



EUROPEAN PARLIAMENT

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Committee on Culture and Education

2012/2030(INI)

16.7.2012

OPINION

of the Committee on Culture and Education

for the Committee on the Internal Market and Consumer Protection

on completing the Digital Single Market
(2012/2030(INI))

Rapporteur: Marietje Schaake

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SUGGESTIONS

The Committee on Culture and Education calls on the Committee on the Internal Market and Consumer Protection, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Supports the Commission's determination to strengthen and facilitate the development of ICT infrastructure to bridge the digital divide; recalls that the development of ICT infrastructure impacts positively on the social cohesion, economic growth and competitiveness of the European Union and on communication, creativeness and citizens' access to education and information; welcomes the initiatives within the framework of the programmes for regional and rural development, as well as the initiatives of the EIB for improving the integration of rural areas in ICT infrastructures;
2. Supports the possibility of collaborating with research facilities; welcomes the Commission's plans to promote public and private investment in telecommunications networks as part of the Connecting Europe Facility (CEF), and underlines the importance of the sustained launch of the trans-European digital network for economic growth and competitiveness in the EU;
3. Stresses that micropayments are becoming increasingly important in terms of paying for media and cultural content online, but that there is still scope to further optimise ease of use, and sees this as a useful tool in ensuring that creators are remunerated since they make legal content accessible to the public in an affordable way; considers, therefore, micropayments to be an effective means of combating illegal content; emphasises, however, that problems associated with online payment systems, such as lack of interoperability and high costs of micropayments for consumers, need to be tackled with a view to developing simple, innovative and cost-effective solutions of benefit to consumers and digital platforms;
4. Emphasises that the expansion of the legal range of online cultural content at affordable prices will succeed in reducing illegal platforms in the long term;
5. Welcomes the Commission's initiative addressing the obstacles to the completion of the digital single market, most importantly the barriers inhibiting the development of legal cross-border online services; stresses, furthermore, the need to improve consumer confidence as regards accessing legal cross-border services;
6. Underlines that the Digital Single Market will allow citizens to have access, throughout the EU, to all forms of digital content and services (musical, audiovisual, video games);
7. Urges the Commission to accelerate its preparatory work on a legislative proposal regarding 'collective rights management', with a view to ensuring better accountability, transparency and governance of collective rights management societies, establishing efficient dispute resolution mechanisms, and clarifying and simplifying licensing systems in the music sector;
8. Emphasises that new and expanding internet technologies and online services have

increased demand for audiovisual and other cultural and creative digital content and provide new and innovative ways to customise and enrich the offer, particularly among young people; notes, however, that there is currently insufficient legal supply to meet this demand, which circumstance motivates users to access illegal content; believes that innovative business models and different licensing structures need to be considered in order to increase availability; calls for better exploitation of digital technologies, which should constitute a springboard for both differentiation and multiplication of legitimate offers, thereby maintaining consumer confidence and growth whilst ensuring that artists are remunerated fairly and proportionately;

9. Stresses the need to subject cultural works sold online and offline to the same VAT rate; considers, in this context, that the application of reduced VAT rates for online cultural content would boost the attractiveness of digital platforms;
10. Considers it necessary to support the digitisation of educational and cultural works into as many official EU languages as possible, in order to provide valuable and useful content for the public;
11. Welcomes the proposals for increasing availability and developing legal online content services, but highlights the need for a modernised and more harmonised EU copyright at Union level; emphasises, therefore, the need for a copyright law which provides the appropriate incentives, ensures balance and keeps abreast with modern technology; considers that the encouragement, promotion and sustainability of multiterritorial licensing in the digital single market should, above all, be facilitated by market-driven initiatives in response to consumer demand; calls on the Commission, accordingly, to implement the IPR strategy initiatives without delay;
12. Stresses the importance of establishing clear principles to regulate relations with third countries' digital markets, especially as regards Union-level projects such as the digitisation of the world cultural heritage;
13. Welcomes the announcement by the Commission of a new notice and action scheme, and recalls in this context that under the e-commerce directive information society service providers have a duty to act under certain circumstances with a view to preventing or stopping illegal activities occurring online;
14. Emphasises that the power to block websites, which is a last-resort tool for dealing with illegal activities online but whose effectiveness in changing consumer behaviour is questionable, can also violate freedom of expression and therefore cannot act as a panacea; calls on the Commission to draw up proposals for the improved coordination of initiatives and organisations, the aim being to eliminate illegal content at its source; emphasises that all measures that restrict access to internet sites containing or distributing illegal content must be defined in a transparent process and must offer sufficient legal provisions, such as due process, to ensure that restrictions are proportionate and do not exceed the bounds of necessity and that users are informed of the reason for the restriction; stresses that such security provisions should also include the possibility of legal appeal; recognises, meanwhile, the need to find new, easily accessible and legal ways of accessing digital content while respecting cultural diversity;

15. Recalls that Member States also have a role to play by ensuring the rapid and non-bureaucratic implementation of the EU rules in order to make consumers' rights a reality;
16. Notes the Commission's proposals for cooperative measures with payment services to combat unauthorised or illegal content; stresses that any cooperation with private parties should be firmly grounded in a legal framework characterised by respect for data privacy, consumer protection, right of redress and access to justice for all parties; emphasises that the first step must be the effective implementation of 'notice action' measures ensuring respect for the fundamental right to a fair trial before an independent and impartial tribunal established by law, unequivocally and for all;
17. Underlines that all operators, including payment providers and advertisers, have a role to play in the fight against unauthorised and illegal content;
18. Calls on the Commission, in its review of VAT legislation, to address the anomaly of the possible application of reduced VAT rates to printed books and other cultural content but not to identical goods available in electronic format;
19. Calls on the Commission and the Member States to support projects for literacy and familiarisation as regards digital technologies, to be targeted on adults responsible for education and training and for the future of new generations, so as to make them aware of the opportunities and risks that ITC represents for babies and children while also helping to reduce the technological divide between generations.

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	10.7.2012
Result of final vote	+: 25 -: 2 0: 0
Members present for the final vote	Zoltán Bagó, Malika Benarab-Attou, Lothar Bisky, Piotr Borys, Jean-Marie Cavada, Silvia Costa, Santiago Fisas Aixela, Lorenzo Fontana, Mary Honeyball, Petra Kammerevert, Morten Løkkegaard, Emma McClarkin, Emilio Menéndez del Valle, Marek Henryk Migalski, Doris Pack, Chrysoula Paliadelis, Marie-Thérèse Sanchez-Schmid, Marietje Schaake, Marco Scurria, Emil Stoyanov, Hannu Takkula, László Tőkés, Helga Trüpel, Marie-Christine Vergiat
Substitute(s) present for the final vote	Ivo Belet, Nessa Childers, Seán Kelly, Iosif Matula