

FIA Declaration on Copyright for Performers in the Digital Age

1. As creative artists, all performers bring their own unique personality to the script, composition, notation, or the performance they have created. Their efforts also create or add economic value in connection with the work. Their performances must benefit from the protection of copyright laws.
2. Copyright, or *droit d'auteur*, is a body of law providing a range of rights to creators of artistic works. Performers' protection may arise under copyright, or may be included under Neighbouring Rights, so-called because these rights are said to be close to the rights and protections embodied in copyright. By establishing systems that reward and protect artists' work, copyright and neighbouring rights also encourage creativity and innovation.
3. These legal rights and protections must be embodied in both international and domestic law. States should support international efforts to enshrine and enforce these principles, and should equally ensure that these crucial protections are incorporated into domestic law and effectively implemented.
4. The development of digital technologies has particularly challenged some of the underpinnings of copyright laws. Consumers now have unprecedented access to a broad array of copyright works, and are able to make perfect digital copies of such works.
5. For performers, other artists and producers, the consumers' capacity to copy and download works can threaten the economic return and protections artists and producers ought to enjoy from exploitation of their work. Anyone with a computer and basic skills can make a perfect copy and manipulate it in ways not authorized by the rightsholders.
6. Film, television, music, and interactive productions are the most dominant forms of cultural expression in the world today. These industries generate hundreds of billions of dollars of economic activity every year. Yet the performers whose works are enjoyed by billions of people often lack the basic legal rights they need to ensure they can receive fair compensation for their work. The danger to performers is only increasing as the Internet becomes an even more significant means of distribution of movies, television programs, songs and clips.
7. Performers should enjoy intellectual property rights comparable to other artists. In the digital world, this means that, in addition to other economic rights, performers must have the exclusive right to control and benefit from making their performances available on demand providing real and meaningful economic benefits to performers. Given the ease with which digital works can be reproduced, performers must also have moral rights, so that they can shield their reputation against any unauthorized distortion of, and receive proper attribution for, their performance.

8. In 2012, the World Intellectual Property Organization (WIPO) finalized the *Audiovisual Performances Treaty*. **FIA urges states to move quickly to ratify the Treaty and implement its provisions as appropriate in their national legislation.**
9. Performers want their works to be seen, heard and enjoyed. They value their audiences and appreciate the praise and applause. At the same time, performers want and need to be remunerated as their work continues to be exploited and generates revenues.
10. Performers are committed to exploring new ways to implement the economic rights of performers and other rights holders. FIA's affiliated unions will continue to work with their governments to implement measures appropriate to national circumstances.
11. FIA unions aim to combine collective bargaining with effective rights-clearing mechanisms to meet new needs and consumer expectations, especially in the digital world where performers need supplementary protection, including statutory mechanisms that effectively ensure rights to remuneration.

Approved by the FIA Executive in Dublin on June 6, 2015