

Statement on authors' and performers' rights

***"Music gives a soul to the universe, wings to the mind, flight to the imagination and life to everything."* — Plato**

Paris, October 1, International Music Day

Art is a language that all people speak and that cuts across cultural, social, and economic barriers and enhances cultural appreciation and awareness. Art provides opportunities for self-expression, bringing the inner world into the outer world of concrete reality. The Universal Declaration of Human Rights states that everyone has the right "to enjoy the arts", as they constitute an important vehicle for individuals and communities to develop and express their humanity. The vitality of artistic creativity is also necessary for the development of vibrant cultures, for the protection and promotion of cultural diversity across the world and for the smooth functioning of democratic societies.

The Five Music Rights of IMC make important declarations about artistic rights and values in respect of music. In particular, the first three Rights articulate much of what is expressed above:

First IMC Music Right: 'For all children and adults to express themselves musically in all freedom'

Second IMC Music Right: 'For all children and adults to learn musical languages and skills'

Third IMC Music Right: 'For all children and adults to have access to musical involvement through participation, listening, creation and information'

Artistic activity in the music sector relies on a large number of actors, beyond the authors and performers themselves, that encompasses all those engaged in, and contributing to, the production, distribution and dissemination of musical expressions and creations. In a vibrant, dynamic, flourishing music sector, all these actors have equity; a fair balance of rights and interests between them, as well as between right-holders and users of musical works, must be safeguarded for the health of the sector as a whole.

Again, the Five Music Rights of IMC make important declarations about the importance of this fair balance of rights and interests amongst the various actors in the music sector. The fourth and fifth Rights, in speaking of the rights of all musical artists, implicitly recognise this network of actors, all of whom deserve equitable treatment:

Fourth IMC Music Right: 'For all musical artists to develop their artistry and communicate through all media, with proper facilities at their disposal'

Fifth IMC Music Right: 'For all musical artists to obtain just recognition and remuneration for their work'

These rights do not prevail without constant vigilance and advocacy. **One way of undermining and weakening composers, songwriters and performers is to impede their livelihood options as professionals in a career devoted to music writing and performing.**

In fact, many composers and songwriters report that the main impediments they encounter in their work relate to their precarious economic and social situation. Similarly, while there are successful music performers and artists, the vast majority of them around the world struggle to make a living from music. **One of the most common problems confronting musical artists of all types is their weak bargaining power as individuals in comparison to the large corporations who are the major players in the music industry.**

For composers, songwriters and performers to continue their creative and artistic work, they have to receive an appropriate reward for that work. Authors' and performers' rights are their means of ensuring that they receive economic reward for the exploitation of their works; hence, such rights constitute an incentive to continue in the business of creating and performing. By helping to ensure the maintenance and development of creativity, the protection of authors' and performers' rights therefore acts in the interests of all – not only composers, songwriters and performers but also producers, consumers, culture, industry and the public at large. **An effective system for the protection of authors' and performers' rights, along with other related rights, is therefore one of the main ways of ensuring that musical creativity and production receive the necessary resources and, thereby, of safeguarding the independence and dignity of artistic creators and performers.**

The Universal Declaration of Human Rights stresses that "everyone has the right to the protection of the moral and material interests resulting from any (...) artistic production of which he is the author.", while the UN-adopted International Covenant on Economic, Social and Cultural Rights stresses everyone's right "to benefit from the protection of the moral and material interests resulting from any (...) artistic production of which he is the author." **The international recognition that authors' and performers' rights have gained speaks to the widespread and global consensus shared today on the importance of strong rights for a sustainable artistic future.**

IMC and its members actively support strong authors' and performers' rights for musicians, since these are crucial to the ongoing vitality of artistic activity in the sphere of music and to securing adequate economic and social conditions for composers, songwriters and performers. This support acknowledges the fact that the implementation of strong authors' and performers' rights may require appropriate application according to regional situations. Moreover, whilst this document addresses authors' and performers' rights in general, IMC also recognises that across the world these rights may take on distinctive forms in relation, for example, to the rescuing and safeguarding of the music and instruments of indigenous peoples. Whatever their particular manifestation, it is universally the case that the rights of musical artists to develop and communicate their artistry and to receive appropriate reward for doing so complement, and ultimately sustain, the rights of everyone to musical expression, musical education and musical access.

The International Music Council (IMC) is the world's largest network of organisations and institutions working in the field of music. IMC is dedicated to the promotion of access to music for all and of the value of music in the lives of all peoples.

The IMC network is present in 150 countries on all continents, with national music councils, international, regional and national music organisations as well as specialised organisations in the field of arts and culture, creating together a body of knowledge and expertise that relates to every aspect of music. Through its members, IMC has direct access to over 1000 organisations and 200 million persons eager to develop and share knowledge and experience on diverse aspects of musical life.

Information:
Silja Fischer, IMC Secretary General
Tel: +33 1 45 68 48 50
Email: info@imc-cim.org