

RE: Copyright Reform - BEUC's concerns regarding Article 13

Dear Member of the European Parliament,

I am writing on behalf of BEUC – The European Consumer Organisation in view of the upcoming vote by the European Parliament plenary on the European Commission's proposal for a Directive on Copyright in the Digital Single Market tomorrow.

BEUC is extremely concerned about the negative impact that Article 13¹ of the proposed Directive can have on consumers' daily activities online. We ask you to vote against this article and in favor of its deletion from the Directive.

We support the copyright reform aim of ensuring fair remuneration for artists and creators. However, Article 13 will not solve the underlying problems of the current system whilst generating negative impact on users. Regrettably, consumers' interests have been completely overlooked in this legislative process.

Today, consumers are used to making a video of their holidays or their daughter's first steps, adding a popular song and posting it online for their friends and family to watch and comment. This culture of creating and sharing helped make the Internet as popular as it is.

If Article 13 would be adopted as it is by the European Parliament, it would lead to a very problematic outcome.

Consumers trying to upload their content on online platforms (e.g. Facebook, YouTube, Twitter and many others) will very likely face automatic filtering mechanisms designed to prevent any unlicensed copyrighted content from being uploaded.

As several examples have shown us recently^{2,3}, these automatic filtering tools are not intelligent enough to distinguish between copyright infringing content and legal content (such as content falling under the scope of an existing copyright exception). As a consequence, there is a high chance that legal non-commercial videos created by consumers will be prevented from being uploaded.

For all these reasons, BEUC asks you to vote against Article 13 and support its deletion from the Directive.

¹ Now Article 17

² <https://thenextweb.com/eu/2018/09/11/copyright-takedown-notice-are-completely-baroque-en/>

³ <https://www.bbc.com/news/technology-42580523>

Finally, we would like to express our deep regret that this debate and lobby campaign has spiralled out of proportion. This has led to a situation in which genuinely founded concerns of civil society have been dismissed and a fact-oriented discussion about consumers' concerns has become almost impossible.

Thank you very much for taking BEUC's views into account. We remain at your disposal for any questions you might have.

Yours sincerely,

Ursula Pacht
Deputy Director General