



A Digital Single Market for Creativity and Innovation: Reforming Copyright Law without curtailing Internet Freedoms

Open letter

BEUC-X-2016-031/MGO/cs

Brussels, 07 April 2016

Dear President Juncker,
Dear First Vice-President Timmermans,
Dear Vice-President Ansip,
Dear Commissioner Oettinger,
Dear Commissioner Jourová,
Dear Commissioner Bieńkowska,
Dear Commissioner Navracsics,

The signatory organisations of this open letter look at the issue of copyright from different perspectives but we all underline that current EU legislation fails to deliver a framework that incentivises creativity, research and innovation in Europe. Therefore we welcome the European Commission's determination to modernise EU copyright laws.

This long-awaited reform offers a unique opportunity to adapt the legislative framework to the challenges and opportunities brought by information and communication technologies.

The signatory organisations are committed to Europe's Digital Single Market. **We ask you now to deliver an ambitious reform that is fit for purpose in the digital environment and that upholds and strengthens fundamental principles such as the limitation of intermediaries' liability, rights of citizens to freedom of communication and access to knowledge.**

We are concerned that **these objectives could be seriously jeopardised if the rules on responsibility and liability of intermediaries are tightened.** Amending the definition of the rights of "communication to the public" and of "making available" in the way advocated by certain rights holders would destroy the Internet as we know it.

Basic every day activities of online users, such as posting, linking, embedding photos or videos online would be subject to a cloud of legal uncertainty. This could result in intermediaries limiting the use of their platforms, meaning citizens and creators would have fewer places to express themselves - with a consequent reduction in creative output and revenues. Additionally, this would not help creators to achieve the right level of transparency on data and revenue flows they have been requesting for years.

Consumers, businesses, creators, distributors, cultural organisations, broadcasters and public institutions heavily rely on copyright laws. The everyday activities of all these groups depend on a clear legal framework.

Because of outdated copyright laws, consumers often face restrictions to access and use creative content. Companies and public institutions have to overcome many obstacles to operate across borders because of the legal fragmentation of 28 different national copyright regimes (for example in the field of private copying levies and exceptions and limitations).

Our laws should allow companies to do business across the EU, give individuals the possibility to access and use cultural goods, enable researchers to collaborate across borders using the latest technologies and help creators make a living from their work and contribute to Europe's rich cultural heritage.

EU copyright law must allow the EU to lead the global digital economy and create a legal environment where creators, consumers and businesses alike can flourish in the Single Market.

We look forward to co-operating with you in the modernisation of the EU's copyright framework.

Yours sincerely,

List of signatory parties

BEUC - The European Consumer Organisation

C4C - Copyright for Creativity

EDRI - European Digital Rights

DIGITALEUROPE

AFNUM - Alliance Française des Industries du Numérique

APDETIC - Association of the Producers and Dealers of ICT

BITKOM - Federal Association for Information Technology

CCIA - Computer and Communications Industry Association

CDT - Center for Democracy & Technology

Centrum Cyfrowe

Communia - Association for the Public Domain

EBLIDA - European Bureau of Library, Information, and Documentation Associations

EuroISPA - European Internet Services Providers Associations

EIFL - Electronic Information for Libraries

FFTI - Federation of Finnish Technology Industries

IFLA - International Federation of Library Associations and Institutions

IGEL - Initiative Gegen Ein Leistungsschutzrecht (Initiative against an ancillary copyright law for press publishers)

Kennisland

La Quadrature du Net

LACA - Libraries and Archives Copyright Alliance

LIBER - Association of European Research Libraries

Mozilla

NEMO - Network of European Museum Organisations

OFE - OpenForum Europe

ORG - Open Rights Group

SA&S - Samenwerkingsverband Auteursrecht en Samenleving (Partnership Copyright & Society)

SEPE - Digital Insight

SFIB - Syndicat de l'industrie des technologies de l'information

X-Net

ZIPSEE - Digital Poland