



Recommendation 2089 (2016)¹

Intellectual property rights in the digital era

Parliamentary Assembly

1. Referring to its [Resolution 2110 \(2016\)](#) on intellectual property rights in the digital era, the Parliamentary Assembly emphasises the importance of the right to the protection of intellectual property in accordance with Article 1 of the Protocol to the European Convention on Human Rights (ETS No. 9) and Article 10 of the Convention on Cybercrime (ETS No. 185), which must be respected when member States negotiate, accede to and implement international legal obligations affecting intellectual property rights.
2. The Assembly therefore recommends that the Committee of Ministers:
 - 2.1. invite the Cybercrime Convention Committee to draw up guiding principles on legal and practical measures against the infringement of copyright and related rights, in accordance with Article 10 of the Convention on Cybercrime;
 - 2.2. invite the Parties to the European Convention on the Legal Protection of Services based on, or consisting of, Conditional Access (ETS No. 178) to study the effectiveness of domestic law and practice in accordance with Article 4 of that convention as regards the protection of intellectual property rights;
 - 2.3. follow up, through practical action, its Recommendation Rec(2001)7 on measures to protect copyright and neighbouring rights and combat piracy, especially in the digital environment; in this context, practical co-operation should be sought with the European Observatory on Infringements of Intellectual Property Rights and Europol;
 - 2.4. reinforce co-operation with the European Union in this field;
 - 2.5. transmit to the competent domestic ministries and agencies this recommendation and Assembly [Resolution 2110 \(2016\)](#).

1. *Assembly debate* on 20 April 2016 (15th Sitting) (see [Doc. 14009](#), report of the Committee on Culture, Science, Education and Media, rapporteur: Mr Axel E. Fischer). *Text adopted by the Assembly* on 20 April 2016 (15th Sitting).

