

European Parliament adopts copyright reform in blow to big tech

March 26 2019, by Dave Clark, And Alex Pigman In Brussels



MEP Axel Voss, who supports the copyright reforms, votes in European Parliament on Tuesday

The European Parliament on Tuesday adopted copyright reforms championed by news publishers and the media business, in defiance of

the tech giants that lobbied against it.

Despite an intense debate inside and outside of the Strasbourg chamber, MEPs ended up passing the draft law with 348 votes in favour, 274 against, and 36 abstentions.

European lawmakers were sharply divided, with both sides subjected to some of the most intense rival lobbying the EU has ever seen from tech giants, media firms, content creators and online freedom activists.

The culmination of a process that began in 2016, the revamp to European copyright legislation was seen as urgently needed, not having been updated since 2001, before the birth of YouTube or Facebook.

The reform was loudly backed by media companies and artists, who want to secure revenue from web platforms that allow users to distribute their content.

But it was strongly opposed by internet freedom activists and by Silicon Valley, especially Google, which makes huge profits from the advertising generated alongside the content it hosts.

After the vote, a Google spokesperson warned that the reform "will still lead to legal uncertainty and will hurt Europe's creative and digital economies."

Protests and media stunts

The final days before the vote were marked by marches and media stunts, including tens of thousands of people protesting in Germany on Saturday under the slogan "Save the Internet".



The reform was loudly backed by media companies and artists, who want to obtain a better return from web platforms such as YouTube or Facebook that allow users to distribute their content

There were similar protests in Austria, Poland and Portugal, while major Polish newspapers on Monday printed blank front pages in an appeal that MEPs adopt the reform.

"I know there are lots of fears about what users can do or not—now we have clear guarantees for freedom of speech, teaching and online creativity," Commission vice president Andrus Ansip said after the vote.

Germany was at the heart of the anti-reform movement, led by Julia Reda, a 32-year-old Pirate Party MEP who spearheaded a campaign

against two of the law's provisions that have become flashpoints in the debate.

Reda said the vote marked a "dark day for internet freedom" and decried that MEPs refused, albeit narrowly, to modify the text before the final vote.

For Reda and her supporters the main worry was Article 13, which aims to strengthen the bargaining power of rights holders with platforms such as YouTube, Facebook and Soundcloud, which use their content.

Under the reform, European law for the first time would hold platforms legally responsible for enforcing copyright, requiring them to check everything that their users post to prevent infringement.

'Details matter'

Reda and her supporters warned that Article 13 would require platforms to install expensive content filters that would automatically and often erroneously delete content from the web.

Speaking after the vote, Reda told AFP that she still hoped the German government would bow to public pressure and demand changes to the law before it is formally adopted.



The EU copyright reform is strongly opposed by tech giants like Google which make huge profits from the advertising generated on content they host

After that, seen by most observers as a formality, member states will have two years to transpose the EU directive into their own legislation.

"I think what the ultimate result will be that the internet will become more like cable television," Reda told AFP.

"That generally there is going to be less diversity of online platforms because the risk of running a platform legally will become much higher."

Backers of the law, led by MEP Axel Voss, answered that filters are not a requirement but they do not explain how companies can comply with Article 13 without them.

The second article advocated the creation of a "neighbouring right" to copyright for news media.

This is designed to enable news companies to demand payment when their output is used by information aggregators like Google News or social networks such as Facebook.

Major publishers including AFP have pushed hard for the reform, seeing it as an urgent remedy to safeguard quality journalism and the plummeting earnings of traditional media companies.

The reform, if properly implemented by member states "can help to maintain journalism in the field, which all evidence shows is still the best way to combat misinformation," said AFP CEO Fabrice Fries.

But opponents have called it a "link tax" that will stifle discourse on the internet and pay only big media companies, with no real benefits for journalists or news gatherers.

The reform is staunchly backed by France and several other member states, but some countries may decide to use the flexibility built into the reform that allows a loose interpretation of the rules.

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