



For fair remuneration of creators and a free internet

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The European Youth Forum commits to defend both fair remuneration for young creators as well as the internet as a public space freely accessible for all young people in Europe. These two do not exclude each other. The proposal of the European Commission for a new copyright directive, without ensuring fair remuneration for creators, poses a threat to the internet as we know it.

The directive proposes different measures, some of which are particularly problematic.

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 agreement, platforms should make sure that the content can't be uploaded. If implemented, it would mean that platforms would have virtually no option but to set up upload filters for all content that is posted on the platform. The works that could be uploaded would be works for which the platform has conducted a license agreement. Other works, for example those made by amateurs, run a severe risk of being blocked automatically as the platform cannot assure that no copyrights have been infringed. This legislation would put up significant barriers for new and emerging creators who do not yet have an official license for their work. Additionally, parodies would also be affected since algorithms will not be able to distinguish them from copyright infringement. This ultimately poses a threat to article 10 of the European Convention on Human Rights, the right to freedom of expression. Upload filters do not protect the rights of emerging artists. On the contrary, they are rather profiting bigger companies in the creative industries.

Article 11 of the proposal would oblige platforms using journalistic content to get a license from the publisher. It would be applicable for all uses, even the use of small excerpts such as the ones found in a hyperlink, which is why it is called link tax. A link tax restricts the possibility to use 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). Moreover, it could potentially harm press freedom, as it limits the quotation right for anyone who is not working for a media corporation. Blogger, freelance journalists and other citizens will not have the resources to publicly quote from journalistic articles. As a result, freedom of the press is guaranteed only to those who can afford one.

These two measures would put up even more barriers for new and emerging creators and would pose a serious threat to an open internet as we understand it. The legislative proposal is based on a false dilemma: the idea that if we do not impose these restrictions on our internet, the livelihoods of creators will not be guaranteed. Driven by this misunderstanding, the European Parliament rejected the proposed exceptions for user generated content on platforms, text and data mining, hyperlinking and freedom of panorama. Instead it adopted a restrictive and short in vision for the 21st century version of copyright in digital single market proposal. It is important that we are vocal about the highly problematic aspects of the current proposal, as voted for by the European Parliament, while stressing our commitment for more security for young cultural workers on a precarious labour market.

As an organisation committed to defending the rights of all young people in Europe, the European Youth Forum therefore:

1. Opposes upload filters and demands fair remuneration for young creators. It should be easier for authors to find their way in copyright law without excluding upcoming creators.
2. Opposes a link tax and endorses a so called presumption rule instead. This would establish the assumption that publishers have the right to publish what they are hosting and have already taken into account the copyright of the articles they publish.
3. Insists on a clear distinction between political decisions relative to fair remuneration for creators on one hand, and the internet as a freely accessible public space for everyone on the other. Fair remuneration for young creators must be safeguarded on an increasingly precarious labour market and the Youth Forum commits to defend particularly vulnerable creative professions.