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#### INFORMATION NOTE

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From:	General Secretariat of the Council
To:	Council
Subject:	Related rights of publishers and press agencies in the digital age - <i>Information from the French delegation</i>

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Delegations will find attached an information note from the French delegation on the above subject, which has been put on the agenda under ‘Any other business’ for the next Education, Youth, Culture and Sport Council meeting on 21 and 22 November 2019.

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**Related rights of publishers and press agencies in the digital age**

The adoption of the Directive on copyright and related rights in March 2019 marked an important step at European level, demonstrating a clear desire to hold platforms to account with a view to supporting creative ventures, ensuring fair remuneration for creators and the economic sustainability of culture and thereby encouraging diversity and pluralism of content and consumers' freedom of choice.

In that respect, the related rights of publishers and press agencies constitute an important step forward in terms of enabling those who produce information on a professional basis to be remunerated for the reuse of their products.

The transposition of those new related rights in France has led to an immediate response on the part of one major digital player, which is threatening to stop including excerpts of articles in its search results – or to include them only in a degraded form – unless publishers themselves agree to waive the right to remuneration granted to them by the European legislator. This situation raises the question not only of compliance with the legal framework on copyright resulting from the recently adopted Directive, but also of respect for competition law by certain particularly powerful players.

The French authorities hope that the upcoming meeting of the Council of European Ministers of Culture on 21 November 2019 can provide an opportunity for a briefing on the implementation of the related rights of publishers and press agencies and on the state of negotiations between the parties concerned. We are also in favour of opening up discussions on the rules applicable to structuring digital platforms, particularly with regard to European competition policy.