

16 April 2015

Subject: Amendments to the draft report on the implementation of the 2001 Copyright Directive

Dear Madam/Sir,



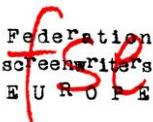
In view of the fast-approaching vote in JURI, we are writing to express our concern about Ms Reda draft report on the implementation of the 2001/29 Copyright Directive which if not completely amended, would severely weaken the position of European authors who need to be placed at the heart of the EU copyright policy. We are also very worried by those additional amendments, which if adopted would severely harm the cultural sectors which authors evolve in, by attacking the principle of territoriality and the flexible system of optional copyright exceptions and limitations.



In particular, we would like to draw your attention to amendments 179, 195 and 196 to paragraph 3 of the Reda draft report proposing to replace the need for 'appropriate remuneration' for all categories of rightholders' by only a 'fair compensation'. Indeed, 'fair compensation' is a wording used in relation to exceptions whereas 'appropriate remuneration' is the basis for authors to exercise and negotiate their rights. These amendments would thus clearly weaken their remuneration. However, we support AM 194 where the wording 'appropriate remuneration' is applied and which also emphasizes that the situation has to improve for authors in the analogue and digital environment.



In addition, we think that amendments which aim to replace the words 'authors, and performers' by 'rightholders' are misleading and should be opposed and replaced, where appropriate by 'authors, performers and other right holders'.



Moreover, remuneration derived from private copying compensation schemes is vitally important for authors and needs to be preserved, even in the digital field. As such, amendments 117, 123, 135 and 509 are particularly unhelpful and should be rejected, whereas amendments 510, 513, 514 and 519 should be adopted.



We welcome amendment 199 which underlines the need for authors to receive an appropriate remuneration 'in the digital environment and in the analogue world alike' as well as amendment 200 which, in addition to paragraph 3 of the draft Reda report, seek to improve the contractual position of authors.



Finally, there is a major issue that needs to be addressed to ensure future remuneration of authors in the digital economy: the current transfer of value taking place on the Internet, to the benefit of online intermediaries and to the detriment of the cultural and creative sector. Amendments 359, 411, 515, 556 are usefully addressing this issue and should be adopted.

We remain at your disposal should you need any further information or discussion on these points or any other aspect of authors' rights in the context of this report.



ECSA (the European Composer and Songwriter Alliance) is the European voice of living music authors and represents over 23,000 professional composers and songwriters in more than 20 European countries. With 43 member organizations across Europe, the Alliance speaks for the interests of music writers of art & classical music (contemporary), film & audiovisual music as well as popular music. More information at www.composeralliance.org. Follow us on Twitter @Creators2015



EFJ – The European Federation of Journalists gathers 58 journalists' unions and associations in Europe representing 320,000 journalists in thirty nine countries. The EFJ supports its affiliates to foster trade unions and to maintain or create environments in which quality, journalistic independence, pluralism, public service values and decent work in the media exist.



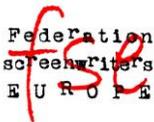
EVA – EVA represents 24 European collective management organisations for fine arts, photography, illustration, design and other visual works for close to 100,000 authors. They manage for authors primary uses, the resale right and they collect and distribute remuneration rights. For more information: www.evartists.org



EWC – Founded in 1977 in Germany and newly constituted in 2006 in Belgium, the European Writers' Council is the federation of 50 national and transnational organisations of professional writers and literary translators in all genres in 34 countries including the EU as well as Belarus, Iceland, Norway, Switzerland, Turkey and Montenegro. EWC's members represent 433,000 individual creators, including more than 150,000 authors in the text-sector.



FERA – Founded in 1980, the Federation of European Film Directors represents 37 directors' associations from 29 countries. FERA speaks for approximately 20,000 European screen directors, who work in all formats and genres, promoting and defending their cultural, creative and economic interests both at the European and at the national level. www.filmdirectors.eu



FSE – The Federation of Screenwriters in Europe (FSE) is the voice in Europe for more than 6,000 professional screenwriters working mainly in the film and television industry. It is a federation of currently 25 associations, guilds and unions of screenwriters in 20 countries.



GESAC – Founded in 1990, the European Grouping of Societies of Authors and Composers (GESAC) represents 34 of the main copyright management societies (authors 'societies') in the European Union, Iceland, Norway and Switzerland, administering the rights and remuneration of more than 1 million authors, composers and writers in a variety of sectors (music, audiovisual, literary and visual and graphic arts) and music publishers. More information www.authorsocieties.eu & www.gesac.org



SAA – The Society of Audiovisual Authors (SAA) is the grouping of European collective management organisations representing audiovisual authors. Its members (25 societies in 18 countries) manage the authors' rights of over 120,000 film, television and multimedia screenwriters and directors. More information www.saa-authors.eu Follow us on Twitter @saabrussels



UNI Global Union – Media Entertainment & Arts (UNI MEI) – represents 170 national unions & guilds affiliating more than 375,000 creators, technicians and other workers in the media, entertainment and arts worldwide. More information at www.uniglobalunion.org/mei