

Moral rights in the digital era

Declaration of the European Composer and Songwriter Alliance (ECSA)

The European Composer and Songwriter Alliance represents music writers from all over Europe and came together to address the challenges with respect to authors' economic and moral rights in the digital era.

We view with concern that albeit endless means and possibilities, moral rights are frequently ignored and even worse, not respected by both record labels and digital music service providers.

We stress that the non-assertion of moral rights negatively impacts the smooth flow of licensing processes in the music ecosystem as correct meta-data about writer-work-performer attribution is lacking.

We believe that the disregard of moral rights has also a detrimental effect on culture and cultural heritage as the consumers and the wider public are deprived of access to the original work of the creator.

In this respect, we bring to the attention of governments and international organisations such as WIPO and UNESCO, as well as to the music and digital industries in general the following resolution:

Reiterating that musical works start with the creative work of composers and songwriters, whose contributions is essential to the building of national, regional and local cultures, the maintenance of those cultures and the development of the cultural and creative industries.

We, composers and songwriters from all over the world:

- Emphasize that moral rights ensure the protection of the author's personality and the integrity of his or her work since almost 200 years;
- Stress the importance of un-waivable moral rights in order to sustain further creation and to ensure that consumers have the possibility to learn more about the original creator;
- Urge governments and policy makers around the globe, and notably the European Union, to conform with international moral rights standards set forth in the WIPO Copyright Treaty, which obliges parties to comply with the main provisions of the Berne Convention, including Art. 6bis;
- Call upon the music industry value chain, most notably publishers, record labels and DSPs to establish a code of conduct setting out an industry-wide commitment to ensure that authors' and performers' attribution and integrity rights are respected for the benefit of accurate meta-data of musical works and consumer awareness;
- Call upon governments to enforce moral rights and international standards thereof as moral rights are an essential tool for cultural heritage purposes, ensuring that the right of the public to access the original work once it enters public domain is respected;
- Encourage creators from other sectors such as the audio-visual, literary or visual arts sector to join efforts with ECSA to launch a Europe-wide moral rights campaign.
