

EDRi comments on the DRAFT OPINION of the Committee on the Internal Market and Consumer Protection for the Committee on Legal Affairs 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))

Rapporteur: Catherine Stihler

OPPOSE

Draft opinion

Amendment

4. Recognises the need to ensure appropriate remuneration and to protect the rights of all categories of right holders in a better way; recalls that while the cultural and creative industries (CCI) employ more than seven million people and contribute 4.5% of EU GDP annually, and that even though the services, technologies and options permitting the general public to access creative works grow every day, the earnings of right holders in the CCI sector keep decreasing;

It is widely accepted that these “statistics” are based on deeply flawed methodologies.

<http://copyright4creativity.eu/myths-facts/>

SUPPORT

Draft opinion

Amendment

6. Stresses that territorial fragmentation may require users aspiring to offer content-related services across the EU to secure multiple licenses; emphasises the fact that differences in limitations and exceptions create additional legal costs and legal uncertainty; recalls that consumers may be denied access to certain content services on geographical grounds;

None

NO POSITION

Draft opinion

Amendment

7. Welcomes, therefore, the adoption of Directive 2014/26/EU on collective rights management and multi-territorial licensing of rights, and believes that implementation of this directive will lead to a clearer set of EU-wide standards resulting in a faster and more flexible licensing infrastructure;

SUPPORT

Draft opinion

Amendment

8. Believes that there is a need to further improve cross-border access and the portability of services which are essential for consumers to be able to get the services they want, where and when they want them;

None

POSITIVE

Draft opinion

Amendment

9. Urges the Commission to promote a flexible and balanced framework for exceptions and limitations that does not cause any harm to right holders and that conforms with consumer expectations; emphasises the important role that exceptions and limitations agreed on for public-interest reasons, for the purpose of education and teaching, play in providing access to knowledge as well as in encouraging cultural and societal participation; urges the Commission and the Member States to consider e-books as part of public lending schemes, provided that all necessary agreements with the relevant right holders have been reached beforehand;

None

OPPOSE

Draft opinion

Amendment

10. Welcomes the structured stakeholder dialogue ‘Licences for Europe’, launched by the Commission in 2013; believes that relevant stakeholder engagement and sharing of best practices is essential if a more homogenous implementation of copyright laws across the EU is to be reached;

EDRi has stated previously (see <https://edri.org/failure-of-licenses-for-europe/>) that Licences for Europe was an almost complete failure.

POSITIVE

Draft opinion

Amendment

11. Highlights the importance of promoting greater interoperability for software, as lack of interoperability hampers innovation and reduces competition in the EU; believes that lack of interoperability may lead to market dominance of one particular product, which in turn stifles competition and limits consumer choice in the EU.

