

Brussels, 7th of March 2019

A Europe fit for the next generation of creators

ECSA Open Letter in support of the Copyright Directive

Dear Member of the European Parliament,

I am writing to you on behalf of the European Composer and Songwriter Alliance (ECSA), which represents over 50,000 professional composers and songwriters in 27 European countries – to ask you to vote in favor of the Copyright Directive.

We are not asking you to take a pledge to vote for or against any Article of the Directive: we value your free judgment and we believe that the future of Europe does not rely on a single Article of any Directive. We simply support the whole Directive as a package, which will improve the position of Europe's creators and their remuneration.

You have a unique opportunity to update the EU's 20-year-old legislation on authors' rights and make European copyright fit for purpose in the digital age. Since the early 2000s, the Internet has grown exponentially, and we embrace the opportunities it gives us to disseminate our works. But today's Internet is very different from the one that existed at the time: the digital landscape moved from a free and diverse environment where small platforms were competing amongst each other to a place where a few gigantic and dominant players are able to dictate their terms to creators and users, not to mention citizens.

Those "technopolies" and their numerous sister organisations have been allowed to become as powerful as they are today because lawmakers have too often been afraid to set reasonable limits to their immense powers. It is now time to have the courage to reverse this trend and make sure that with great power should also come responsibilities.

After 30 months of democratic and comprehensive debates, the final text on the table is a fair and reasonable compromise which notably aims at rebalancing the relationship between creators, citizens and global platforms. [Article 13 will NOT affect freedom of expression at all, it is adapted to the size of each platform and includes a specific carve out for start-ups, tailored to give them the possibility to grow and compete with tech giants.](#)

Improving the remuneration of creators and fostering freedom of expression are two fundamental objectives that support each other. We want citizens to access and enjoy our works as much as possible and we believe that we should get a fair share of the value created by them. When a citizen enjoys a creative work on a global platform, the revenues generated should go mainly to those who created and invested in it, not to the platforms. This is what Article 13 is all about. For the tech industry, this is not about censoring the Internet "as we know it" but about saving "their" Internet, as a few of them own it.

More importantly, [this Directive includes unprecedented harmonised provisions to the benefit of all authors and performers \(Articles – 14 to 16A\), small or big, to rebalance the systemic weak bargaining situation they find themselves in when they sign contracts with producers and publishers.](#) Thanks to the European Parliament, the Directive includes a principle of appropriate and proportionate remuneration, strong transparency obligations, a remuneration adjustment mechanism and a revocation right in case of a lack of exploitation. There is nothing falser than saying that this Directive only favors big rightholders and does nothing for creators. Those provisions, too often overlooked in the copyright debate, are a once in a generation opportunity to place creators at the center of copyright law and improve their remuneration.

This is not only about us, as authors, but about Europe's independence and the future of Europe's culture. After the EU Member States failed to impose fair taxes on digital giants, the European Parliament can now send a strong and positive signal to future generations who want to write, compose, create and be fairly remunerated for their creations.



The European Composer and Songwriter Alliance (ECSA) represents over 50,000 professional composers and songwriters in 27 European countries. With 58 member organizations across Europe, the Alliance speaks for the interests of music creators of art & classical music (contemporary), film & audiovisual music, as well as popular music.

Web: www.composeralliance.org

EU Transparency Register ID: 71423433087-91