

Amendment 5

Patrick Breyer

on behalf of the Greens/EFA Group

Report

A9-0139/2021

Angel Dzhambazki

Challenges of sports events organisers in the digital environment

2020/2073(INL)

Motion for a resolution

Paragraph 1

Motion for a resolution

1. Requests that the Commission, after carrying out the necessary impact assessment, submit without undue delay, on the basis of Article 114 TFEU, a proposal for legislative acts, following the recommendations set out in the Annex hereto;

Amendment

1. Requests that the Commission, after carrying out the necessary impact assessment, submit without undue delay, on the basis of Article 114 TFEU, a proposal for legislative acts, following the recommendations set out in the Annex hereto, ***if the upcoming Digital Services Act does not sufficiently address the issue;***

Or. en

Amendment 6**Patrick Breyer**

on behalf of the Greens/EFA Group

Report**A9-0139/2021****Angel Dzhambazki**

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2020/2073(INL)

Motion for a resolution**Paragraph 10***Motion for a resolution*

10. Underlines that the legal provision of sports content should be better promoted in the Union and calls on the Commission to take measures that make it easier for consumers to find legal means of accessing sports content online; calls on the Commission to regularly update the list of such means of access on Agorateka.eu and to ensure that the platform is further developed; stresses that liability for the illegal broadcasting of sports events rests with the providers of streams and platforms and does not lie with fans or consumers, who often unintentionally come across illegal online content and should be further informed on the legal options available;

Amendment

10. Underlines that the legal provision of sports content should be better promoted in the Union and calls on the Commission to take measures that make it easier for consumers to find legal means of accessing sports content online; calls on the Commission to regularly update the list of such means of access on Agorateka.eu and to ensure that the platform is further developed; stresses that liability for the illegal broadcasting of sports events rests with the providers of streams and platforms and does not lie with fans or consumers, who often unintentionally come across illegal online content and should be further informed on the legal options available; ***stresses that the most effective way to reduce illegal streaming is to ensure the universal availability of free-to-air or affordable legal live streams of sports events, both through pay-per-view and subscription-based tariffs; calls on the Commission to propose legislation to ensure that every Union citizen has equal access to legal broadcasts offered in any one Member State, and to end the practise of geo-blocking within the Union;***

Or. en

Amendment 7**Patrick Breyer**

on behalf of the Greens/EFA Group

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2020/2073(INL)

Motion for a resolution**Paragraph 12***Motion for a resolution*

12. Calls for the removal of, or the disabling of access to, infringing live sport broadcasts by *online intermediaries* to be ***immediate or*** as fast as possible, ***and in any event no later than within 30 minutes of the*** receipt of the notification from rightholders or from a certified trusted flagger regarding the existence of such illegal broadcast; ***underlines that in the context of the current resolution, “immediate” is intended to be understood as immediately or as fast as possible and in any event no later than within 30 minutes of the receipt of notification from rightholders or from a certified trusted flagger;***

Amendment

12. Calls for the removal of, or the disabling of access to, infringing live sport broadcasts by ***hosting service providers that have actual knowledge of a manifest infringement,*** to be as fast as possible ***upon*** receipt of the notification from rightholders or from a certified trusted flagger ***or another person*** regarding the existence of such illegal broadcast;

Or. en

Amendment 8**Patrick Breyer**

on behalf of the Greens/EFA Group

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2020/2073(INL)

Motion for a resolution**Paragraph 17***Motion for a resolution*

17. Recalls Parliament's resolution on a Digital Services Act (2020/2019 (INL)), which requests the Commission to ensure that content hosting platforms act expeditiously to make unavailable or remove content which is manifestly illegal; is of the view that a mechanism involving certified trusted flaggers, through which an illegal broadcast of a live sports event ***notified*** by a certified trusted flagger is ***immediately removed or access to such a broadcast is disabled***, without prejudice to the implementation of a complaint and redress mechanism, ***should be set up***;

Amendment

17. Recalls Parliament's resolution on a Digital Services Act (2020/2019 (INL)), which requests the Commission to ensure that content hosting platforms act expeditiously to make unavailable or remove content which is manifestly illegal; is of the view that a mechanism involving certified trusted flaggers ***should be set up***, through which ***the notification of*** an illegal broadcast of a live sports event by a certified trusted flagger is ***processed and decided upon with priority and without delay***, without prejudice to the implementation of a complaint and redress mechanism;

Or. en

Amendment 9**Patrick Breyer**

on behalf of the Greens/EFA Group

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Motion for a resolution**Paragraph 20***Motion for a resolution*

20. Notes that injunction procedures are relatively long and usually come into effect after the broadcast has ended; points to the existence of practices developed at national level, such as live injunctions and dynamic injunctions, ***that have proved to be a means of*** tackling piracy of sports events broadcasts ***more efficiently***; calls on the Commission to assess the impact and ***appropriateness of introducing*** injunction procedures aimed at allowing real-time disabling of access to, or removal of, illegal online live sports event content, based on the model of “live” blocking orders and “dynamic injunctions”;

Amendment

20. Notes that injunction procedures are relatively long and usually come into effect after the broadcast has ended; points ***out that Internet access blocking at network level is easy to circumvent and not very effective, while interfering with the principle of net neutrality and the right to access lawful information hosted on the same domain or accessible via the same IP address***; ***points*** to the existence of practices developed at national level, such as live injunctions and dynamic injunctions, tackling piracy of sports events broadcasts; calls on the Commission to assess the impact and ***proportionality of*** injunction procedures aimed at allowing real-time disabling of access to, or removal of, illegal online live sports event content, based on the model of “live” blocking orders and “dynamic injunctions”;

Or. en

Amendment 10**Patrick Breyer**

on behalf of the Greens/EFA Group

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Motion for a resolution**Paragraph 21***Motion for a resolution*

21. Insists that injunction procedures to remove or disable access to illegal sports events broadcast online, irrespective of the manner of their implementation, must ensure that the measures strictly target illegal content only and do not lead to the arbitrary and excessive blocking of legal content;

Amendment

21. Insists that injunction procedures to remove or disable access to illegal sports events broadcast online, irrespective of the manner of their implementation, must ensure that the measures strictly target illegal content only and do not lead to the arbitrary and excessive blocking of legal content; ***points to the case-law of the European Court of Human Rights according to which the illegal nature of specific content does not justify the collateral blocking of legal content hosted by the same website or server;***

Or. en