Making sure that the Directive (EU) 2019/790 on copyright and related rights in the Digital Single Market¹ (‘Directive’) is implemented fully and correctly by all Member States is the Commission’s priority. The Commission recently sent reasoned opinions to all the Member States, which have not yet adopted all the implementing measures and if necessary, will not hesitate to refer them to the Court of Justice of the EU and propose penalties. In parallel, the Commission is analysing national laws adopted so far, including the provisions implementing the principle of appropriate and proportionate remuneration set out in Article 18. This Article gives Member States significant flexibility. Therefore, the fact that Member States implemented it through different mechanisms is not as such an infringement of the Directive, as long as the aim of this provision is achieved.

The Directive is expected to significantly improve the conditions of authors and performers in the EU. Hence, at this stage, the Commission is not planning to propose further measures. However, the Commission is very keen to hear more about the concerns raised by the Honourable Members and to continue the dialogue with all interested parties on how to ensure that EU creators are fairly remunerated and protected.

¹ https://eur-lex.europa.eu/eli/dir/2019/790/oj