

# Debunking the Myths: Neighbouring Rights

## The Myth:

## The Reality:

⇒ Neighbouring Rights will promote quality journalism and fight fake news.

⇒ The rights would apply to all press publishers, regardless of the quality.

⇒ Article 11 grants neighbouring rights to “fake news” outlets, thereby incentivizing the creation and dissemination of fake, misleading or junk news in the long term.

⇒ At the same time, the measure would **harm** small local publishers, which provide quality information often not covered by large publications. Neighbouring rights also create barriers for entry for all new publishers and services - including the quality ones that could help counter the spreading of inaccurate information.

⇒ Article 11 will not affect hyperlinks online.

⇒ **The hyperlink is part of the “snippet ecosystem”, you can’t have links without text.**

⇒ The reality is that links without context are not useful to Internet users and its ecosystem—you don’t know where the link leads. This actually reduces the incentive to share content and can result in less traffic for publishers.

⇒ The use of snippets discourage users from reading full articles.

⇒ **Online services drive valuable traffic to news publishers websites.**

⇒ Rather than take away readers from news publishers, snippets on online services can **increase traffic** to news publishers websites and raise consumers’ **awareness** of news and of other news outlets.

⇒ This “referral traffic” was worth an **estimated** €746 million to news publishers in the UK, Germany, France and Spain in 2014.

⇒ The right didn’t work at national level but it will once it’s EU-wide.

⇒ **An EU neighbouring right would be just as unsuccessful as the Spanish and German versions.**

⇒ The German right has not generated revenue since its passage in 2013, and its legitimacy is currently under consideration by the CJEU. German publishers ended up granting a free licence to many news aggregators, showing that they place more value on the web traffic than any speculated potential remuneration from ancillary copyright.

⇒ In Spain, the only example of a pay out comes from the German search engine Upday, which is actually **owned by** Axel Springer, the strongest advocate of Article 11. Meanwhile, small publishers and start-ups continue to suffer dramatic **losses in traffic** or have been forced to close down.