen Juan Carlos Girauta Vidal Therese Comodini Cachia			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 5 f (new)	COMP 3	Rapporteur	+	<i>If adopted, Am. 77 and Am. 78 fall</i> ► Go to Am. 79	
Paragraph 5 f (new)	77	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta		<i>identical</i>	
Paragraph 5 b (new)	78	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis			
Paragraph 5 c (new)	79	Michel Reimon Ernest Maragall	+		
Paragraph 5 c (new)	80	Rapporteur	+		
Paragraph 5 c (new)	81	Jean-Marie Cavada Marc Joulaud Sabine Verheyen Fernando Maura Barandiarán Juan Carlos Girauta Vidal Therese Comodini Cachia			
Paragraph 5 b (new)	73	Helga Trüpel Michel Reimon			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 5 b (new)	COMP 4	Rapporteur	+	<i>If adopted, Am 82, Am. 83, Am. 84 and Am. 85 fall</i> ▶ Go to COMP 5	
Paragraph 5 b (new)	82	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>If adopted, Am. 83, Am. 84 and Am. 85 fall</i> ▶ Go to COMP 5	
Paragraph 5 c (new)	83	Marc Joulaud Bogdan Brunon Wenta Eva Paunova		<i>If adopted, Am. 84 and Am. 85 fall</i> ▶ Go to COMP 5	
Paragraph 5 c (new)	84	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Marlene Mizzi		<i>If adopted, Am. 85 falls</i> ▶ Go to COMP 5	
Paragraph 5 d (new)	85	Jean-Marie Cavada Therese Comodini Cachia			
Paragraph 5 c (new)	COMP 5	Rapporteur	+	<i>If adopted, Am. 87, Am. 88</i>	

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
				<i>and Am. 89 fall</i> ► Go to Am. 90	
Paragraph 5 c (new)	87	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>If adopted, Am. 88 and Am. 89 fall</i> ► Go to Am. 90	
Paragraph 5 d (new)	88	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta Silvia Costa		<i>identical</i>	
Paragraph 5 d (new)	89	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Marlene Mizzi			
Paragraph 6	90	Andrew Lewer		<i>identical deletion</i> <i>If adopted, Am. 93, Am. 94 and Am. 95 fall</i> ► Go to COMP 6	
	91	Zdzislaw Krasnodebski Angel Dzhambazki			
	92	Michel Reimon Ernest Maragall			
	93	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta Eva Paunova		<i>identical</i> <i>If adopted, Am. 95 falls</i>	
	94	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis		► Go to COMP 6	
	95	Therese Comodini Cachia Andrea Bocskor Norbert Erdős			
Paragraph 6 a (new)	COMP 6	Rapporteur	+	<i>If adopted, Am. 96 and Am. 97 fall</i> ► Go to Am. 98	+
Paragraph 6 a (new)	96	Rapporteur			

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
Paragraph 6 a (new)	97	Michel Reimon Ernest Maragall			
Paragraph 6 a (new)	98	Jean-Marie Cavada Marc Joulaud Sabine Verheyen Therese Comodini Cachia			
Paragraph 6 a (new)	99	Marc Joulaud Sabine Verheyen Bogdan Brunon Wenta	+	<i>identical</i>	
Paragraph 6 a (new)	100	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Eider Gardiazabal Rubial			
Paragraph 7	101	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>deletion</i> <i>If adopted, Am. 102, Am. 103 and Am. 104 fall</i> ► <i>Go to Am. 105</i>	
	102	Andrew Lewer		<i>If adopted, Am. 103 falls</i> ► <i>Go to Am. 104</i>	
	103	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta			
	104	Michel Reimon Ernest Maragall	+	<i>If adopted, Am. 105 falls</i> ► <i>Go to Am. 106</i>	
Paragraph 7 a (new)	105	Therese Comodini Cachia Andrea Bocskor Norbert Erdős			
Paragraph 7 a (new)	106	Rapporteur	+		
Paragraph 8	107	Andrew Lewer		<i>deletion</i> <i>If adopted, Am. 108, Am. 109,</i>	

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
				<i>Am. 110, Am. 111 and Am. 112 fall</i> ► <i>Go to Am. 113</i>	
	108	Therese Comodini Cachia Andrea Bocskor Norbert Erdős		<i>identical</i> <i>If adopted, Am. 110, Am. 111 and Am. 112 fall</i> ► <i>Go to Am. 113</i>	
	109	Marc Joulaud Therese Comodini Cachia Bogdan Brunon Wentá		<i>identical</i> <i>If adopted, Am. 110, Am. 111 and Am. 112 fall</i> ► <i>Go to Am. 113</i>	
	110	Zdzislaw Krasnodebski Angel Dzhambazki		<i>If adopted, Am. 111 and Am. 112 fall</i> ► <i>Go to Am. 113</i>	
	111	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis		<i>If adopted, Am. 112 falls</i> ► <i>Go to Am. 113</i>	
	112	Jean-Marie Cavada, Fernando Maura Barandiarán Therese Comodini Cachia			
Paragraph 8 a (new)	113	Helga Trüpel Michel Reimon			
Paragraph 8 a (new)	114	Rapporteur	+		
Paragraph 8 a (new)	115	Zdzislaw Krasnodebski			
Paragraph 8 a (new)	116	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wentá		<i>identical</i>	
Paragraph 8 a (new)	117	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis			
Paragraph 8 b (new)	118	Rapporteur	+		
Paragraph 8 b (new)	119	Marc Joulaud	+	<i>identical</i>	

Concerned text	AM	Tabled by	Rapp.	Remarks	Vote
		Sabine Verheyen Bogdan Brunon Wenta			
Paragraph 8 b (new)	120	Dietmar Köster Luigi Morgano Mary Honeyball Giorgos Grammatikakis Marlene Mizzi			
Paragraph 8 c (new)	121	Marc Joulaud Jean-Marie Cavada Sabine Verheyen Bogdan Brunon Wenta			

Final vote on the draft opinion as a whole		
for	against	abstentions

Compromise amendments



Compromise 1 on Paragraph 1 e (new) **REJECT**

Am. 33 (Joulaud, Cavada, Verheyen, Wentta, Comodini Cachia, Paunova, Costa); Am. 34 (Comodini Cachia, Bocskor, Verheyen, Erdős); Am. 35 (Köster, Morgano, Honeyball, Grammatikakis)

1e. Supports the initiatives aimed at enhancing the portability, ~~without territorial restrictions~~, of online services of legally acquired and legally made available content within the Union, whilst fully respecting copyrights and the interests of rightholders;

EDRi comments: There is no logical way of enhancing portability of online services while allowing territorial restrictions.



Compromise 2 on Paragraph 1 f (new) **SUPPORT**

Am. 36 (Comodini Cachia, Andrea Bocskor, Norbert Erdős); Am. 37 (Joulaud, Cavada, Verheyen, Wentta, Stier, Paunova); Am. 38 (Köster, Morgano, Honeyball, Grammatikakis, Mizzi, Gardiazabal Rubial)

1f. Notes that the creative and cultural sectors, often copyright intensive, ~~when producing high level quality works~~, are not only essential for cultural diversity but also significantly contribute to social and economic development;



Compromise 3 on Paragraph 5 f (new) **REJECT**

Am. 77 (Joulaud, Verheyen, Wentta); Am.78 (Köster, Morgano, Honeyball, Grammatikakis)

5f. Stresses the need that exceptions and limitations should be targeted for reflecting modern digital use, and for ensuring for clarity to the user with regards to the scope and limits of these exceptions and limitations in order to avoid consumer confusion and ensure legal certainty;

EDRi comments: Although the concep of modernising the rules for the digital use is positive, EDRi believes all exceptions and limitations should be mandatory as long as they comply (as they legally must) with the 3-step test.



Compromise 4 on Paragraph 5 b (new) SUPPORT

Am. 82 (Comodini Cachia, Bocskor, Erdős); Am. 83 (Joulaud, Wenta, Paunova); Am. 84 (Köster, Morgano, Honeyball, Grammatikakis, Mizzi); Am. 85 (Cavada, Comodini Cachia)

5b. Recognises the importance of libraries for accessing knowledge and encourages to find appropriate solutions to allow libraries to make use of the digital environment while respecting the rightholders' interests; notes that the technology allows e-lending of e-books in a way that permit an effective control by libraries, making it similar to the lending of physical copies;



Compromise 5 on Paragraph 5 c (new) SUPPORT

Am. 87 (Comodini Cachia, Bocskor, Erdos), Am. 88 (Joulaud, Verheyen, Wenta, Costa), Am. 89 (Köster, Morgano, Honeyball, Grammatikakis, Mizzi)

5c. Recalls that the EU should swiftly ratify the Marrakech Treaty to Facilitate Access to Published Works by Visually Impaired Persons and Persons with Print Disabilities, which requires the Union to have a mandatory exception to copyrights for the non-commercial uses to the benefit of persons with a disability;



Compromise 6 on Paragraph 6 a (new) SUPPORT

Am. 96 (Rapporteur); Am. 97 (Reimon, Maragall)

6a. Calls for a flexible interpretation of exceptions and limitations to exclusive rights, allowing to apply exceptions and limitations to uses that are similar to the ones in the original legal provisions, thereby ensuring that exceptions and limitations can be adapted to new forms of usage emerging due to technological change; such flexibility would be subject to the three-step-test, which grants limitations and exceptions in certain special cases that do not conflict with the normal exploitation of the work and do not unreasonably prejudice the legitimate interests of the author or rightholder;