For fair remuneration of creators and a free internet

Introduction: ***As European Greens, we have always fought to defend both fair remuneration for creators as well as the internet as a public space freely accessible to all. These two do not exclude each other. The European Union's trialogue negotiations over a new copyright directive must make sure that these goals are met - without endangering the internet as we know it.***

The directive proposes different measures, some of which have raised strong public concerns and concerning us, because they entail particularly problematic consequences.

Article 13 of the proposed directive makes it mandatory for platforms and rights holders to sign licensing agreements if these platforms want to display copyright-protected content. In the absence of such agreements, platforms should ensure that such content cannot be uploaded. If implemented as drafted, it would mean that platforms would have virtually no option but to set up upload filters for all content that is posted on a platform. The work that could be uploaded would be work for which the platform has concluded a license agreement. Other work, for example such as that created by amateurs, would then run a significant risk of being blocked automatically as the platform cannot ensure that no copyrights have been infringed. In this case, legislation would create significant barriers for new and emerging creators who have yet to receive an official license for their work. Upload filters do not protect the rights of emerging artists. On the contrary, they tend to benefit larger companies in the creative industries. The cost of their development would be very pricy thus endangering smaller platforms.

Article 11 of the proposal would oblige platforms using journalistic content to obtain a license from the publisher. It would be applicable for all uses, even for small excerpts such as those in a hyperlink, which is why it has been called a link tax. A link tax restricts the possibility of using a link to refer to news articles. It would mainly protect publishers' rights and limit public access to news as it will become more difficult for other websites to reference journalistic articles (for example in a press summary).

These two measures would erect even more barriers for new and emerging creators and would pose a serious threat to the freedom of expression and information and to an open internet, as we understand it. The legislative proposal must not be based on a false dilemma. The idea of improving the livelihoods of creators shall not be used as an excuse for technical restrictions, that infringe on creative and internet freedoms.

It is important that we are vocal about the highly problematic aspects of the currently debated options draft while stressing our commitment for greater security for cultural workers in a precarious labour market and the necessity of simple rules for amateurs creators and easily implementable laws for small independent platforms.

The Greens/EFA Group in the European Parliament has worked hard to influence the debate on the proposals so that fair remuneration of creators can be achieved and that the free and open Internet is preserved and is still pushing for alternatives.

The European Greens therefore commit to:

1. Opposing upload filters as proposed in the ECs directive as they would endanger the internet as a freely accessible public space.

2. Demanding fair remuneration for all authors. It should be easier for authors to find their way in copyright law without excluding upcoming creators.

3. Opposing a link tax but proposing a presumption rule instead. This would establish the assumption that publishers have the right to publish it and have taken into account the copyright of the articles they publish.

4. Insisting on our conviction that decisions relative to a fair remuneration for authors and creators, and the Internet as a freely accessible public space are not a contradiction. Fair remuneration for creators must be safeguarded in an increasingly precarious labour market - thus, the Greens commit to defend particularly vulnerable creative professions and the freedom of expression and information.