

14/04/2018



The ADAGP and its delegations of member artists are engaged in the fight to enforce, in Europe, the artists' rights against the giants of the Internet. On 26 March 2019, the European Parliament definitively adopted the European Directive on Copyright in the Digital Single Market

The Voss report, whose main objective is to introduce accountability for platforms that significantly use protected works and have an active role in their dissemination, promotes fairer and more equitable remuneration for authors and rights holders for the massive uses of copyrighted works. their works on these large online platforms.

This draft text is the result of extensive investigations and discussions with all stakeholders, which MEP and rapporteur Axel Voss has been leading with determination since 2017.

Its report has established the right balance between the interests of all stakeholders and facilitates the future development of online services for all stakeholders as well as for European citizens.

On 20 June, the line proposed by rapporteur Axel Voss was adopted by the Legal Affairs Committee (JURI).

Unfortunately, on July 5, after harassing and false arguments campaigns orchestrated by the GAFAs (Google, Amazon, Facebook and Apple), the Voss report was rejected in plenary by the European Parliament.

More than 80% of French MEPs supported the report but of the 627 MEPs voting, 313 voted against, 278 voted in favor of the mandate and 31 abstained.

Nevertheless, the fight is not over since the text will be rediscussed in September. The rejection of the report means, however, that the elected representatives will be able to submit new amendments at the forthcoming plenary session.

On 12 September, the proposed directive was once again put to a vote during the Parliament's plenary session. It was approved with a final vote of 438 in favour and 226 against.

This is a first victory for artists and European creation against GAFA, but continued vigilance is needed since the directive has not yet been definitively adopted and must be negotiated between the European Parliament, the European Commission and the Council of the European Union.

Thanks to the artists Jean-Philippe Baltel, C215, Mylène Guermont and Benoit Peyrucq for their commitment and their mobilization for the right of creators in Europe.

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On **13 February 2019**, after intense negotiations in the context of fierce lobbying, the Trilogue confirmed its agreement on the text of the directive. The final vote in Parliament was scheduled for March.

With **only a week to go until the final vote** on the Directive on Copyright, the ADAGP and its artists continued their efforts.

These efforts paid off, because on **26 March 2019** the European Parliament definitively adopted the European Directive on Copyright in the Digital Single Market in its entirety, rejecting the proposed removal of article 13.

A directive is not a law, but a series of objectives that the countries must meet. Member states must now adapt the European Directive on Copyright to their national legislation, a process known as transposition. This generally takes 12 to 24 months, but France has made a point of honour of applying it in the shortest possible time frame, and a proposed text should be drafted **in the coming weeks**.

Stay tuned!

12/09/2018

THE PANORAMA EXCEPTION REJECTED AND THE COPYRIGHT DIRECTIVE ADOPTED IN THE EUROPEAN PARLIAMENT!

Dear all,

There is no doubt that your efforts have paid off in this positive outcome for the recognition and development of copyright in the digital market.

The European Parliament recently adopted the proposed directive by a large majority.

All amendments relating to the "extensive" freedom of panorama exception (covering commercial usage) were rejected. Many thanks to all those who reached out to the MEPs.

Another point of satisfaction for the visual arts: the European Parliament adopted an article providing for the obligation for image search engines to pay authors, which is necessary to implement the legislation adopted by French lawmakers in July 2016.

Even if the text has not yet been definitively adopted (a trilogue between the European Parliament, the European Commission and the Council of the European Union must be convened to find a compromise), it is a very good thing for us: copyright law will likely be strengthened on the Internet (video platforms, image search engines, etc.).

Thank you for your valuable efforts and your much-needed support in defending your rights.

Kind regards,

Marie-Anne Ferry-Fall,

Managing Director

06/09/2018

URGENT: LET'S JOIN FORCES AGAINST THE PANORAMA EXCEPTION

Dear all,

The **work of the European Parliament on copyright**, to which you devoted your energies alongside the ADAGP, is virtually completed.

The plenary debates of the European Parliament are scheduled to take place on **Wednesday 12 September**.

Three MEPs, Julia Reda (Greens / EFA Group) and Jiri Mastalka and Rina Ronja Kari (GUE/NGL Group), have tabled **amendments** proposing to introduce an **extensive freedom of panorama exception**. This exception would render **all images of your works located in public spaces copyright free**. This would affect architectural works, sculptures, frescoes, graffiti, etc.

If these amendments were to be adopted, **anyone could use them, for commercial purposes or not**, and print posters and postcards, make films, or even use them in an advertisement, without your prior agreement and without paying copyright royalties.

The ADAGP has written to the MEPs to avoid such an unfair, illegitimate and devastating exception.

We need your help to support these actions. From today until Wednesday morning, **email and encourage others to email the MEPs** (3 lines are enough but in English if possible, you will find their e-mail addresses attached) asking them to **vote AGAINST the amendments creating the freedom of panorama exception but IN FAVOUR of the copyright directive!**

I am counting on your much-needed support to uphold your rights.

Kind regards

03/07/2018



TIME FOR CHANGE : INTERNET PLATFORMS MUST STOP FREE RIDING !

Associations, trade unions and artists and visual artists' societies co-sign a letter to MEPs seeking

their support and vote in favor of Article 13 of the draft copyright directive.

On 20 June, the European Parliament's Legal Affairs Committee adopted a critical report on copyright in the digital single market, clarifying and confirming the responsibility of content sharing service providers such as YouTube and Facebook. However, the same companies are orchestrating a massive campaign by the Pirate Party and organizations that they fund directly or indirectly to challenge the law in a plenary vote in Strasbourg this week (5 July).

This report is the result of extensive investigations and discussions with all stakeholders, which MEP Axel Voss has been leading with determination since 2017. It provides a solid basis for the trilogue negotiations with the Council and the Commission. Finally, it establishes the right balance between the interests of all stakeholders and facilitates the future development of online services for all stakeholders as well as for European citizens.

The main objective of the new legislation is to introduce accountability for platforms and provide fairer and more equitable remuneration to authors for the massive use of their works on these large online platforms.

28/06/2018



IMPORTANT CALL TO ALL CREATORS IN THE WORLD

Show your support for the new European copyright rules. The world is looking at Europe.

Next week, the European Parliament will be about to vote on one of the most authoritative and controversial legislations in the last 20 years.

On 20 June, the European Parliament's Legal Affairs Committee adopted a critical report on copyright in the digital single market, clarifying and confirming the responsibility of content sharing service providers such as YouTube and Facebook.

The aforementioned providers refuse to pay creators fairly for the content they make available on their platforms, thus siphoning the value of creation for their own commercial interests (aka Value Transfer / Value Gap). In addition, these providers are currently the main gateway to creative works globally and distort the entire online marketplace opposite legitimate online businesses. The text approved by the Committee last week would make it clear that these platforms are responsible for copyright and should fairly pay authors and act as partners in this market, creating a level playing field for all services.

The rights that millions of creators around the world perceive in Europe will be strengthened if the current draft of the Directive is adopted. The new Directive will also set a very important precedent that other countries will follow.

However, the fight is still far from over. Technology companies and anti-copyright organizations are fighting to defeat the Directive. Powerful lobbies are leading a misinformation campaign aimed at weakening copyright, exposing creators' copyrights as censorship and a threat to freedom of expression.

On Wednesday, a delegation of artists from ADAGP - Jean-Philippe Baltel, C215, Benoit Peyrucq - together with creators from across the European Union in the Brussels Parliament, went to defend the

future of their artistic career in Europe, so that Europe remains the center of cultural heritage for the whole world, and ask MEPs to vote positively next week. They expressed their particular concern about the aggressive and illusory campaign of the tech giants under the pretext of freedom of expression, an extremely important value for creators, but which is dishonestly distorted by these companies for their own commercial interest.

We are about to cross the finish line of this important legislation, and it is crucial that creators around the world make their voices heard now.

Sign the petition now: <http://makeinternetfair.eu/> [1]

11/06/2018



THE CREATORS OF THE WORLD ARE WATCHIN EUROPE

Let's the EU know that creators around the world are watching Europe!

The signatures of creators are more than ever needed to support EU proposals that will have a real impact on authors around the world.

The European Parliament is preparing to vote on one of the most important legislative acts of the last 20 years for the rights of creators of all repertoires.

As we approach this historic vote on June 21st, it's time to let the European Union know that creators around the world are watching Europe!

Join the tens of thousands of authors who have already asked their elected representatives to better guarantee their rights.

The draft directive on copyright in the Digital Single Market will have an international impact. Therefore, we ask all those who care about the rights of creators to sign the following petitions:

- <http://makeinternetfair.eu/> [1] on the transfer of value: Please sign it to support a legislative proposal that will give creators fair negotiating rights for the use of their works by services such as YouTube. If this proposal is adopted, the rights to the millions of authors whose works are used by major technology groups will be clarified and strengthened. More than 27,000 creators have already signed.

- [Support European writers and directors](#). [2] Please sign to support the introduction of an inalienable right to remuneration for audiovisual authors when their works are broadcast on video-on-demand platforms such as Netflix. It will make all the difference and help European audiovisual authors to live from their films, series and documentaries. This petition was originally signed by 126 writers and directors in Europe. Today, it is supported by more than 16,000 signatories around the world.

By signing these two petitions, creators of all repertoires have the opportunity to make their voices heard by lawmakers who have the power to make positive changes.

Act now and help build a more equitable work environment for all creators in the years to come.

06/05/2018



REAL ARTISTS CREATE TRUE VALUE (S)

On 5 June in the Parliament of Brussels, European Visual Artists (EVA) organized a lunch debate in the European Parliament, chaired by MEP Helga Trüpel (Greens) and Vice-President of the European Parliament and Co-President of the European Parliament. Intergroup of cultural and creative industries, Pervenche Berès (S & D). The French draftsman Benoit Peyrucq was beside five European artists to immortalize by its drawings this meeting and testify on the challenges and the difficulties bound to the digital use of the works.

24/04/2018



TIME FOR CHANGE: INTERNET PLATFORMS MUST STOP FREE RIDING!

A delegation of European Authors came to Strasbourg on 17 April to call on the European Parliament for fair copyright rules in the digital world.

Anggun, Alain Chamfort, Jean-Philippe Baltel, C215, Milène Guermont, Joyce Jonathan, Eleanor McEvoy, Axelle Red, Béatrice Thiriet, and other creators from all over Europe came to the European Parliament today to call for its support in bringing fairness for authors in the digital world.

The delegation of creators from 8 different Member States presented a petition signed by more than 25.000 artists and authors from across the EU, which follows a previous petition, started in 2016 with Pedro Almodóvar, Jean-Michel Jarre, Daniel Buren, Agnieszka Holland, Ennio Morricone and David Guetta and others. The petition calls for an end to the “transfer of value” which certain major digital platforms are benefitting from, at the expense of creators. Nowadays these tech giants are the main points of access to creators’ works, generating vast revenues, but offer very little or no return to these creators.

Authors are requesting the European Parliament to stop this parasitical economy and adopt a meaningful solution within the proposal for a Copyright Directive, allowing creation to be remunerated in the online market.

Apart from the unfairness they create for the entire cultural sector, a handful of tech giants are dominating the digital media landscape across the world by controlling access to information. They are also manipulating the debate on copyright via their support of NGOs and unethical campaigns, using arguments about societal values like fundamental freedoms that twist and even remove the very meaning of those values for their own financial benefits.

Creators expressed their full support to the position taken by the German Rapporteur MEP Axel Voss in this debate, whose ambition and current work focuses on finding a solution that would put an end to this problem. They urged the European Parliament to stick firm on this line and not let the circulation of information pollution, created by the deep pockets of tech giants.

As stated by C215: "Artists are local companies that employ people in Europe, create jobs, pay taxes in Europe. As artists, we are proud to be European and to make Europe shine through our art. Europe must enforce our rights against Internet platforms".

MEP Virginie Rozière said: "Today the value of creators' work is being siphoned off by online platforms to the detriment of the European cultural economy, affecting the digital market as a whole. The future for the new generation of creators is at stake and it is our responsibility to end this unfair situation of free riders in the market without further delay. It is time for Europe to demonstrate its ambition for a strong and sustainable ecosystem that would benefit creators and citizens alike."

MEP Silvia Costa said: "Europe has always been and must remain the champion of culture and creativity, which is what links us together. Today, Europe has an historical chance to level the playing field for creators and online services, allowing a well functioning of the EU digital single market place for creative content. It's about ensuring independence and freedom for creators, while allowing large access to their works for consumers. The fact that so many creators are engaged on our side today is a clear signal that we are in the right path, and that authors right/copyright, freedom of expression and democracy go hand in hand."

Artists and writers, make your voice heard by signing the petition:

[#Makeinternetfair](#) [3]

07/02/2018



MAKE INTERNET FAIR: SIGN THE PETITION

For a fair remuneration of the authors by the platforms of the Internet, the GESAC calls all the creators to sign the petition.

Platforms that host your works and actively monetise them currently fall under a legal loophole. That's why they get away with not paying you your fair share.

While the European Commission heard [your voice](#) [4] in 2016 and proposed a balanced Copyright legislation, the European Parliament and the Council (the member states) are likely to change it for the worse.

Now is the time to make your voice heard in Brussels so that the new Copyright legislation protects your interests, and not just that of internet giants.

Dear European Union, please fix the Transfer of Value

We, creators from all artistic fields and from all over Europe, call on you, EU decision makers, to put a stop to the funneling of value away from the creators to a number of online platforms.

You have rightly acknowledged that user uploaded content (UUC) platforms are now the main point of access to our works online, but unacceptably do not, or only barely remunerate us for their

exploitation. The viability of cultural and creative industries, which create significant growth and jobs for the EU economy, is threatened by this transfer of value.

We want an environment that fosters growth for new and legitimate businesses, including UUC platforms, while providing legal certainty for consumers, and ensuring that this is paired with appropriate remuneration for creators. UUC platforms have built their businesses on people's desire to access and share our works, and should not put the burden of liability on consumers or creators.

The current situation is a race to the bottom that drives down the respect for and value of creative works. We depend on copyright/authors' right as this is our pay and the only leverage we have to negotiate fair remuneration for our works.

The forthcoming legislation on copyright is your opportunity to stop these freeriding platforms.

We therefore call on you to:

- clarify that UUC platforms like YouTube are involved in reproducing and making our works available under copyright laws;
- ensure that the safe harbour non-liability regime does not apply to them as it is meant for technical intermediaries only.

The European Commission's fair and balanced approach on this issue was a step in the right direction. We count on the European Parliament and the European Council to build on and further develop the solution proposed by the Commission to ensure a sustainable environment for all.

Sincerely, Creators.

[Sign the petition](#) [3]

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Links

[1] <http://makeinternetfair.eu/>

[2] https://www.change.org/p/council-of-the-european-union-support-europe-s-screenwriters-and-directors?recruiter=853075715&utm_source=share_petition&utm_medium=twitter&utm_campaign=share_petition&utm_term=share_email_responsive

[3] <http://makeinternetfair.eu/en>

[4] <http://makeinternetfair.eu/en/node/3>

[5] <https://www.adagp.fr/en/actualites>