

# OPEN LETTER ON ARTICLE 18



**Open Letter to the EU Commission and the Member States,  
demanding effective implementation of article 18 EU Copyright Directive  
guaranteeing the fair remuneration of authors and performers  
for the use of their work on streaming services**

Authors and performers, the backbone of our rich Cultural and Creative Sectors, are hit hard by the COVID-19 pandemic. Live events and performances had to be cancelled, while most cultural venues were forced to close their doors. Cultural creators are severely affected by the discontinuation of their exhibition and performance opportunities. In sectors characterised by self-employment, freelancing and job flexibility, combined with little or no access to social benefits, the loss of income poses a direct and immediate threat to their existence, many of whom had already been struggling well before the current emergency.

In these unusual times, we were reminded again how important culture is to everyone. With millions of citizens confined in their homes, it was and still is music, films, books and online performances that represent a source of solace and hope.

The current situation reminded us also again, how important it is to strengthen the situation of authors and performers in Europe. To ensure that they can effectively earn a living from their art, especially from the ever-growing digital market.

The European Parliament fought very hard in recent years for a positive change that would guarantee exactly that.

In 2019 after long negotiations, the EU Directive on Copyright in the Digital Single Market was adopted. Article 18 of this Directive obliges Member States to ensure that authors and performers receive fair and proportionate remuneration from the exploitation of their works, including from their online exploitation. It is however for the Member States to put in place the necessary mechanisms to ensure that such remuneration is paid to authors and performers.

The European Parliament stands fully behind this provision. Indeed, the COVID 19 pandemic demonstrated how fragile the current system is and how much this provision has to be given full meaning in practice.

Following our renewed commitment as depicted in the Resolution of 17 September 2020 on the Cultural Recovery of Europe (2020/2708(RSP)) to promote the smooth and swift transposition of the Copyright Directive (par. 26) and in particular fair remuneration of performers and creators (par. 22), we call on the European Commission and the Member States to deliver on this crucial article and take immediate action guaranteeing the effective implementation of article 18.

Brussels, 08 October 2020

**The Members of the Cultural Creators Friendship Group**

<http://Members.CulturalCreators.eu>