



THE FAIR INTERNET COALITION URGES DECISION-MAKERS TO CONFIRM THE TRILOGUE DEAL AND APPROVE THE COPYRIGHT DIRECTIVE AS A FIRST STEP IN THE RIGHT DIRECTION

Brussels, 18 February 2019

The FAIR INTERNET coalition representing over 500,000 musicians, singers, actors, dancers and other performing artists **urges the Council and the Parliament to give their final approval** to the compromise agreement reached at trilogue on the draft Directive on Copyright in the Digital Single Market. Chapter III of this Directive includes provisions that constitute **a first, encouraging step in the right direction**, as they seek to increase transparency on contractual relations and level up the remuneration initially agreed, often little more than symbolic, with subsequent revenues. Most importantly, the trilogue compromise establishes that the remuneration of performers must be proportionate to the revenues generated by the exploitation of their work and that lump sum payments are to be the exception, rather than the rule.

Today, most performers are not remunerated when their performances are exploited via streaming and downloading platforms such as iTunes, Spotify, Amazon Prime and Netflix. With little bargaining power, they often have no choice but to transfer all economic rights on those productions, in return for a one-off payment and regardless of how successful the exploitation is in the end. According to Article -14 of the draft Copyright Directive, performers must now receive appropriate and proportionate remuneration, including for online exploitation. When implementing this new provision in their national legal systems, Member States will be responsible for making sure that performers finally get a fair share of the revenue generated from the exploitation of their work. To this end, the Directive clearly says that Member States may rely on different existing or newly-introduced mechanisms, including collective bargaining and other mechanisms. The FAIR INTERNET coalition calls on Member States to achieve this aim by introducing into their national systems a right to remuneration for performers paid by online platforms and subject to mandatory collective management.

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