

**WIPO SCCR 45**

**Statement by AEPO-ARTIS to the GRULAC proposal for a ‘Work Plan on Copyright and Digital Environment (SCCR/45/4)’ and the proposal for a ‘Study on the Rights of Audiovisual Authors and their Remuneration for the Exploitation of their Works (SCCR/44/7)’.**

Dear Ms Chair,  
Dear delegates,

AEPO-ARTIS is the European Association of Performer Organisations. We represent performers in the music and audiovisual sectors. This representation is not limited to the European performers. Our members collaborate with collective management organisations from all regions to make sure that all performers receive the best protection possible.

However, just like in those other regions, when it comes to ‘the digital environment’, in Europe performers are not getting the protection they deserve. There are some good examples, but we cannot say that in Europe there is a higher standard than elsewhere. Not in the music sector. Not in the audiovisual sector.

The problem of fair remuneration of performers is a worldwide problem. No market is exempt.

So, it might not come as a surprise that the GRULAC proposal has the full support of our performers. And it is absolutely not premature.

We repeat the message that we gave here last year. If we would have used the time we have been talking about the lack of time to talk about the actual topics on the agenda, we would have most probably already made the progress we need.

The talks we have had here the past ten years have shown clearly that there is a problem in the music industry. While streaming has provided an enormous possibility for the producers to recover from piracy that made them hit rock bottom, our performers are still down there.

We’ve been hearing from some delegations that this is no longer the responsibility of WIPO. That this is something the industry should solve itself.

Well, performers have been waiting for the industry to do that. But every proposal they have come up with, every remodelling of how the revenue generated by streaming is to be distributed, has been agreed upon without any intervention by performers. And while some of these reforms are indeed improving the situation of performers a little, they all improve the situation of labels and distributors a lot. This results in an increasing value gap.

And we see the same happening in the audiovisual sector. Here also the digitalization has created a growing value gap between performers and the users of their work.

And so, we welcome the proposal made by the Ivory Coast. We thank the delegations of the African Group, the European Union, GRULAC, CEBS and several national delegations for their support and the consensus to broaden its scope to include performers.

Performers are very grateful for the treaties that WIPO has given them. The Beijing Treaty and the WPPT. But signing and ratifying these treaties does not make fair remuneration for performers in the digital environment a *fait accompli*.

For what concerns our demands, it needs to be clarified, that unlike what some delegations and ngo's are insinuating, there is no ambition for new treaties. However, we do hope that WIPO continues to see it its responsibility to make sure that the existing treaties have the effect for which they were drafted.

Additional tools are needed to make performer rights work for performers rather than for others, because not in all countries actors have the possibility to strike for 118 days to achieve a successful outcome.

We would like to conclude with a short final statement on the GRULAC working plan, to which the proposal by the Ivory Coast is very connected. We understand that some delegations have reservations to specific elements in this working plan.

We hope that you will be able to sort out today what elements can be kept. But let there be no doubt. A complete refusal of any working plan at all would be a very negative signal sent out to the artistic community.

I thank you for the time given to speak on behalf of actors and musicians from around the world.