

# **Activity Report**

2012

General Assembly

21 February 2013

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# 1. Introduction

## 1.1 About ECSA:

ECSA is the main international membership organization for professional composer and songwriter organizations across all of Europe. Counting 29 authors associations in 18 countries as its members, ECSA represents over 13,000 professional composers and songwriters on the continent. ECSA was initiated in 2006 in Vienna and founded in 2007 in Madrid by the three genre-specific music author organizations. The clear lack of an independent, unified voice of composers and songwriters at European level was the driving incentive for the creation of ECSA. ECSA quickly grew both in size and capacity to advocate for composers and songwriters in the three genres (art & classical, film & audiovisual and popular music) at the EU and international level.

## 1.2 Executive Summary:

Since the beginnings of the European Composer and Songwriter Alliance, the organization has increased its capacity tremendously and has since made significant progress towards its mission statement and goals. The past two years have been marked by many momentous occasions such as gaining a position as a permanent observer at the World Intellectual Property Organization, joining the Global Repertoire Database project which aims to make the cross border-licensing of professionally composed music easier in the world and filing a complaint with DG Competition at the European Commission for unfair and coercive contractual practices by some of the main European broadcasters.

Besides these milestones, other highlights have been the opening of a permanent office in Brussels, a dramatic increase of its members and establishing the annual Creators Conference, a conference organized by creators for creators. This report highlights the main activities of ECSA's representatives regarding its advocacy work at the EU level, internal meetings, international relations, relationships with stakeholders in the culture and music industry as well as ECSA's events and publications between January 2012 and December 2012.

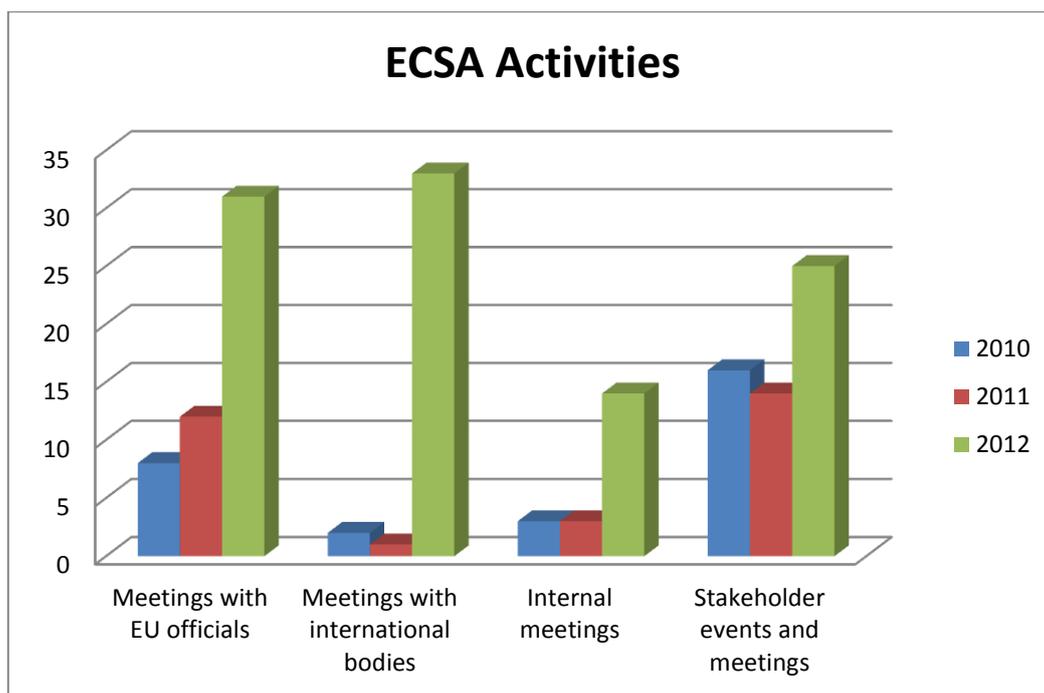
Notwithstanding, ECSA also reviewed its internal structure and adopted in autumn 2012 a direct membership system following the decision taken during the autumn general assembly in Reykjavik where ECSA delegates unanimously adopted the new structure. Evolving from an organization of three pillars APCOE, ECF and FFACE in order to honor its heritage ECSA will keep the names of the original pillars which have now become its committees. As a direct membership organization ECSA can be more efficient financially and becomes a

stronger legitimate stakeholder in Europe. ECSA is currently in the process of accepting applications for new members.

### 1.3 Statistics

ECSA has seen its capacity grow tremendously since the establishment of a permanent office in Brussels in April 2010. The involvement of ECSA’s members from all over Europe has also grown, with many even traveling to Brussels to attend events and meet with officials. The landmark 2012 event organized by ECSA, the Creators Conference, significantly highlighted the role of creators in Europe’s cultural diversity and the necessity to ensure cultural and authorial rights.

In 2010, ECSA representatives met with eight EU officials. In the first half of 2012, ECSA had already arranged and met with 14 officials, ending the year with 31 total meetings. ECSA has been able to increase its activities gradually as more members have gotten involved and after a second full-time employee joined the ECSA office in Brussels, as an assistant to the Secretary General who previously worked alone. This additional support for the Secretary General has been extremely positive for the organization in increasing its activities.



## 2. 2012 in detail

### 2.1 EU Related events and meetings

#### Coercion Complaint – 17 January 2012

ECSA filed an official complaint to DG Competition against coercive practices of some of the main European broadcasters in the commissioning of music for the audiovisual and media production sector.

#### Meeting with Androulla Vassiliou, European Commissioner for Education, Culture, Multilingualism and Youth – 2 February 2012

Klaus Ager (ECF President, member of ECSA presidium) and Andreea Calbeaza (ECSA Office) participated in a luncheon debate with Commissioner Vassiliou, organized by the official Chamber of Commerce of Spain in Belgium and Luxembourg. The debate focused on the topic of the luncheon “Education in Europe – the key to the EU growth and exit strategy from the crisis”. Mr. Ager pointed out that in the context of the EC, reference to musicians’ unemployment and the situation for young composers is ignored. Mr. Ager suggested the EC organize a similar event focusing on young composers. The request was met with a positive remark by the Commissioner.

#### Meeting with MEP Tadeusz Zwiefka - 29 February 2012

Alfons Karabuda (ECSA Executive Chairman), Chris Smith (ECSA Representative) and Patrick Ager (ECSA Secretary General), met with Polish member of the Group of the European People’s Party (Christian Democrats) MEP Tadeusz Zwiefka. The discussion focused on the general principles of author’s rights with emphasis on the importance of collective rights management for authors. ECSA representatives stressed that without authors’ rights, composers and songwriters would be disadvantaged in the modern competitive environment. Mr. Zwiefka is the EPP’s coordinator in the JURI committee of the European Parliament.

#### Meeting with Francois Arbault - 7 March 2012

Patrick Rackow (BASCA CEO) and Patrick Ager (ECSA Secretary General) met with Francois Arbault, member of the Cabinet of Michel Barnier, Commissioner for Internal Market and Services, to discuss the anticipated legislative proposals on collective rights management and other issues such as private copying levies. Mr. Arbault is responsible for intellectual property rights and collective rights management, e-commerce and services of general economic interest.

#### Meeting with MEP Monica Louisa Macovei -29 March 2012

Patrick Ager (ECSA Secretary General) met with former Romanian Minister of Justice and current Member of the European Parliament EPP group Monica Macovei to exchange views related to IP and collective rights management.

*European Parliament Hearing on Collective Rights Management- 14 April 2012*

Elzbieta Kubok (ECSA Executive Assistant) attended the hearing in the European Parliament. The European Free Alliance and Greens organized an event inviting a variety of speakers including two ECSA members: Pia Raug spoke on behalf of the European Council of Artists and Koda, and Erwin Angad-Gaur on behalf of the Dutch initiative “platform makers”. It was agreed that collective rights management should empower authors and artists and not hinder them. It was stressed in many presentations that collecting societies should take greater accountability for the redistribution issues and improve their transparency.

*Conference on the enforcement of Intellectual Property Rights – the Review of Directive 2004/48/EC – 26 April 2012*

Patrick Ager (ECSA Secretary General) represented ECSA during a DG Internal Market and Services organized conference on IPR enforcement. Issues that were raised at the conference included accessibility to civil redress for SMEs, damages, injunctive relief, the role of non-IP infringing intermediaries, due diligence for all commercial players in the chain (including rights holders) and judicial review.

*Meeting with MEP Paul Rubiq – 15 May 2012*

Patrick Ager (ECSA Secretary General) met with Austrian MEP Paul Rubiq, member of the EPP Group interested in the debate on authors’ rights, ACTA and the Pirate Parties in Germany and Austria.

*Round table discussion MEP Helga Trupel – 15 May 2012*

German MEP Helga Trupel, member of the Greens organized a round table discussion on how to hold peer to peer platforms liable for their copyright infringements. Patrick Ager (ECSA Secretary General) was invited to participate amongst representatives of liaison offices of EBU, ZDF, GEMA, RTL and Mindbase Strategy Group.

*Making Copyright Work for Libraries and Consumers Event organized by the Copyright for Creativity - A Declaration for Europe, European Parliament Library - 30 May 2012.*

During the event hosted by MEP Marietje Schaake of the Socialists and Democrats group, in the form of moderated debates and open discussions, Konrad Boehmer who is also member of ECSA was put to argue on a panel on the pro side for the statement “There are uses of music in education that should never require payment”. A variety of consumer-oriented organizations took part in the debate.

*The European Writers’ Council 2012 Author’s Rights Conference, European Parliament - 4 June 2012*

The EWC organized a conference under the patronage of MEP Marielle Gallo (EPP). The event was entitled “Striking the Right Balance between Access, Fair Remuneration and Authors’ Rights”. Discussion panels focused mostly on authors’ rights to written work but often touched upon issues also affecting music authors. The President of the European Federation of Journalists mentioned the ECSA coercion complaint and the joint petition of the creative associations aligned in the Fair Trade for Creators initiative. The panels

consisted of many authors and writers who underlined the importance of respecting the key principles of copy rights (which are still valid) - moral and economic rights of authors. ECSA Secretary General Patrick Ager took the floor and advocated for a stronger protection of authors' economic and moral interests.

*The Danish Presidency Presents 'The Role of Culture in the Times of Crisis' – 6 June 2012*

Elzbieta Kubok (ECSA Executive Assistant) attended a daylong conference hosted by the Danish EU Presidency on the role of culture in the economic crisis. Participants were invited to listen to presentations by the Danish Ministry of Culture and EU representatives on topics such as citizen involvement, cooperation amongst the creative industry and the need for a new European narrative. MEP Doris Pack, chairwoman of the Culture Committee in the EP stressed the importance of promoting culture especially in times of financial distress. In the afternoon, cultural ministers from Norway, Latvia and Lithuania discussed their budget cuts due to the crisis and possible options for reversing them.

*Meeting with Lorena Boix Alonso – 12 June 2012*

Patrick Ager (ECSA Secretary General) met with the Deputy Head of Cabinet of European Commissioner Neelie Kroes responsible for the Digital Agenda to discuss the current debate surrounding copyrights and collective rights management organizations.

*Meeting with MEP Marielle Gallo – 19 June 2012*

Patrick Ager met with MEP Marielle Gallo (EPP). During the meeting, collaboration between ECSA and the office of MEP Gallo was discussed in light of the emerging directive on collective societies. MEP Gallo will be the Rapporteur for the directive.

*Copyright Challenge: Re-Defining Intellectual Property Rights – 20 June 2012*

The Group of Socialists and Democrats held a conference entitled Copyright Challenge: Re-Defining Intellectual Property Rights – Exceptions, Limitations, "Fair Use". The event was coordinated by MEP Luigi Berlinguer (S&D coordinator JURI) and MEP Françoise Castex (S&D), Vice President of the JURI Committee. The debate surrounded the need for a redefinition of copyright and the much needed reforms in order to combat the current challenges developing from the lack of united and coherent copyright policy.

*Meeting with MEP Françoise Castex – 21 June 2012*

Patrick Ager (ECSA Secretary General) met with MEP Françoise Castex (S&D), to discuss the upcoming directive on collecting societies. Mrs. Castex supports ECSA's views presented in the governance and transparency position.

*Media Pluralism Forum, European Parliament – 27 June 2012*

On June 27<sup>th</sup>, ECSA Secretary General Patrick Ager was invited to participate in a panel on music publishing in the framework of the New Media Forum. The event took place in the European Parliament and Mr. Ager outlined key challenges facing ECSA members and took the opportunity to introduce ECSA members, who are composers of audiovisual music and classical music, as well as composers and songwriters of popular music.

Speaking on the frequency of unfair contractual practices composers and songwriters face, Ager said, *“It’s really about strengthening the position of the music writers in contractual deals with the commissioning counterpart. A lot of our composers who write music for TV and films are frequently forced throughout Europe to sign their publishing right in order to be granted a commission for creating a work. And interestingly enough, we have been backed up by publishers who have been excluded from the market...That’s the sad story of it, it’s not the quality of the music anymore, it’s really about who signs more of their rights away”*.

Other speakers included British singer Sandie Shaw (FAC), Pink Floyd drummer Nick Mason (FAC), Radiohead manager Brian Message (MMF) as well as Richard Charkin (Bloomsbury Publishing) and Santiago de la Mora (Google).

The day-long conference, organized by representatives from KU Leuven, Centre for Media Pluralism and Media Freedom and Doughty Street Chambers, the Honourable Society of Gray’s Inn Advanced Advocacy Committee, touched on some pertinent topics such as media ownership and control and addressed difficult questions such as identifying the right level to address the challenges for media pluralism in the global media scene. Lively discussions and debates made the event overall very productive and stimulating.

*Meeting with Anna-Maria Darmanin. Vice President of the European Economic and Social Committee – 4 July 2012*

Secretary General Patrick Ager met with VP of EESC to discuss current issues for ECSA and possibility of further cooperation in regards to the Creators Conference 2013.

*Meeting with Commissioner Neelie Kroes for the Digital Agenda – 17 July 2012*

Executive Chairman Alfons Karabuda and Secretary General Patrick Ager met with Vice President Neelie Kroes, Commissioner for the Digital Agenda to discuss the Global Repertoire Database (GRD), coercive practices amongst European broadcast companies and their affiliated producers and the upcoming directive on collective rights management. As for the ECSA complaint against coercive practices in commissioning of media and TV music, Neelie Kroes was astonished to hear that public and private broadcasters, funded through public money, abuse their dominant position to force composers to sign contracts under duress. Certainly, as pointed out by ECSA Chair Alfons Karabuda, these practices not only point to business failure, but also to a problem of society as a whole as they restrict freedom of choice and quality standards of music works. It was agreed that ECSA should provide further material and information on these practices. Finally, VP Kroes was eager to hear ECSA’s views on the proposed directive on collective rights management societies.

*Meeting with the assistant of MEP Tadeusz Zwiefka – 13 and 25 September 2012*

ECSA Secretary General discussed the ECSA position on the draft directive.

*Collective Rights Management in the digital Era – 1 October 2012*

Public hearing organized by the EPP parliamentary group where ECSA Chairman Alfons Karabuda was invited to speak on the panel on transparency and governance of Collective Management Organizations. Alfons Karabuda spoke about the importance of the exclusivity of assignment and explained the important role CS play for creators. He stressed the vital economic interest of authors in the collective management of their rights, as well as the importance of music writers, and media music composers in particular, to exclusively assign the performing right to their societies.

*European audiences: 2020 and beyond – 16-17 October 2012*

European Commission's annual conference on culture this year focused on audience building. Elzbieta Kubok participated in some of the sessions including presentation of the Creative Europe program.

*Copyright: what is broken and how to mend it? – 18 October 2012*

Public hearing organized by the S&D parliamentary group, unfortunately held without representatives of creators in the panels. The fair remuneration of creators was of big concern in the discussion.

*Meeting with the assistant of MEP Evelyn Regner – 18 October 2012*

ECSA Secretary General met in order to discuss the draft directive and his concern about lack of creators at the S&D public hearing.

*JURI Committee hearing with Rapporteur Marielle Gallo on the Collective Rights Management – 6 November 2012*

Rapporteur on the draft Directive MEP Marielle Gallo informed that her report will be presented in February, meanwhile she will organize technical meetings with the Commission and fellow rapporteurs (Castex, Wikstrom, Karim, Mastalka, Speroni, Engstrom).

*Meeting with the Legal Assistant of MEP Marielle Gallo – 19 November 2012*

ECSA Secretary General met the legal Assistant of MEP Marielle Gallo in order to extensively discuss the ECSA position on the draft Directive. Main discussion items: proxy voting, strengthening the role of authors and explaining the necessity to support the exclusive assignment (and the ambiguous article 30 and recital 32).

*Meeting with MEP Françoise Castex – 28 November 2012*

Composer Wally Badarou and ECSA Secretary General met with MEP Castex to discuss views on the draft directive and the participation of MEP Castex in the Creators Conference 2013.

*IP Forum organized by MEP Gallo – 6 December 2012*

"Making European copyright fit for purpose in the digital age: the next steps", During the IP forum in the EP Commissioner Barnier presented the decisions taken at college meeting, which is in essence to launch a stakeholder consultation "Licensing Europe" in

January 2013. Six questions will be assessed during the consultation, including issues related to cross-border online access to cultural works, the digitalization of European films and the private copying levy. ECSA is planning to address the lack of reference to fair copyright contracts in the priorities list.

Round Table discussion organized by MEP Helga Trupel – 18 December 2012

ECSA Secretary General was invited to make an intervention pinpointing the key concerns for the Draft Directive. He spoke on the proxy voting and exclusivity of assignment. It was an intense 2 hour discussion with around 15 stakeholders making presentations and exchanging views with Commission representatives and MEP Trupel.

## **2.2 Internal Meetings**

Visiting SKAP, Stockholm – 18-19 January 2012

ECSA Secretary General Patrick Ager met with ECSA Chairman to discuss preparation of the Creators Conference and working program for 2012.

Annual General Assembly, Brussels – 4 February 2012

Meeting of the ECSA Pillars, Brussels – 4 February 2012

Nordic FFACE Group Meeting – 4 February 2012

Structure Working Group meeting - 2 May 2012

Coercion Working Group meeting - 3 May 2012

The ECSA Coercion WG met in Brussels to discuss current development and future strategy to be taken on the awaited decision from the EC regarding the Complaint. Possible outcomes were discussed and decisions on how to react to them were taken.

BASCA Board Meeting, London – 20 June 2012

ECSA Secretary General made a presentation updating on ECSA activities and issues for the board of BASCA.

Structure Working Group meeting – 20 September 2012

The Structure WG met in Zagreb to fine tune the proposal of new articles which will be presented for voting in Reykjavik.

ECSA Autumn meeting – 7 October 2012

Historic decisions on ECSA new structure were adopted by delegates representing national composer unions across Europe. Accompanying events made an inspiring impression on the participants who look back at ECSA accomplishments and history.

Meeting of ECSA pillars, Reykjavik , Iceland – 7 October 2012

Important decisions regarding the ECSA structure were taken, for reasons of achieving highest efficiency standards, ECSA delegates unanimously approved to reform the alliance into a direct membership associations, built on three main committees' named after APCOE, ECF and FFACE.

Meetings in Madrid -30-31 October 2012

ECSA Chairman Alfons Karabuda and ECSA Secretary General met with Spanish union of composers and songwriters in Spain to discuss the ECSA pending issues like the Directive on Collective Rights Management.

Structure Working Group phone conference – 7 November 2012

The Structure Working Group discussed the follow up from decisions taken in Reykjavik. As a result of decisions of the WG a letter informing and welcoming on the new structure was communicated to ECSA members together with a new membership form.

SACEM awards and meeting in Paris 26-27 November 2012

ECSA Chairman Alfons Karabuda and ECSA Secretary General traveled to Paris on the eve of 26 November to participate in the SACEM awards ceremony. The following day they participated in meetings with SABAM's CEO and ECSA members to discuss current issues.

Meeting with DKV board -14 December 2012

ECSA Secretary General met with representatives of DKV board to discuss ECSA new structure and update on current activities and issues.

## 2.3 International Level

Global Repertoire Database Meeting, London – 16 January 2012 (JE)

Global Repertoire Database Meeting, London – 19 January 2012 (JE)

Global Repertoire Database Meeting, London – 26 January 2012 (PA)

ECSA and Songwriters Guild of America Meeting – 1 February 2012

Global Repertoire Database Meeting, London – 02 February 2012 (JE)

Global Repertoire Database Meeting, London – 04 February 2012 (JE)

Global Repertoire Database Meeting, London – 09 February 2012 (JE)

Global Repertoire Database Meeting, London – 13 February 2012 (JE)

Global Repertoire Database Meeting, London – 16 February 2012 (JE)

Global Repertoire Database Meeting, London – 20 February 2012 (JE)

Global Repertoire Database Meeting, London – 23 February 2012 (JE)

Global Repertoire Database Meeting, London – 27 February 2012 (JE)

Global Repertoire Database Meeting, London – 01 March 2012 (JE)

Global Repertoire Database Meeting, London – 12 March 2012 (JE)

Global Repertoire Database Meeting, London – 22 March 2012 (JE)

Global Repertoire Database Meeting, London – 29 March 2012 (JE)

Global Repertoire Database Meeting, London – 05 April 2012 (JE)

Global Repertoire Database Meeting, London – 12 April 2012 (JE)

Global Repertoire Database Meeting, London – 19 April 2012 (JE)

Global Repertoire Database Meeting, London – 26 April 2012 (JE)

Global Repertoire Database Meeting, London – 03 May 2012 (JE)

Global Repertoire Database Meeting, London – 16 May 2012 (JE)

Global Repertoire Database Meeting, London – 24 May 2012 (JE)

ECSA and Songwriters' Guild of America sign a Memorandum of Understanding – 29 May 2012

Global Repertoire Database Meeting, London – 31 May 2012 (JE)

Global Repertoire Database Meeting, London – 12 May 2012 (JE)

Global Repertoire Database Meeting, London – 12 June 2012 (JE)

Global Repertoire Database Meeting, London – 14 June 2012 (JE)

Global Repertoire Database Meeting, London – 26 July 2012 (JE)

Global Repertoire Database Meeting, London – 06 September 2012 (JE)

Global Repertoire Database Meeting, London – 20 September 2012 (JE)

ECSA Meeting with US and Canadian writers organizations in NY – 28 September 2012

GRD Kick Off Release and Design Phase – 18 October 2012

The Global Repertoire Database Working Group kicked off on October 18th the Release and Design Phase, which will last until May 2013. This phase of the project aims to analyze closely how the different copyright databases of participating societies operate in order to harmonize their back-office systems. Next to Jörg Evers (GE), music writers Jean-Marie Moreau (FR) and Niels Mosumgaard (DK) will join the ECSA GRD WG delegation until February 2012.

## **2.4 Stakeholder Relations and Activities**

Press Conference Coercion Complaint - 29 February 2012

ECSA organized an official press conference regarding its actions against coercive practices in the commissioning of music for the audiovisual and media production sector. ECSA was represented by Alfons Karabuda, Johan van der Voet, Chris Smith, Orjan Strandberg, Luis Ivars and Patrick Ager. The news appeared in more than 100 online journals, publications, specialized news magazines and blogs in English, French, German, Spanish, Italian, Dutch and several other languages.

ECSA, GESAC, ICMP Meeting – 5 March 2012

ECSA, GESAC, ICMP, EBU Meeting – 23 March 2012

Meeting with Daniel Wilson, BBC Policy – 29 March 2012

Joint statement with other organizations representing creators – 23 April 2012

Organizations representing the interests of many thousands of journalists, songwriters, composers, film and television directors, screenwriters, photographers, illustrators and visual authors across Europe issued a joint statement against coercive practices. ECSA, FERA, IFJ/EFJ, FSE, EVA, EIF, Pyramide Europe, and IAF joined together in the campaign “Fair Trade for Creators” and have currently gathered over 1700 signatures under a joint petition for the campaign.

ECSA, EBU, GESAC, ICMP Meeting – 14 May 2012

ECSA, EBU, GESAC, ICMP Meeting – 30 May 2012

Film composers meet during the 65th Cannes Film Festival- 16-27 May 2012

Film and media music composers gathered on the occasion of the 65th Cannes Film Festival from 16th-27th of May. Entitled Cannes Soundtrack, the film music pavilion included a wide range of workshops, seminars and roundtables addressing subjects relating to music composed for film and TV, such as creators’ rights and cross-Atlantic collaboration of composers. The presence of film music composers at this years’ Film Festival was achieved through an intense collaboration (among many others) with FFACE, Cine Cologne and Soundtrack Cologne.

Interview meeting with Croatian President, Ivo Josipović, Zagreb – 21 May 2012

ECSA Chairman Alfons Karabuda interviewed the Croatian President Ivo Josipović who is one of the founders of ECSA.

The interview is published under [www.composeralliance.org](http://www.composeralliance.org)

Meeting in Stockholm, 28 May 2012 seminar on copyright

CISAC/ICMP/ECSA Meeting in Dublin – 6 June 2012

IEMPN seminar in Krems – 14-15 June 2012

On the initiative and invitation of EU XXL, representatives from IMAGO (Kurt Brazda, Christina Busch), European Council of Artists (Narcy Calamatta), FFACE (Wilbert Hirsch and John Groves), EU XXL Film (Mercedes Echerer, Katharina Albrecht-Stadler, Fritz Niemann) and ECSA (Patrick Ager) met in order to adopt a common view on authors’ right, working conditions and the position of authors in general to be presented to MEP Eva Lichtenberger (Greens/EFA) and Anna Darmanin, Vice President of EESC. The meeting was very productive and the creators group adopted a draft resolution. It was a good occasion to explain to MEP Lichtenberger why authors’ rights and their societies are pivotal for writers and she acknowledged some of the groups’ arguments.

*Women in Music Uniting Strategies in Talent (WIMUST) Presentation at the European Parliament – 19 June 2012*

ECSA Representatives Elzbieta Kubok and Elizabeth Eckert attended a presentation by the only women's composer organization in Europe, WIMUST. WIMUST is concerned with the underrepresentation of women composers in publically commissioned works and highlighted their steps to the audience on how to increase the spotlight on professional female composers. MEP Silvia Costa, MEP Antigoni Papadopoulou and director of the Italian Cultural Institute of Brussels Federiga Bindi also spoke on the panel, expressing their support.

*ECSA, EBU, GESAC, ICMP Meeting – 28 June 2012*

*ENCATC Policy Debate, "Responding to the crisis with culture – towards new models of governance for the cultural sector" – 6 July 2012*

Elizabeth Eckert (ECSA intern) observed this policy debate featuring international experts in the cultural sector discussing the economic crisis and how this has effected cultural organizations. Issues such as the value of cultural production, the social and political consequences if the role of culture continues to diminish and ways cultural organizations can work more effectively despite the economic downturn were specifically addressed.

*ECSA, EBU, GESAC, ICMP Meeting – 12 October 2012*

*"All that is Banned is Desired World Conference on Artistic Freedom of expression – 25-27 October 2012*

ECSA Chairman Alfons Karabuda participated actively in the conference organized by Artsfex on freedom of expression. The Arts and Freedom of Expression Network (ARTSFEX) is an international, civil society network of organizations and individuals actively concerned with the right of authors to freedom of creative expression, as well as with issues relating to human rights and freedoms generally.

*Soundtrack Cologne - 15 November 2012*

ECSA Chairman Alfons Karabuda, Chris Smith and John Groves participated in the panels during the annual Soundtrack Cologne.

*"E-culture and Collective Management of Creative Rights" – 27 November 2012*

Conference organized by the EU observer in Brussels. The discussion in the event focused on safeguarding Europe's cultural diversity, representative from Spotify Will Page (previously representing PRS for Music) delivered a key note speech where he presented the new Spotify project aiming at exactly safeguarding Europe's cultural diversity. In the panel on music MEP Cecilia Wikstrom and MEP Eva Lichtenberger spoke about other issues in contracts and fair remuneration of creators which is the key to protecting Europe's cultural diversity. This remark was applauded by the audience, Frank Dostal from GEMA commented that he is pleased to hear comments on the fair remuneration of creators as this is currently one of the biggest issues that needs to be addressed. The afternoon key note by Robert Levine (who was at last year's Creators Conference) again

stressed the fair pay for creators and that is needed for quality of content and thus the key element of safeguarding European cultural diversity. Wally Badarou highlighted that the negative option of CMOs is misleading. Mr. Badarou explained that he as a composer participates in SACEM's decision making process and that CMOs are organizations which are there for composers and are created and managed by them. He stressed he understands the objective of the draft directive is to ensure good transparency and governance, which he warmly welcomes.

*“Collective goes digital – the future of collective rights management” – 28 November 2012*

Event organized by GEMA in Brussels. Prof. Dr. Enjott Schneider made a strong introduction highlighting the main issues faced by authors today, mainly receiving adequate salary for their work. On behalf of GEMA he welcomed the draft directive proposal and efforts for better regulation and transparency. MEP Marielle Gallo outlined her challenges with the draft directive (Articles: 15, 30, 33, 34 and 36) and ensured she will work very hard. MEPs Helga Trüpel and Petra Kammerevert also referenced to the remark on adequate pay for creators. Other panelists included CEO of KODA Anders Lassen and Gerrit Schumann, CEO of Simfy.

*UN Human Rights Council cultural rights working group meeting – 4-5 December 2012*

In line with ECSA's mission to fight for fair contracts and artistic freedom, ECSA Chairman Alfons Karabuda joined the expert group consulting UN Special Rapporteur on Cultural Rights, Ms Farida Shaheed, for her 2013 thematic report for the UN Human Rights Council.

*CEPS taskforce on Copyright Law in the EU Digital Single Market*

The Centre for European Policy Studies (CEPS), Brussels based think-tank invited ECSA to join the taskforce on copyright. In the framework of this initiative three meetings were held.

1. “Copyright Management in the Digital Music and Audiovisual Sectors: State of the Art and Future Prospects” – 14 November 2012.

ECSA was asked to participate on the panel of this first workshop. ECSA Secretary General outlined in his presentation the main ECSA views in relation to the draft directive, which can be found in annex, including a detailed outline of the necessity of the exclusive assignment of the performing right. The representative of Warner Chappell called for more flexibility with regards exclusivity in the spirit of the 2005 recommendation. The workshop was attended by Maria Martin-Prat and her team, as well as by MEPs and music industry stakeholders.

2. Does Europe need to reform copyright exceptions? What is the future of copyright levies? – 13 December 2012

ECSA Secretary General Patrick Ager participated actively in this seminar representing the author's perspective on exceptions to copyright.

3. “Online Copyright enforcement in the European Union: Current Scenarios and Future Prospects” – 16 January 2013

Elzbieta Kubok attended the event on behalf of ECSA. The discussion focused on issues with measurement of online copyright infringement and future of online copyright enforcement in the European Union after the rejection of ACTA by the European Parliament.

AKM Board meeting – 10 December 2012

ECSA Secretary General made a presentation for the AKM board outlining current issues and overview of ECSA activities.

## 2.5 ECSA Events and Publications

ECSA publishes position paper on “Collective Societies of Authors Rights – Norms and Standards” – 16 January 2012

ECSA published a detailed position paper on the expected norms and standards for collective societies. Collective societies at their best, act as an overall aggregator for author’s rights. However, technological developments, the increasing global reach of music authors and a fragmented European market have challenged the current model collective societies are based on. ECSA provides a viewpoint from music authors on how to respond to these modern challenges.

Creators Conference 2012 – 2-3 February 2012

After a very successful launch of the first Creators Conference in 2010 in Stockholm by the Swedish Society of Popular Music Composers, ECSA joined forces with cultural organizations, composer societies and political groups, including the European Economic and Social Committee, the Green Party of the European Parliament, GESAC and PRS for Music to host a second edition in Brussels. Entitled “A Conference on Music, Creativity and Authors’ Rights”, the 2012 day-long Creators Conference aimed to highlight how music is created and what composers and songwriters require from EU politicians and representatives of the music value chain.

The Creators Conference was held on February 2<sup>nd</sup> and 3<sup>rd</sup>, kicking off with an evening concert followed by a networking reception for an informal exchange of views. European Commission staff members such as Kerstin Jorna (Head of Intellectual Property Unit), Xavier Troussard (Head of Culture Unit) and Maria Martin-Prat (Copyright Unit) attended the event. Parliamentarians such as Ms. Helga Trüpel and Ms. Eva Lichtenberger were also present at the evening reception.

The conference included four panels with a variety of dynamic speakers. MEPs Helga Trüpel, Marjiete Schaake and Eva Lichtenberger, EC representatives Jean Bergevin, Maria Martin-Prat and Barbara Glowacka were confronted with the views of professional songwriters and composers and had to appreciate that copyright and collective rights management are not only a tool to ensure remuneration for authors, but are also an

indispensable acquis, which serves as a safety net against patronage in a highly commercial environment such as the music business.

The Conference raised awareness of and increased the dialogue on key issues related to the daily work of composers and songwriters. With over 300 guests from cultural organizations, EU institutions and composer societies, not only did the Conference act as a platform for discussion, but it also served as a communication channel to transmit a clear message regarding the importance of collective rights management and copyright for music writers.

With major legislative challenges anticipated for 2013, a third annual Creators Conference next year is seen as essential among cultural and industry stakeholders.

*Office Warming and Networking Event – 10 July 2012*

ECSA held an office warming and networking event to welcome friends and contacts to the new office. Over fifty guests attended the event including representatives from the European Commission, MEP assistants and people working in a variety of other institutions and organizations, from the EESC to the Embassy of Austria. It was a great way to solidify ECSA's networks and to remind the attendees of ECSA's work.