

ARTISTS' AND PERFORMERS' PETITION ON TERM OF PROTECTION

TO WHOM IT MAY CONCERN

As artists and performers we strive to enhance the lives of millions of people in Europe with our music. In return, our recordings have been protected for a period of time to allow us to be compensated for the creative effort that goes into making these works. The EU recognises 50 years as the normal term of protection for sound recordings, which means that many performers will see their recordings end up in the public domain during their lifetime. Meanwhile other creative people such as writers and directors retain the right to control their works for 70 years after death.

We are extremely disappointed that the European Union has fallen behind many other countries when it comes to ensuring that artists, performers and record producers have an adequate copyright term for our recordings. Countries granting a longer term of protection than the EU include: the United States (95-120 years), Mexico (75 years), Chile (70 years), Brazil (70 years), Peru (70 years), Turkey (70 years), India (60 years) and Venezuela (60 years). Australia and Singapore are also committed to extending term to 70 years. There is a worldwide momentum towards a longer term of protection.

The difference in term of protection between the EU and other important music markets fails to recognise the important role played by music in Europe's cultural heritage and reputation for creativity today. Recordings that are due to fall shortly out of copyright include some of the most important classical and popular musical works by leading artists of the 20th century. It makes no sense that these musical works are valued less highly in Europe than they are in many other regions around the world and less highly than other creative works. These differences in term of protection will also impede the development of e-commerce, as recordings streamed across the world will be subject to radically different copyright terms in each country.

As the people who make the music, we shall no longer get royalties on our recordings once they fall into the public domain. Furthermore, the integrity and quality of the recordings could suffer. Extending the term of protection in the EU would show a commitment to nurturing creativity and creating a better environment for investment in local culture. Retaining a shorter copyright term than other key markets in the world would have the effect of discouraging investment in local European repertoire. For all these reasons, the EU should seize the opportunity provided by the current review of the Duration Directive to extend the term of protection for artists, performers and record producers, bringing Member States into line with developments worldwide. Action must be taken now to preserve Europe's musical treasures for the future.

Yours faithfully,