

September, 2018

Dear MEPs,
I write to you regards The European Copyright Directive vote this week.

Article 13 of the Directive is a fundamentally flawed proposal.

1. David Kaye, the UN's Special Rapporteur on Human Rights, has condemned the proposals in the strongest possible terms.¹

2. The European Policy for Intellectual Property (EPIP), the leading scientific association for the economics and law of Intellectual Property, issued new voting recommendations this week.²

3. Musician Wyclef Jean from the Fugees agrees, seeing Article 13 as a measure that will get between him and his audience by limiting his fans' ability to promote his work and pay his bills.³

4. Meanwhile, Pascal Nègre (who recently stepped down after 20 years as President of Universal Music France) agrees, saying that the deal is "a net negative for artists, for the industry and, ultimately, for the public good."

5. And almost 60 NGOs agreed⁴:

- Link taxes are a bad idea. In an era of fake news, anything that limits the ability of internet users to link to reliable news sources deals a blow to our already weakened public discourse.
- Copyright filters are an even worse idea. Not only will these both overblock and underblock, they'll also be ripe for abuse. The filters' proponents have rejected penalties for fraudulently claiming copyright in works in order to censor them, anyone will be able to censor anything. (You could claim all of Shakespeare's works on WordPress's filters, and no one would be able to quote Shakespeare until the human staff at the company have hand-deleted those entries -- and bots could then re-add those entries more quickly than they could be taken down.)

The best option for dealing with a bad proposal is to delete it, so this is what we ask you as MEPs to vote for. However, the EU works on the basis of compromise, and I understand that some MEPs may not wish to vote for outright rejection.

In that case, we would encourage those MEPs who won't ask for deletion that to support the amendment from the Internal Market and Consumer Protection Committee (IMCO), which is a compromise that has received significant cross-party support.

We must defend the freedoms for creation and online participation that the Internet affords to everyone. I ask that you get this decision right today, to uphold the integrity of the principles of the Internet for our children, for the economy, and for the future participation of the UK in markets without borders, that Internet access will enable as the gateway to world markets for small and medium businesses alike, and the entrepreneurs we are yet to see develop.

Many thanks for your consideration, and I hope for your support.

Sincerely,
Jen Persson
Director
defenddigitalme

¹ David Kaye, the UN's Special Rapporteur on Human Rights <https://www.documentcloud.org/documents/4516209-OL-OTH-41-2018.html>

² . The European Policy for Intellectual Property (EPIP) <https://www.create.ac.uk/blog/2018/09/10/vote-for-a-balanced-european-copyright-law-statement-by-epip-academics/>

³ For artists, internet platforms are less threat than opportunity 9 Sept 2018 <https://www.politico.eu> <https://www.politico.eu/article/wyclef-jean-the-fugees-opinion-for-artists-internet-platforms-are-opportunity/>

⁴ Article 13 Open letter – Monitoring and Filtering of Internet Content is Unacceptable <https://www.liberties.eu/en/news/delete-article-thirteen-open-letter/13194>