

ONE VOICE for EUROPEAN MUSIC

Global Report

One Voice for European Music: Genesis, background and objectives

Initiated by the Centre national de la musique (CNM) in September 2021, the “One Voice for European Music” process is designed to strengthen the EU’s action in the field of support to the music sector, using the momentum of the French Presidency of the Council of the EU.

Complementing the crucial advocacy work delivered through the AB Music Working Group¹ and the European Agenda for Music², its main objective is to bring together many relevant and active European music organisations in order to create a single voice for European music and to set in motion a new dynamic around key themes: mobility, knowledge of the sector, innovation, green transition...

The outcome of this process is a set of inclusive and consensual, realistic, concise and actionable recommendations in order to fully unlock the potential of the Music Moves Europe process, in the general interest of the European music sector.

The results of this consultation were presented on April 6th, 2022 in Strasbourg during a One Voice for European Music day, an event labelled PFUE by the French Ministry of Culture.

A united music sector in all its diversity and representativeness

A wide range of sectoral organisations have been invited to participate in this process, across many different music genres, sub-sectors, structure types and policy agendas, provided that they are open to the idea of reaching a consensus in the name of the general interest of the European music sector. Many French and European organisations have participated in the consultation process. The full list of participating organisations is attached at the end of this document.

An inclusive and transparent methodology

Four thematic working groups, each consisting of a double two-hour discussion session, focusing on different key priorities identified through preliminary discussions with the sector have been organised from October to February 2022. Agendas for these working groups were co-constructed with the sector so as not to leave any important matter aside. Independent rapporteurs have conducted the discussions and draft structured reports following each working group. All working group reports were validated by their respective participants, and the final “One Voice for European Music” report was validated by all organisations regardless of the working groups they took part in.

¹ [European Commission, Directorate-General for Education, Youth, Sport and Culture, AB Music working group report, Publications Office, 2017](#)

² [European Agenda for Music \(EAM\)](#)

Mobility

Working group report

Rapporteur : Marie Fol

Introduction

During two meetings held online on November 16th and 23rd, 2021, representatives of various European music organisations discussed topics related to the international mobility of people working in the sector and the circulation of music works within and beyond Europe.

The exchanges confirmed the importance of the international dimension of music, at both European and global levels, in terms of career development for music workers (artists and other professionals), artistic and economic impacts, and cultural diversity. The importance of international mobility of workers and circulation of works is recognised by both European policymakers (notably through dedicated funding programmes) and by the sector itself (for instance through the European Agenda for Music¹).

Recommendation 1 : Specific support measures

International activities come at a cost, as any international performance or tour will require higher financial investment from music workers than a comparable activity held at national level. International activities also need tight-knit territorial connections in order to ensure a structured activity framework for artists and professionals. A recent Music Moves Europe study² on “funding gaps” for the sector (2020) highlighted these issues in the context of a fragmented European music sector. Additionally, Anglo-american and local repertoire domination create cultural and linguistic obstacles to international mobility of artists, the circulation of works, and the idea of European musical diversity, as reported in the Music Moves Europe study on a “European music export strategy” (2020)³. Finally, a considerable investment will be necessary to develop a greener mobility for the sector, as recommended in a recent resolution adopted by the European Parliament⁴ and in the European Green Deal put forward by the European Commission⁵.

A set of immediately actionable measures has been identified by the sector so as to better support the mobility of music workers who are faced with increasingly important environmental, social and economic challenges:

- **Added value of mobility-oriented cascading financial support for the European music ecosystem**

Creative Europe-funded platforms such as Liveurope⁶ or the European Talent Exchange Programme⁷ have generated strong results through simple and efficient incentive financial models, with a clear European added value (e.g., 63% increase in the programming of emerging European artists with the venues participating in the Liveurope platform since 2014). In this context, participants call on the European Union to further develop and scale up such tools, while respecting environmental good practices and through a direct dialogue with the sector, so as to harmoniously conciliate ecological concerns and cultural diversity. This type of cascading support should be further promoted through the sectoral action on music in the Creative Europe programme, as well as in the future 2028-2034 funding envelope for music. This recommendation is in line with the recommendations of the previously referenced “funding gap” study, which underlines the efficiency of such mechanisms in the live music sector.

1 [European Agenda for Music \(EAM\)](#)

2 [Commission Européenne, Priorités 2019-2024, “Un pacte vert pour l’Europe”](#)

3 [Commission Européenne, Priorités 2019-2024, “Un pacte vert pour l’Europe”](#)

4 [Parlement européen, Mesures efficaces pour rendre plus écologiques les programmes Erasmus + et Europe créative ainsi que le corps européen de solidarité, mardi 15 Septembre 2020](#)

5 [European Commission, Priorities 2019-2024, “A Green Deal for Europe”](#)

6 [liveurope.eu](#)

7 [esns-exchange.eu](#)

- **Support measures at international level**

The Music Moves Europe “music export strategy” study demonstrates the necessity to develop tangible capacity-building mechanisms at EU level to progressively reinforce the sector’s ability to operate internationally. This “toolbox” is organised as a 6-step development path for the sector, suggesting measures ranging from training (international mentoring and job-shadowing) to intra and extra-European mobility funding, professional exchanges (crossed residencies, co-creation, co-production, peer-learning), or international marketing and discoverability support. Participants call on the European Union to fully enforce this strategy, in the wake of the pilot action developed by EMX (2020-2022)¹. Delivering the strategy is a necessary action to create a systemic impact on the entire European music ecosystem.

- **Structuration et coopération professionnelle**

The dialogue established between the European Commission and the representative organisations in the context of the Music Moves Europe preparatory action has demonstrated the fragmentation of the music sector. But this multitude of small and medium-sized organisations can also be considered as a driver of cultural and artistic diversity. By reinforcing its support to the mobility of music workers, to networking and cooperation between professionals, the EU will increase the circulation of knowledge and capacities, thereby promoting better opportunities for artists and a more diverse artistic offer for audiences. This should be translated into a more robust support to European networks and projects (e.g., sectoral action on music in Creative Europe, structural funds) and an easier access to EU funding for small and medium organisations, through more targeted information mechanisms, adapted eligibility criteria and adapted financial guarantees.

Recommendation 2: Consistent measuring and observation of the mobility of artists and the circulation of music at international level

Due to the cost of international mobility and marketing of works, it is key for the sector to be able to evaluate the interest of developing such activities. The development of appropriate and targeted data, market studies (intra and extra-European), and a regular mapping of the international flow of music and the obstacles hindering it is a necessary horizon for the European music sector. Several studies have shown and continue to show (e.g., EMX) the importance for the EU to invest in such knowledge.

As thoroughly described in three separate Music Moves Europe studies (“export”; “funding gaps”; and the “Feasibility study on the establishment of a European Music Observatory” (2020)²), the participants urge the European Union to create a coherent framework of data collection and analysis for the music sector. This should not be seen as direct investment into the sector, but as a general interest policy tool with undeniable European added value. This work of indicator development, data collection and intelligence can only be developed structurally at a European scale, and be the responsibility of a neutral, public body. The mission of observing the key tendencies affecting the music sector can only be done following a long-term approach, as its value grows in a cumulative perspective. It is therefore paramount to establish a long-term perspective building on the result of the aforementioned studies and to make appropriate infrastructure and funding available as soon as possible in this context.

Recommendation 3: Better information, coordination and harmonisation of administrative, legal and financial practices in the context of mobility within and beyond the EU

Participants ask the EU to ensure the mobility of music workers in the EU, through:

- Stronger measures to guarantee legal and administrative information for the sector, on the model of the Mobility Info Points/MIP³ or the Comité visas artistes⁴ (France) ;
- Better coordination and harmonisation between Member-States in terms of tax and social, and administrative regulations, in order to deliver a genuine single market for music, musicians and music professionals.
- Strong coordination between Member-States to facilitate mobility and avoid bottlenecks in the context of

¹ [European Music Exporters Exchange](#)

² [European Commission, Directorate-General for Education, Youth, Sport and Culture, Clarke, M., Vroonhof, P., Snijders, J., et al., Feasibility study for the establishment of a European Music Observatory: final report, Publications Office, 2020](#)

³ [Mobility Information Point | On the Move](#)

⁴ [Comité Visas Artistes | Zone Franche](#)

the relaunch of live music activities after the Covid-19 crisis.

Participants also ask the European Institutions to take the global dimension of music into account, since culture is an essential part of the EU's international relations. In this context, it is important to:

- Systematically enforce Article 16 of the 2005 UNESCO Convention on preferential treatment for artists and culture professionals, especially on the matter of visas and work permits.
- Consider the EU's regional cooperation policy, which can only become a reality if a pertinent legal and administrative framework is established to protect social norms in the context of international exchanges. This is particularly true when it comes to temporary labour mobility measures.
- Better coordinate tax, social and administrative norms (work permits, VAT, taxation, custom forms, cabotage) between the EU and its partners in the context of the EU's external strategy for culture (especially with countries participating in the Creative Europe programme and in the EU's neighbour countries). An inspiration for this necessary effort can be found in the recent « GECAT (Geographical European Cultural Area Touring!) » initiative. Such a development will not only reduce red tape and costs (leading to an increase of economic exchanges) but also significantly increase intercultural dialogue.

Conclusion

Participants to this working group stressed that these recommendations and measures should not be articulated separately but through a coherent, long-term approach: clear vision for the post-COVID European music sector, which should also consider other key challenges such as green mobility. Many solutions are already laid out in the Music Moves Europe studies or the 2019-2022 Work Plan on Culture and should be implemented with general interest in mind.

Observation and knowledge

Working group report

Rapporteur : Elise Phamgia

Introduction

On January 12th and 25th, 2022, more than thirty European organisations embodying the diversity of the European music ecosystem were brought together to discuss the topic of data collection, analysis and availability at European level. During these talks, a wide consensus emerged on the deficit of consolidated and accessible data regarding the whole sector. Represented organisations made clear that they need more and better adapted tools to build knowledge on the sector and inform dedicated public policies on a European scale.

Recommendation 1: The necessity to deploy an operational observation vehicle for the music ecosystem at European level

Various organisations reiterated their support to the conclusions of the Music Moves Europe feasibility study on the establishment of a European Music Observatory¹, a report that demonstrates the opportunity of creating a mechanism to accurately map, analyse and monitor the music sector in Europe and suggests scenarios to implement such a policy. Participants acknowledged that the recently published Horizon Europe call “Towards a competitive, fair and sustainable European music ecosystem” can be a first step toward the realisation of this objective; however, the group wishes to urge the Commission on the risks of such a call resulting on the mere duplication of the Music Moves Europe study.

On the basis of the results of the feasibility study, participants urge the Commission to bring forward concrete steps towards bridging the data fragmentation gap in the European music sector, in order to better understand the challenges and opportunities for music in the context of the 2021-2027 Multiannual Financial Framework and beyond.

In the context, the Horizon call “Towards a competitive, fair and sustainable European music ecosystem” should lead to a prototype for a European Music Observatory and bring forward tangible tools to fully unleash the potential of the actions delivered in the context of the Music Moves Europe preparatory action.

The sectoral action on music in the Culture strand of the Creative Europe programme 2021-2027 also conveys clear and immediate opportunities to activate and fund more data collection and analysis initiatives at EU level. On a longer-term perspective, participants call on the European Union to activate a genuine music sector observation vehicle in the future 2028-2034 Creative Europe programme.

Recommendation 2: The need for European policymakers to co-construct the future European tools of data collection, analysis and availability with the sector, based on existing good practices

A number of European, national and local organisations have already been collecting many types of sector data, through ad-hoc studies and surveys. It is paramount to involve these stakeholders in the future policies on data collection at EU level, and to make sure ownership of databases is maintained. Only through the mobilisation and involvement of the entire ecosystem will it be possible to unlock an efficient and transparent data collection policy at EU level. This also means the necessity for an independent, neutral and distinct body, with an inclusive governance system, to be in charge of the conduct and the verification of the data which will be collected, analysed and published. A publicly owned and funded vehicle would strongly reinforce the transparency of the data and considerably boost the incentive to make privately owned data while respecting appropriate transparency and fairness terms. In this context, existing European, national and local observation initiatives can be used as blueprints to inform the establishment of such independent tools at EU level.

¹ [European Commission, Directorate-General for Education, Youth, Sport and Culture, Clarke, M., Vroonhof, P., Snijders, J., et al., Feasibility study for the establishment of a European Music Observatory: final report, Publications Office, 2020](#)

The future European music observatory, whichever precise form it shall take, should be built hand-in-hand with the representative stakeholders of the European music ecosystem. In this perspective, the European Audiovisual Observatory can be seen as a source of inspiration, in its capacity to bring together stakeholders at both governance and data collection levels.

The current establishment of an unprecedented national music observation vehicle in France, spurred by the Centre National de la Musique, could also be a strong template for the construction of such a tool at European level. There is a clear opportunity for the EU to tap into the French expertise in terms of data collection, analysis and readiness in a perspective of public service and general interest.

Recommendation 3: Specific methodologies for the establishment of a music observation framework at European level

In terms of data collection, the music sector can already rely on a variety of resources and methodologies deployed at European, national and local levels. In this context, it is necessary to articulate these tools and procedures in order to avoid overlaps and the multiplication of data requests for the sector. There is immense potential in pooling of existing approaches in order to better focus on currently unavailable data or under-studied geographical areas.

Many studies already conducted could be updated, scaled-up and regularly run; there is a formidable potential in the repetition of studies in order to understand the barometric evolution of certain data values and trends in the sector. In this context, public investment is key to achieve stability and permanence

Additionally, the deployment of a European policy for music data could unlock a process of commonly discussed definitions and indicators which could be consensually translated into universal data references for the sector. As such, equal importance should be given to qualitative and quantitative data.

Participants therefore urge the European Institutions to ensure that a European music data focuses on the following elements:

- **The added-value of a one-stop-shop European music resource centre**

Participants encourage the mutualisation and the readiness of existing resources in a dedicated European resource centre, with stable funding and open access modalities. Furthermore, it is key that all data collected via a European music observatory should be accessible to the public and fully transparent.

- **The necessity to build common data frameworks at European level**

Participants call on the European Institutions to include the music ecosystem in an effort to define and implement common indicators, based on existing methodologies and tools. It is essential to create common definitions for data points at European level for such an initiative to be efficient (e.g., definition for a European music artist or a European music work).

- **The need for barometric studies combining qualitative and quantitative methods**

The establishment of a European music observation vehicle would unlock an unprecedented opportunity to conduct barometric studies on music and would allow the formation of long-term, evolutive knowledge of the entire musical ecosystem in Europe.

Recommendation 4: The necessity to study representative topics with high European added value and benefiting the entire music ecosystem

While the discussions did not enable the emergence of a unique priority topic, many fields of future knowledge-building were proposed by the participants, inspired by the “four-pillar model” presented in the Music Moves Europe “observatory” study:

- The economy of music;
- Diversity and circulation of music;
- Music, society and citizenship;
- Innovation and future trends;

Participants consider this model relevant as a knowledge-building matrix in the context of the establishment of a European music data collection and analysis mechanism.

According to represented organisations, it is important that a future music data policy at European level does not excessively focus on economic aspects of the sector and maintains a clear focus on cultural and social challenges. Another key element is that future observation tools for the sector focus on bridging data gaps and fighting fragmentation in sub-sectors and geographical areas where they are missing or overly scrambled. Participants also underlined that a European music observation vehicle would present a high level of European added value on the topic of cultural and linguistic diversity, international mobility of artists and international circulation of musical works.

Other examples of relevant knowledge-building fields were covered in the working groups, such as (non-exhaustive list):

- Impact of the COVID-19 pandemic on all sub-sectors of the music ecosystem
- Mapping and barometric evolution of international market penetration of European music (building on the pilot results published in the Music Moves Europe study on a “European Music Export Strategy”¹)
- Competition challenges at European level
- Social status and remuneration framework of artists and professionals in the EU
- Inclusion and gender diversity in the music sector
- Green transition of the music sector
- Societal impacts of music (notably through educational and amateur practices)
- Legal landscape (authors rights, contracts, collective bargaining, etc.)
- Impact of national policies on the sector (implementation of European directives, impact of funding mechanisms, interaction with broader cultural policies)
- Impact of the digital transformation (monetisation models, NFTs, metadata)

Conclusion

The COVID-19 crisis has highlighted once again the lack of comparable and representative data necessary to measure the music ecosystem, its value chain as well as its societal value, with a strong degree of transparency and granularity. In the absence of a solid canvas of knowledge, public authorities have been struggling to intervene swiftly, strongly and coherently, which has caused unnecessary damage to the sector. It is urgent to equip the music sector with a stable and commonly embraced data collection and analysis framework to prevent such unpreparedness from happening again.

Many initiatives at European, national and local levels are already deployed, which can constitute a blueprint for such a policy to be activated in the next months. Various Music Moves Europe studies clearly highlight the European added value of bringing together the sector and European policymakers to create a long-lasting and independent European music data framework.

Participants encourage the European Institutions to immediately engage in the work of building such a policy, hand-in-hand with the sector, with European general interest at heart. Future Creative Europe work programmes until 2027 as well as future Council Work Plans should take these recommendations into account, with the objective of firmly rooting the music observatory in the 2028-2034 multi-annual framework.

¹ [European Commission, Directorate-General for Education, Youth, Sport and Culture, Jacquemet, B., Le Gall, A., Saraiva, N., et al., Music moves Europe : a European music export strategy : final report, Publications Office, 2019](#)

Innovation and sustainability

Working group report

Rapporteurs : Gwendolenn Sharp & Yvan Boudillet

Introduction

The final working sessions held on February 8th and 15th, 2021 brought together a substantial group of European professionals to exchange on two intertwined topics: innovation and sustainability. The rich and dense conversations focused primarily on the themes of digital transformation, social challenges and the environmental revolution in the music sector.

These discussions reflect the immense importance of these issues for the European music ecosystem, as well as the difficulties to harmoniously articulate the societal and economic benefits of the digital transition with the fight against the impact of climate change and the biodiversity crisis. Many music organisations are currently working proactively on these challenges, but few do not feel concerned in the face of the vast challenges ahead.

Statement from the participants

Digital practices are nowadays firmly incorporated in the way the music sector operates. The digital shift has considerably boosted growth and triggered new forms of creation, education and distribution. It has also offered a vast array of new music export opportunities and facilitated international cooperation, especially in our European context. In this context, participants have stressed that it is essential to ensure that innovation remains a positive force in terms of sustainability, inclusivity, diversity, the green transition and the fight against climate change. Since digital tools have become the main factor for Co2 emissions within the music sector¹, it is all the more important to also comprehend their negative impacts and accurately calibrate them so that they don't worsen the dynamics of emission increase and inequality, but instead provide virtuous monetisation and diversity protection solutions.

Participants underline the necessity to implement concrete strategies and actions² to ensure a swift integration of sustainability and decarbonization within the music ecosystem's modus operandi, in order to align the music sector's trajectory with the recommendations of the IPCC³, the Paris Agreement⁴ and the European Green Deal⁵. They stress the importance of respecting the emission reduction objectives set out by the EU (a 55% reduction by 2030), and to reach carbon neutrality by 2050. They highlight the need to transform these ambitions in to concrete public action, following the European Commission's proposal⁶.

In this perspective, participating organisations also acknowledge the need to better highlight and support emerging solutions and experimentations which have been recently deployed at European level through various initiatives and programmes (e.g., Music Moves Europe, Creative Europe, Interreg, Erasmus+) to ensure their transferability and upscaling.

Recommendation 1: Specific support measures

In order to accelerate the social and environmental transition of the sector, participants recommend the implementation of targeted support and training measures, *inter alia*:

- Training modules at EU level to empower music sector professionals on digital, environmental and societal challenges, building on current pilot initiatives aiming at building a more sustainable and resilient ecosystem⁷;

1 [The Shift Project, Décarbonons la culture!, 2021](#)

2 [Shift Culture](#)

3 [Le Groupe d'experts intergouvernemental sur l'évolution du climat \(GIEC\)](#)

4 [L'Accord de Paris | CCNUCC](#)

5 [Un Pacte vert pour l'Europe](#)

6 [Pacte vert pour l'Europe : la Commission propose de transformer l'économie et la société européennes afin de concrétiser les ambitions climatiques de l'Union](#)

7 [MusicAIRE](#)

- The pooling of existing sectoral and public resources on these subjects at European level, translation of these resources in all EU languages, in order to establish a common knowledge ground for the sector. A European database of structures providing support and expertise on these subjects would also be of great added value;
- A better articulated cooperation with the research and science community is necessary for the sector to better comprehend the sometimes-contradictory logics of operation in the current context and provide more coherent decision-making at EU level. In this context, the Horizon call “Towards a competitive, fair and sustainable European music ecosystem”¹ is a welcome initial step which should be continued and amplified;
- The upscaling and extension of the various Music Moves Europe experimentations and pilot actions aiming at creating new sustainable models, standards and practices, through the sectoral action on music of the Creative Europe programme and a dedicated music strand in the future Creative Europe programme.

Recommendation 2: A European music sector sustainability index

The sector has recently built a multitude of tools, labels, certifications, and calculators which reflect the appetite of the sector to engage on the subject of sustainability, but the landscape remains fragmented. Participants underline the necessity of a coherent, European ambition to create common tools with shared methods, indicators and objectives. This priority could take the form of the following actions:

- A structured dialogue between the EU and the music sector, establishing specific needs and challenges for each sub-sector of the music ecosystem. This could lead to the adoption of co-opted shared objectives for the sector in terms of environmental, social and societal impact;
- A specific study, developed in the framework of the Creative Europe sectoral action on music, which would map all tools and experimentations in the field of music sector sustainability in Europe, identify weaknesses and bottlenecks and suggest common actions;
- Dedicated and tailor made tools for the music sector, within the sectoral action on music, to provide concrete results (e.g., a European carbon calculator, an environmental impact calculator, and European label).

These actions should always rely on a strong degree of consultation and co-construction with music professionals on the field, in order to ensure their acceptability and coherence with the realities of the music sector in all its cultural, professional and geographical diversities.

Recommandation 3 : Soutenir l'innovation pour anticiper les risques

Participants recognise the importance of the digital shift in terms of equipment, capacity-building and artistic creation in a global context. They encourage the emergence of a European model of digital transformation based on transparency, diversity, inclusion and a fair value chain, through an ambitious and comprehensive EU regulatory and funding framework.

Nevertheless, facing the necessity to anticipate new risks (environmental crises, health crises, military crises and their effects on a fragile sector), European Institutions must work hand-in-hand with the music ecosystem to consider new ways to navigate complexity and contradictory injunctions (e.g., digital transformation and carbon reduction) while safeguarding diversity, high social norms, cultural quality and high degree of international cooperation.

¹ [HORIZON EUROPE «Towards a competitive, fair and sustainable European music ecosystem»](#)

Recommendation 4: The necessity to study representative topics with high European added value and benefiting the entire music ecosystem

Participating organisations encourage the European Union to become a leading global force on new, fair and sustainable forms of creation, distribution, consumption and monetisation of music. The “*cost of doing nothing*”¹ has been demonstrated through the dire consequences experienced by many in the sector during the first months of the COVID-19. The global transformations of the music sector should be articulated around a vision of “*doing better*”: protecting creators, diversity, value, the environment, while spurring innovation and competitiveness.

Participants call on the European Union to wholly integrate societal, social, technological and environmental challenges in the development of an ambitious vision for the music sector, for example by deploying a music strategy in the future 2028-2034 Multiannual Financial Framework. Such a strategy could incorporate new approaches such as tailor-made and adapted evaluation criteria, or new forms of conditionality for funding contracts, co-constructed with the sector in its diversity.

Conclusion

The European music sector is fully capable of developing a responsible and innovative model for the future. This implies transformative efforts and initiatives, which should be proportionally supported by structured and coherent efforts at EU level in the fields of education, cooperation, methodologies and indicators, regulatory measures and funding tools.

¹ [EMC, Statement, Claiming a front row seat for Music, 2021](#)

Regulatory Framework

Working group report

Rapporteur : Arthur Le Gall

Introduction

The two working groups held on December 1st and 10th, 2021 were the opportunity for a representative panel of European music sector organisations to debate the most relevant challenges relating to the music regulatory framework at EU level.

Challenge 1: European economic recovery plan

Participants underline the economic and social importance of music's contribution to Europe. In 2019, the sector employed 1.3 million people and turned over 81.9 billion euros (Oxford Economics, 2020)¹. Meanwhile, music (and live music in particular) was one of the most critically affected sectors during the COVID-19 crisis, with a drop of revenue in 2020 estimated by a number of studies of up to three quarters compared to 2019 figures (EY, 2021)².

Participants stress the paramount importance of the recognition of the music sector in the national recovery stimulus packages developed in the framework of NextGenerationEU. More generally, music should be better considered in all EU funding programmes, such as cultural, structural, regional and research funds. Appropriate and proportionate support mechanisms are needed urgently. Dedicated funding lines and sectoral instruments should be deployed, notably in the context of the sectoral action on music of the Culture strand of the Creative Europe programme.

Challenge 2: Transposition of the 2019 copyright Directive into national law in all Member-States of the EU

The 2019 Directive on copyright and related rights in the digital single market has established important principles for the music sector, but some Member-States are still to transpose the text into national law. The implementation of the dispositions contained in the directive is a key priority for the European music sector.

Participating organisations call on the European Commission to enforce the transposition without delay, and to remind Member-States of the evaluation clauses contained in the text. Transposition must be swift in order to respect these evaluation obligations. Participants all encourage Member-States to transpose the Directive diligently.

Challenge 3: Digital Services Act

This regulation proposal is a very important step forward for the music sector. Participating organisations consider that it is key to ensure a strong level of coherence and a clear articulation between the final version of the regulation and the 2019 copyright directive.

Participants call on the European Institutions to ensure that the final version of the DSA establishes a clear and efficient responsibility framework for online platforms, in order to create a safer and more trustworthy online environment for rights holders and users. In this framework, they consider the following:

- The DSA regulation should not impact the legal dispositions of the 2019 copyright directive. The objective of reinforcing the responsibility of online platforms to deliver a fairer digital environment should not be questioned by the final version of the DSA;

¹ Oxford Economics, *The Economic Impact of Music in Europe, 2020*

² EY, *Rebuilding Europe - The cultural and creative economy before and after the COVID-19 crisis, 2021*

- The responsibility regime of digital platforms should be reinforced by the regulation, and the framework in which the “safe harbour” clauses of the e-commerce directive apply should not be extended;
- The extension of the responsibility framework for digital platforms with regards to traceability of business users (via the “Know Your Business Customer” principle) would help better protect users against illegal services, products and content.

Challenge 4: Reduced VAT for music goods and services

Participating organisations discussed the subject of VAT, which is a long-time preoccupation for the music sector. In this context, the Council of the EU recently adopted a general approach on the subject, following a 2018 Commission proposal¹. While recorded music (digital and physical formats) is not covered by the approach, livestream of music events is included in the Council’s proposal.

Participants favourably welcome the inclusion of livestreaming in the list of goods and services that can benefit from reduced VAT rates. They wish to continue the dialogue with the institutions of the European Union on the extension of this reduced rate to other music activities. Such a discussion could for instance trigger the launch of a Europe-wide impact assessment on the benefits that a reduced VAT regime for recorded music could bring for creators, producers and distributors of music, but also for consumers. The music sector, like many other cultural activities, needs a clear and coherent vision of the cost/benefit ratio of reduced VAT for recorded music.

Challenge 5: Consequences of the “RAAP” ECJ ruling (2020)

The RAAP case has re-ignited a debate on the issue of reciprocity in the context of the right to equitable remuneration. The ruling and its consequences generate considerable uncertainty for many European music organisations. While the Commission has announced the launch of a study aiming at measuring the economic impact of this decision, participants urge the EU to rapidly put forward concrete scenarios to tackle the situation (e.g., a targeted modification of the 2006 directive on neighbouring rights.²

Participating organisations, some of which are heavily impacted by the decision in their general interest and sectoral support missions, favourably welcome the examination process initiated by the Commission and wish to be heard without delay in order to co-construct an appropriate solution at EU level.

Challenge 6: Extension of “buyout” practices

The practice of “buy-out” supposes a single, definitive and fee-based transaction, which implies that composers, creators and other music professionals renounce their right to receive any additional remuneration on the current and future public use of their works, which contradicts all existing practices in Europe for the last hundred years. TV channels and on-demand video services impose this practice in many countries.

The spread of this practice by large international players operating in the EU (e.g., on-demand video platforms) deeply affects the relationship with creators. In the current context of the crisis caused by COVID-19, this question is more and more problematic for music professionals seeking fair remuneration. The European Parliament has expressed its preoccupation on the subject³. This practice reflects a refusal to comply with EU regulation on the subject and a disregard for European principles of fair remuneration within the EU.

Participating organisations welcome the consultation initiated by the French Presidency of the EU on the subject and encourage the Commission to clearly evaluate this phenomenon so as to formulate clear measures guaranteeing the fair remuneration of creators and music professionals within the EU.

¹ Council of the European Union, Proposal for a COUNCIL DIRECTIVE amending Directive 2006/112/EC as regards rates of value added tax, 7 December 2021

² DIRECTIVE 2006/115/CE DU PARLEMENT EUROPÉEN ET DU CONSEIL du 12 décembre 2006 relative au droit de location et de prêt et à certains droits voisins du droit d’auteur dans le domaine de la propriété intellectuelle

³ Parlement Européen, Rapport sur un plan d’action en faveur de la propriété intellectuelle afin de soutenir la reprise et la résilience dans l’Union européenne, 2021;

Parlement européen, Rapport sur les médias européens dans la décennie numérique: un plan d’action pour soutenir la reprise et la transformation, 2021 ;

Parlement européen, Rapport sur la situation des artistes et la reprise culturelle dans l’UE, 2021

Challenge 7: Double-taxation and mobility

Participants consider the issue of double-taxation as a key hindrance to the mobility of artists in Europe and the emergence of new European talent. The practice of a collecting a first levy in the country of the performance, followed by a second one on revenue at home is a current one within the EU, while Member-States who have enforced an exemption system on artistic performance taxes have noticed a positive cost/benefit ratio obtained via the decrease of related red-tape.

Participating organisations encourage the European Institutions to review existing rules in the context of intra-EU music performances and to put forward a harmonised approach as soon as possible. They also ask the Commission to open a dialogue with sectoral organisations with the objective of creating simplified tools and gateways tackling the challenge of multiple languages and administrative systems within the EU. Participants also encourage Member-States to create derogations for artistic activities in the framework of their bilateral fiscal conventions, to avoid double-taxation (on the model of what has been implemented by the Netherlands).

Challenge 8: Social issues

Participants underlined the renewed importance of various social issues (e.g., revenue volatility for artists, social protection, administrative status of artists). The COVID-19 crisis has profoundly affected the stability of careers and business models for independent music workers.

Participating organisations welcome the proposal formulated by the European Parliament to discuss a common framework for the status of European artists, and the consideration of social aspects in these contexts. The drafting of guidelines on the subject by the European Commission should enable Member-States to implement appropriate regulatory environments to protect social rights for the entire music ecosystem. Participating organisations will closely monitor this process and be watchful of concrete results. They also encourage Member-States to continue working on the subject in future Council discussions (e.g., OMC groups).

Challenge 9: Clarifying the articulation between competition law and collective bargaining

The application of competition law (Article 101 TFUE) in some Member-States has often created hindrances for the adoption of collective agreements between organisations representing authors and artists on the one hand, and their contractual partners on the other hand, while the 2019 copyright directive ensures this possibility in order to foster fair and appropriate remuneration. Following a public consultation, the Commission has published draft guideline¹ aiming at upending this situation.

Participating organisations favourably welcome these draft guidelines and encourage the negotiation and the adoption of collective agreements within the EU, in order to enable the 2019 directive to fulfil its objectives in terms of fair remuneration of authors and artists.

¹ [Commission Européenne, Communiqué de presse, Pratiques anticoncurrentielles: la Commission invite les parties intéressées à présenter leurs observations concernant le projet de lignes directrices sur les conventions collectives relatives aux conditions de travail des indépendants sans salariés, 2021](#)

Participating organisation in the various working groups

Adami	IMPALA - Independant Music Companies Association
Association Française des Orchestres (AFO)	Junzi Arts
Association Jazz Croisé (AJC)	Le Cabaret vert
Festival de musique Baroque d'Ambronay	Le Periscope
Arty Farty	Live DMA
Believe	Liveurope
SNAM-CGT - Union Nationale des Syndicats d'Artistes Musiciens (Enseignants et Interprètes) de France CGT	Maison de la Musique Contemporaine
Chambre syndicale de la Facture instrumentale (CSFI)	Ministère de la Culture (direction générale des médias et des industries culturelles)
European Concert Hall Organisation (ECHO)	ON THE MOVE
European Composer and Songwriter Alliance (EMMA)	Plate Forme Interrégionale (PFI)
European Jazz Network (EJN)	Prodiss
European Music Council (EMC)	Profedim
European Music Exporters Exchange (EMEE)	Région Grand Est
European Music Managers Alliance (EMMA)	Relai Culture Europe
FEDELIMA - Fédération des lieux de musiques actuelles	REMA - European Early Music Network
Les Forces Musicales	SACEM - Société des auteurs, compositeurs et éditeurs de musique
La Guilde des Artistes de la Musique (GAM)	Syndicat des Musiques Actuelles: SMA
GESAC - European Grouping of Societies of Authors and Composers	Syndicat national de l'édition phonographique (SNEP)
Grands Formats	The shift project
	Trempo
	Union des Producteurs Phonographiques Français Indépendants (UPFI)

Contacts

Corinne Sadki, Head of European Affairs and Gender Equality at Centre national de la musique: corinne.sadki@cnm.fr

Alessandra Andouard, European Affairs and Gender Equality officer at Centre national de la musique:

alessandra.andouard@cnm.fr

Leslie de Gouville, European Affairs and Gender Equality officer at Centre national de la musique: leslie.degouville@cnm.fr

These documents were developed with the collaboration of Fabien Miclet, European Affairs Consultant:

fabien.miclet@gmail.com

Signatories

