



Brussels, 23 October 2017

Re: Panorama Exception: no need for further harmonisation

Dear MEP Voss,
Dear Rapporteur,

We represent visual artists (painters, sculptors, photographs, street artists etc.), journalists and publishers and follow carefully the current debates surrounding works in public places which could lead to the introduction of a mandatory panorama exception.

We would like to highlight the fact that the current situation whereby the so-called panorama exception is non-binding and allows Member States to provide adapted solutions for both European citizens who can freely use their images of works in public places online, and for professional users who have, if necessary, access to easy licensing schemes.

Despite a long-lasting campaign of misinformation that has been taking place, we can assure you that there is no evidence of cross-border problems or obstacles to the Internal Market concerning the panorama exception that would justify an EU intervention, as was equally assessed by the European Parliament and the European Commission¹.

There is no advantage to implementing a new mandatory exception. It would only heavily and unnecessarily disrupt the current balance and weaken the protection of authors and their remuneration in Member States where commercial uses are subject to remuneration. Member States should remain free to put in place solutions based on their cultural and social characteristics.

¹ European Parliament resolution of 9 July 2015 on the implementation of Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society (2014/2256(INI))
After a consultation of all stakeholders, the European Commission decided not to include the panorama exception in its proposal for a directive on copyright.

Please, do not hesitate to contact us, should you need more information on this issue which is of the utmost importance for visual artists.

Kind regards,

CIAGP - The International Council of Creators of Graphic, Plastic and Photographic Arts provides a forum for exchange of information, experience and new tools on the administration and promotion of visual authors' rights. www.ciagp.org

CISAC - The International Confederation of Societies of Authors and Composers – is the world's leading network of authors' societies (also referred to as Collective Management Organisations, or CMOs). With 239 societies in 121 countries, CISAC represents over four million creators from all geographic regions and artistic repertoires including music, audiovisual, drama, literature and visual arts. <http://www.cisac.org>

EFJ – The European Federation of Journalists is the largest organisation of journalists in Europe, representing over 320,000 journalists in 71 journalists' organisations across 43 countries. The EFJ was created in 1994 within the framework of the IFJ Constitution to represent the interests of journalists' unions and associations and their journalists. It fights for social and professional rights of journalists working in all sectors of the media across Europe through strong trade unions and associations. The EFJ promotes and defends the rights to freedom of expression and information as guaranteed by Article 10 of the European convention on human rights. <http://europeanjournalists.org>

EVA (European Visual Authors) gathers 26 European collective management organisations which are managing authors' rights for 100 000 painters, sculptors, photographers, illustrators, designers, street artists, architects and other visual authors. <http://www.evartists.org>

FEP – The Federation of European Publishers represents 28 national books and learned journals' publishers associations of the European Union and the European Economic Area, responsible together 22 billion euros in publishers' revenues (for an estimated market of 40 billion euros) and more than half a million new titles each year <http://fep-fee.eu>

GESAC – The European Grouping of Societies of Authors and Composers comprises 32 authors' societies from across the European Union, Norway, and Switzerland. As such, we represent over 1 million creators and rights holders in the areas of musical, audio-visual, visual, and literary and dramatic works. More information www.authorsocieties.eu