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The world is looking to Europe on transfer of value

Speech by Jean Michel Jarre at the European Parliament, Brussels, 6th March, 2018

Good afternoon. I am delighted to be here, once again, in the European Parliament. I am grateful to Christian Ehler and Pervenche Beres for organizing this extremely timely event.

I am here in my capacity as President of CISAC – the International Confederation of Societies of Authors and Composers. CISAC represents more than 4 million authors and creators worldwide. More than 1 million of those are from Europe and are also represented by GESAC.

I am delighted to be here with other authors and musicians. Crispin Hunt. Matthew Irons (from Puggy). Astrid North. Piotr Rubik. And Cora Novoa.

Together we represent diverse genres, nationalities and generations of creators. But we are here with one common message.

We are creative professionals - our work and our lives are totally dependent on the protection of our rights. We are creators of culture. And we are also part of an industry with huge economic value. One which generates tens of millions of jobs.

A year and a half ago, when issuing his proposal on copyright, President Juncker said that creators are Europe's crown jewels. We are proud to have that title. We want to engage in efforts to make Europe a place where culture and creativity can flourish.

To be able to do so, we need to be able to live from our creative works. We are totally dependent on rights. Authors' rights and copyright rules are the only way to ensure our living and to be able to continue our artistic activities. They are our only leverage in negotiations with those who use our works.

Today, the rights and the livelihoods of authors everywhere are at a critical juncture. The truth is that our rights are not being properly protected in the digital world.

There is a fundamental flaw at its heart of our landscape: the music and other creative sectors are growing fast, generating vast revenues. But those revenues are not being fairly returned to the creators.

Instead, they are being siphoned off by large global digital services – notably user upload platforms. These platforms are the biggest users of our works globally. They have the largest number of users. Yet, because of loopholes in the legislation, they return tiny or non-existent revenues to the creators of the works they disseminate.

This is what we mean by the “transfer of value”, or “value gap”. It is value transferred from those who earned it to those who did not. It is a fundamental injustice to creators. This is a problem that cannot be solved by us, the creators. It has to be fixed by policy makers and legislators. The sustainability of the artistic career of most of creators is at risk. So is the entire creative ecosystem.

This is what brings us to the European Parliament today. We understand that we are entering a decisive period of discussion of this issue, where the EU has a chance to put forward a meaningful solution.

Our wish, as authors, is that legislation is amended and clarified so that User Uploaded Content platforms are fully covered by copyright rules. This will mean that these services have to negotiate fairly with creators.

We know EU institutions are working on a solution in the coming months. The EU Commission took the brave and important step in preparing a proposal and we are here today to give it our full support.

We know there are those who would like to weaken this proposal. We would like to insist on the need for an ambitious solution to address this pressing issue. Anything less than the Commission's text is certainly not an option.

Members of Parliament, you as policy makers will be fully aware of just how passionate and united authors are on this issue. A big Petition from European creators is running and it has already been signed by 14 000 of them from all over the EU. We have brought a copy of it for you today.

The problem of transfer of value is not just about Europe. It is, without doubt, a global issue.

Last week CISAC published a new study – "Economic Analysis of Safe Harbour Provisions". It has been written by Professor Stan Liebowitz from the University of Texas.

This study shows the economic damage being done to creators. It shows the lack of fair rules in our sector, and the benefits to global digital platforms at the expense of authors.

We have copies of this study available for you today.

So this is a moment of real opportunity for Europe. All over the world authors and rights holders are looking to Europe with great interest and strong expectation. Effectively addressing the transfer of value will show Europe as the world leader in bringing fairness to creators in the digital world.

Let me say also that the issue we speak of today is part of a wider mission to bring remuneration to creators. Audiovisual creators and visual artists are also looking to Europe for a fair playing field, and legislative change to achieve that. CISAC supports fair remuneration for creators in all fields.

Let me also clarify on two points that are often discussed in this debate.

We are pro-technology, as well as pro-fairness. The two go hand in hand. We are all using, embracing and pioneering technology ourselves. We are not opposing technological progress – on the contrary, we ask for the legal environment to be updated.

And we are passionately pro- freedom of expression. Freedom of expression is the air that creators breathe to create and they have always been at the forefront to defend it.

For those who may think that our request could be close to a form of censorship, it is exactly the reverse: by not remunerating creators, you do not allow them to continue to create. And that is a form of censorship.

We only want to be paid fairly to the exercise of our rights.

We artists have always shaped the future, it is the core of our inspiration and today we are thinking about the future when we are saying that we need to move ahead and to create a legal framework to protect creators for the 21 st century.

Europe has lost the battle of hardware, tomorrow we must not lose the battle of creative content, Today the world is looking at Europe, looking at you, they are crucial issues for Africa, for China for the all planet.

So to conclude

- Addressing the transfer of value is the most critical issue for the future of authors in Europe and around the world
- We support the Commission's proposal and we ask for an ambitious solution – anything less than the Commission's text is not an option
- The authors of the world – and the governments of the world – are watching Europe – Europe must remain the world leader in promoting its creators and the creative sector, don't disappoint them.

Thank you very much.