

PANORAMA

**ON 12 SEPTEMBER - VOTE FOR ARTISTS
VOTE AGAINST PANORAMA AMENDMENTS**



The current situation does not impact the internal market or pose real obstacles



Consumers can already freely post their pictures or videos of public places on social media



Balanced solutions exist for creators and professionals, that are adapted to each country's social and cultural context



Another mandatory exception would be unjustified and questionable



An extended panorama exception would result in significant economic damage for authors



An extended panorama exception would only benefit big operators trying to impose their conditions on the market



The European Parliament has already deemed that a harmonised panorama exception is neither necessary nor desirable

Panorama is rightly not part of the JURI Report on the Directive



The current situation does not impact the internal market or pose real obstacles



The current wording of the exception in the 2001 Information Society Directive allows each EU Member State to have their own balanced solutions for creators, users, publishers and consumers and there is no evidence of cross-border problems or obstacle to the internal market that would justify an EU intervention.

Consumers can already freely post their pictures or videos of public places on social media



Today, everywhere in the EU, citizens photograph and film art works in public places, take selfies, in front of monuments, whether there is a panorama exception or not. They can freely post these pictures, selfies and videos on their personal websites, blogs or social media without any restriction whatsoever.

Balanced solutions exist for creators and professionals that are adapted to each country's social and cultural context



Where commercial use of works placed in public spaces are made (printed clothing, postcards, mugs, bags, backgrounds for advertisement campaigns, apps, online magazines etc.), solutions already exist in every country to facilitate them, be it by authorisation mechanisms or through an exception according to national legislation.

Many uses are actually covered by a specific exception. For instance, images of protected works that are used for news reporting regularly fall under the exception for reports on current events. A protected sculpture or monument is not protected if it is not in the centre of an image, due to the incidental inclusion exception.



Another mandatory exception would be unjustified and questionable



Imposing another mandatory exception to visual artists would be unjustified and highly questionable as to its compliance with the three-step test provided for in international conventions. It would disrupt the appropriate and balanced solutions based on cultural and social characteristics that Member States have put into place for the remuneration of authors. For example, in Germany, where there has been a panorama exception since 1876 the cultural economy developed while creating remuneration mechanisms that do not exist in countries where the commercial use of works in public places is a significant source of revenues for authors.

An extended panorama exception would result in significant economic damage for authors



An extended panorama exception would have the incredible effect of depriving whole categories of authors (architects, street artists...) of royalties and in some countries, it would result in significant and unjustifiable economic damage for authors.

This would be a shameful first in the history of copyright and a grave breach of both the Berne Convention and the 1996 WIPO Treaty

An extended panorama exception would only benefit big operators trying to impose their conditions on the market



It would only help some tech giants in their attempt to force a change in EU legislation in order to align it with their user terms and conditions, allowing any commercial use or modification of works, including protected works, without authorisation.



The European Parliament has already deemed that a harmonised panorama exception is neither necessary nor desirable



On 9 July 2015, the European Parliament adopted the so-called Reda report, an initiative report on the review of copyright, in which a harmonised panorama exception was deemed neither necessary nor desirable. The JURI report that you will be voting on rightly confirms the EP's position, as well as the EU Council and the EU Commission's adopted texts. The JURI report should be approved without the re-introduction of a harmonised panorama exception at the upcoming vote in plenary on 12 September.

"IF IT AIN'T BROKE, DON'T FIX IT" *

*English proverb

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