

## **Activity Report 2011**

February 4<sup>th</sup> 2012

### **Executive Summary:**

This report highlights activities and meetings of ECSA officials with national and European politicians, as well as interventions at EU level organized conferences in 2011.

The outline is structured among interventions and activities in four categories:

1. European Union
2. Internal Meetings
3. International level
4. Others

## **1. European Union**

### *MEP Dr. Eva Lichtenberger addressed ECSA General Assembly- February 3<sup>rd</sup>*

In an exchange of views with ECSA members delegated from all around Europe, Dr. Eva Lichtenberger – member of the European Parliament and Vice President of the European Parliament's Greens – encouraged ECSA to provide her with more information for her work in the European Parliament. At the heart of the discussion was the reform of Authors' Rights Management Societies, the inclusion of stakeholders groups from the creative sector in EP's work and economic problems currently faced by composers and songwriters. Further, Patrick Ager forwarded her the ECSA position paper on collective rights management via Facebook.

### *ECSA meeting with EESC President, Mr Staffan Nilsson – April 11<sup>th</sup>*

On April 11<sup>th</sup>, a working breakfast took place between ECSA delegates and Staffan Nilsson, President of the European Economic and Social Committee. The meeting proved to be an excellent opportunity for an in-depth discussion on authors' rights, their Collective Management Societies and the necessity for finding new licensing models. Leading the delegation, Alfons Karabuda stressed that whilst ECSA claims for increased standards on governance, Europe's composers and songwriters consider Authors' Rights Management Societies as vital and indispensable. Interested to hear ECSA's opinion, Mr Nilsson outlined the work of the Committee in this field and suggested that ECSA should communicate its opinion to the representatives of the EESC.

### *Meeting with MEP Marielle Gallo – April 11<sup>th</sup>*

ECSA delegates met on April 11<sup>th</sup> with the Member of the European Parliament Marielle Gallo, who belongs to the Group of the European People's Party (Christian Democrats). Ms. Gallo is also a member of the Committee on Legal Affairs and chaired the EP's working group on authors' rights. During the meeting, ECSA representatives raised the significance of Authors' Rights Management Societies and informed Ms. Gallo that ECSA recently joined the Global Repertoire Database Working Group. ECSA was represented by Alfons Karabuda, Patrick Ager, Bernard Grimaldi, Klaus Ager and Patrick Rackow.

### *Meeting with Member of Parliament Cecilia Wikström- May 24<sup>th</sup>*

On May 24<sup>th</sup>, ECSA Secretary General Patrick Ager met Cecilia Wikström and her assistant, Daniel Sjöberg, for an exchange of views. Cecilia Wikström (Sweden) belongs to the Group of the Alliance of Liberals and Democrats for Europe and is a member of the EP's Legal Committee. Ms Wikström was briefed on ECSA's opinions regarding collective rights management societies and their significance in the profession of composers and songwriters. In particular, Mr Ager outlined the necessity to maintain the exclusive assignment to those societies and informed Ms Wikström about the Global Repertoire Database working group, which had been recently joined by ECSA.

### *Meeting with Maria Martin-Prat – June 6<sup>th</sup>*

On June 6<sup>th</sup>, Maria Martin-Prat (head of the EC Copyright Unit) and her team met ECSA Chairman Alfons Karabuda, Patrick Rackow and Patrick Ager for an exchange of views. The meeting proved to be a good opportunity to talk about collective rights management and its' importance for composers and songwriters. ECSA representatives set out why collective management of rights is so crucial for authors and outlined the necessity to maintain the exclusive assignment to those societies. Both, ECSA representatives and Maria Martin-Prat agreed to stay in close contact.

### Meeting with Members of the EP Marietje Schaake and Helga Trüpel - June 15th

John Groves and Patrick Ager met with members of the European Parliament Marietje Schaake (Liberals) and Helga Trüpel (Greens) on June 15, in Brussels. The meeting that took place in a very co-operative atmosphere proved to be an excellent opportunity to exchange views on authors' rights and their challenges in the digital age. Speaking on behalf of ECSA, Mr. Groves highlighted the utmost importance of authors' rights for creators as they provide a safety net without which composers would be critically disadvantaged in any commercial environment. Mr. Groves also stressed the importance of authors' rights management societies as being essential in order to pursue a profession as composer or songwriter.

### Meeting with MEP Evelyn Regner - June 28th

Evelyn Regner (S&Ds), Vice-President of the JURI Committee received Patrick Ager to discuss ECSA's position regarding authors' rights and their collective management. Mr. Ager set out that these societies exist to serve their members – composers and songwriters, and that it is crucial not to throw composers and performers in one basket, as it is frequently the case. Both, Ms Regner and Patrick Ager agreed to stay in close contact.

### Conferences in the European Parliament – June 29<sup>th</sup>, June 30<sup>th</sup>

Two interesting conferences took place at end of June in the European Parliament. The first one, entitled "Copyright and Intellectual Property in the Digital Age" (June 29<sup>th</sup>), was organized by the Socialists and Democrats. The second one, "Is it possible to compete with free?" (June 30<sup>th</sup>), was initiated by the grouping of Liberals and Democrats. Both events dealt with the challenges of authors' rights in the digital age. ECSA representatives attended both conferences and took the floor on behalf of creators.

### ECSA comments on Greens' position paper meeting with Helga Trüpel– September 13<sup>th</sup>

On September 13, Patrick Ager met with Helga Trüpel, Green MEP, in her office at the European Parliament. The meeting lasted about 1h30 and evolved into a colloquial chat about the link between society, culture and authors' rights. After this meeting, when MEP Trüpel expressed her support for a more sensible approach to the authors, ECSA stated its arguments in a position paper and asked for clarification on the Green's position paper, "Creation and copyright in the digital era". In this position, ECSA commended and expressed its concerns over a number of the points which the Green paper raises.

### Meeting with Lorena Boix Alonso – October 25<sup>th</sup>

Patrick Ager and Alfons Karabuda met Lorena Boix Alonso, Deputy Head of Cabinet of Neelie Kroes, European Commissioner for the Digital Agenda, on October 25<sup>th</sup>. Boix Alonso requested ECSA position on governance and transparency of collective management societies.

### Meeting in DG MARKT, Fight against Counterfeiting and Piracy Unit – November 11<sup>th</sup>

The office for Harmonisation in the Internal Market (Trade Marks and Designs) will be entrusted with certain tasks related to the protection of intellectual property rights, including the assembling of public and private sector representatives as a European Observatory on Counterfeiting and Piracy. It is the DG MARKT Unit D3, Fight against Counterfeiting and Piracy who prepared the proposal to entrust the European Observatory to the Office for Harmonisation in the Internal Market.

ECSA had a meeting with Jean Bergevin, Head of Unit, and Laetitia Lecesne, Administrator, (Directorate General Internal Market and Services, Intellectual Property, Fight against counterfeiting and piracy), on November 11, and questioned them about the context in which

this proposal was drafted, the possible future evolutions and its implications on the activity of composers and songwriters. ECSA expressed its interest in getting involved in the Observatory subgroup: “Public awareness”.

*Composer Chris Smith panellist in two conferences, European Parliament – December 7<sup>th</sup>*

Chris Smith addressed members of the European Parliament on two occasions: first at an internal meeting on copyright related issues organized by the EP’s liberal group ALDE; second, at a conference organized by Marietje Schaake on self-regulation of internet service providers. Other speakers included Werner Stengg (DG Markt), Nicole Dewandre (DG Information Society), Chris Ancliff (Warner Music Group, IFPI), Joe McNamee (EDRI), Jermyn Brooks (GNI) and Malcolm Hutto (EuroISPA). In his address, Chris Smith highlighted that neither freedom of access to everything, nor draconian levels of governance can be the right solution. Instead, a more active collaboration of all stakeholders should be encouraged with the aim to find the right balance for business representatives, consumers and authors.

## **2. Internal Meetings**

*Presidium meeting in Brussels- April 10<sup>th</sup>*

On April 10th, the chairman of ECSA’s three main music specific networks (classic, popular, film and audiovisual music) met in Brussels in order to discuss ECSA’s internal communication, the alliance’s role within the GRD WG, as well as the issues related to the General Assembly.

*ECSA Autumn Sessions in Alicante – October 3<sup>rd</sup>*

Delegations of composers and songwriters around Europe gathered on October 3rd and 4th in Alicante, Spain. The meetings included sessions of FFACE, APCOE and ECF. On October 3rd, ECSA hold its General Assembly in “Ciudad de la Luz”, the Alicante Film Studios. The meeting examined last evolutions of the ECSA’s Structure Working Group, the Coercion Working Group and the Global Repertoire Database, where ECSA’s role as GRD member was carefully assessed and discussed. At the heart of the debate were furthermore ESCA’s upcoming events, notably the Creators Conference and the determination to bring authors back to the centre of European discussion on copyrights. Finally, the Alliance also assessed its growing membership network to more than 40 national associations of composers and songwriters in 29 European countries.

*ECSA Secretary General visits in Copenhagen, Helsinki and Paris – November – December*

Secretary General Patrick Ager visited composer and songwriter organisations in Denmark, Finland and France. Together with representatives of DPA, DKF and DJBFA (Denmark), Elvis and Suomen Säveltäjät Ry (Finland), UCMF, SNAC and UNAC (France), Patrick Ager assessed recent developments of copyright related issues discussed at the European Parliament as well other discussion items high on the agenda of ECSA’s upcoming Annual General Assembly.

### **3. International level**

#### World Copyright Summit – June 7<sup>th</sup> - 8<sup>th</sup>

The World Copyright Summit took place under the slogan *Create-Connect-Respect*. Representatives of cultural and creative industries from all around the world gathered in Brussels and discussed how to create value in the digital economy. The World Copyright Summit took place on June 7<sup>th</sup> and 8<sup>th</sup> and was organized by CISAC, the International Confederation of Authors Rights Management Societies. ECSA is an official member of the World Copyright Summit Advisory Committee. Outstanding personalities and politicians attended, among which were composer Ivo Josipović (former Secretary General of ECSA's member HDS - Croatian Composers Society), Bee Gees' legendary singer-songwriter, Robin Gibb (French visual artist), Hervé Di Rosa (songwriter) and ASCAP President, Paul Williams. Representing ECSA on a panel entitled "*Creators meet policy makers*", Alfons Karabuda told delegates of the World Copyright Summit "Commissioner Kroes said we are desperately seeking success, all we want is fair remuneration for the work we do."

#### ECSA became observer at WIPO – October 6<sup>th</sup>

This year, ECSA's request for observer status was approved by the Assemblies of the Member States of the World Intellectual Property Organization (WIPO) and the Unions administered by WIPO at their meetings held from September 26 to October 5, 2011. ECSA is now included in the list of international non-governmental organizations that are invited to attend the meetings of certain Assemblies, as an observer, in accordance with the applicable principles. ECSA receives all the agendas and draft conventions from WIPO, on a bi-weekly basis.

### **1. Others**

#### EU XXL conference – April 15<sup>th</sup>

Patrick Rackow addressed EU XXL on behalf of ECSA. The Forum took place in Linz on April 15<sup>th</sup> and gathered stakeholders of the European audiovisual and music sector. Mr. Rackow represented ECSA on a panel entitled "*Models for the future or water under the bridge? The role of the Collecting Societies in national and European comparison*" and set out what composers and songwriters want from the upcoming EC legislative proposals. Rackow's intervention followed a key-note address of Kerstin Jorna, Mrs. Jorna informed the forums' participants that the EC legislative proposals will also include the establishment of certain norms and standard related to governance, oversight and accountability.

#### Film Music Composers in Cannes – May

ECSA's French film music composer's organization UCMF was a partner, together with SACEM, SPEDIDAM and CINEZIK of the newly created "Pavilion de la Musique", managed by CINE-CULTURES for the Cannes International Film Festival.

Bernard Grimaldi noted that the Music Pavillon is an excellent occasion to introduce the art of film music composition at a such well known event as Cannes' International Film Festival. Different film music composers have been introduced every day at the Music Pavillon. Among others there were Udovic Bource (*The Artist*, de Michel Hazanavicius - sélection officielle), Khaled Mouzanar (*Et maintenant on va où ?*, de Nadine Labaki - sélection officielle), Bertrand Burgalat (*My little princess*, de Eva Ionesco -Semaine de la Critique) and Jean-Michel Bernard, who came with the director Michel Gondry.

### Long Night of European Music – June 21<sup>st</sup>

At the initiative of the Slovak Institute in Vienna, chairing the EUNIC Vienna Cluster, a concert entitled Long Night of European Music took place in Vienna's famous Museums' Quartier on June 21st. The concert was co-organized by ECSA's member network of contemporary music composers, the European Composers' Forum, the Society of Slovene Composers (DSS) and the Vienna Cluster of EUNIC. The event included premières of the European Contemporary Composers' Orchestra (ECCO) under Jürgen Bruns (GER) – with works by H. Heher (AUT), T. Räisänen (FIN), A. Giorgobiani (GEO), S. Azevedo (POR), C. Sojar Voglar (SLO) and L'. Cekovská (SVK). ECCO is an orchestra of ECF, situated in Ljubljana/Slovenia and formed around the nucleus of Chamber Orchestra of Soloists (KOS DSS) under artistic leadership of M. Mihevc. J.C. Risset (FRA), A. Eliasson (SWE), Klaus Ager (AUT) and D. Torkewitz (GER) contributed with innovative and experimental sounds. Each composition was accompanied by a literary piece selected and presented by the Mercedes Echerer (AUT).

### ECSA at FIMU Vienna – September 20<sup>th</sup>

Patrick Ager and Austrian Composer Paul Hertel discussed how composers and songwriters can best defend their interests on national and European level in Vienna, on September 20th. The discussion took place during a panel entitled „My voice in Europe“in the framework of the International Film Music Days. Both, Paul Hertel and Patrick Ager stressed the importance of networking and active engagement within professional associations and collective societies, such as for instance in Austria the ÖKB and AKM. These organizations, based on a model of solidarity, provide crucial membership services (i.e. legal and professional advice), which are vital when starting a career as composer.

### SoundTrack Cologne 8.0 – November 3<sup>rd</sup>

SoundTrack Cologne 8.0 opened its doors to the public on November 3rd. Representatives from the film, music and media industries were well represented, including UK composer Patrick Doyle (music for Henry V, Bridget Jones' Diary, Harry Potter and the Goblet of Fire, Rise of the Planet of the Apes). This year's Soundtrack Cologne focused also on Game Composer and hosted many seminars such as a GEMA & Youtube discussion. Under the title "Facts and Fiction", Bettina Müller (GEMA), Andreas Briese & Kay Oberbeck (YouTube), Mark Chung (VUT), Hans Hafner (Composers Club) and Manfred Gillig-Degrave (Music Week) discussed and reviewed the attractiveness and challenges of Youtube for rights holders. Representing the German and European associations of composers and songwriters, John Groves (FFACE, Composers Club), Patrick Ager (ECSA), Karsten Fundal (FFACE), Micki Meuser (DEFKOM) and Eva Kiltz (VUT) discussed current challenges faced by the creators' community in Europe and the role of the associations they represent.

### Composers' Conference in Ljubljana, Slovenia – November 22<sup>nd</sup>

The Society of Slovene Composers (DSS) hosted in collaboration with the Academy of Music of Ljubljana the annual meeting of ECSA's member ECF. Meetings of the Board and of the General Assembly were accompanied by a series of round table discussions, concerts and workshops. At the centre of debate were the awaited upcoming legislative proposals from the European Commission regarding collective management of authors' rights and the representation of composers in Europe. It was stressed that any legislative proposal must take the views of creators into account, such as the necessity to maintain the exclusive assignment (of the performing rights) to collective societies. The event hosted also a workshop focusing on education of composing and music in schools, as well as three seminars with children in the classroom. Furthermore, David Stoll (UK), Petra Sachsenheimer (Austria) and Helmut Erdmann (Germany), discussed under the title

“Composers’ Factory” different approaches to the idea of integrating best practices for creative musical work in schools and in education in general.

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