

Brussels, 11 February 2017

Open Letter to the European Parliament, the Council of the EU and the European Commission
Fair Remuneration of Authors and Performers in the Digital Single Market

Dear President Tajani,
Dear President Tusk,
Dear President Juncker,

I am writing to you to express UNI Europa's support for the call for action of our affiliated media, entertainment unions, who are campaigning for a real change in EU legislation to strengthen the position of authors and performers.

UNI Europa urges the EU institutions to adopt the proposed Directive on copyright in the Digital Single Market without any further delay.

Discussions during the entire legislative process have often focused on the "value gap" and article 13.

However, the real value gap for media and entertainment workers is the one between them and their employers. Chapter III on fair remuneration in contracts for authors and performers, Articles -14, 14, 15 and 16 are the provisions that matter most for the rights and livelihoods of our trade union members.

UNI Europa urges you to support the adoption of article -14, introducing the pivotal elements of proportionate remuneration and collective bargaining. Further, we call on the EU institutions to adopt the amendment of the European Parliament to ensure that contracts shall specify the remuneration applicable to each mode of exploitation.

Further, we call on the EU institutions to adopt the compromise text on Articles 14-16, as already agreed during the trilogue of 13 December 2018. It is a fair compromise as it takes on board many elements that both sides, industry on the one hand and authors and performers on the other hand, proposed. This compromise will provide the right to authors and performers to transparency of comprehensive and accurate information regarding the exploitation of their works and performances. It recognises the right to collective representation of authors and performers in contractual adjustment and dispute resolution, which is a prerequisite for these rights to materialise.

All along the legislative process, our unions have never stopped to propose compromise language in order to accommodate the demands of employers for flexibility in the implementation, respect of freedom of contract, the protection of commercial sensitive information and limitation of administrative burden.

We reject the accusations of several media and entertainment companies and their international associations that the provisions of chapter III are unreasonable, disproportionate and would stifle creation. Their demand to abandon the Directive is not a constructive solution.

We are of the view that the compromise reached on art.14-16 is balanced and reasonable. It promotes social dialogue on fair remuneration. A fair compromise on art -14 is possible. We stand ready to engage with employers in a constructive dialogue on the implementation of the directive.

We thank all representatives of the EU institutions for the hard work and good will to adopt a good, fair and inclusive legislation. We trust that you will continue to support a fair compromise.

Yours sincerely,



Oliver Röthig
Regional Secretary

Cc:

Rapporteur, Shadow Rapporteurs and Presidents of the Political Groups of the European Parliament
Permanent and Deputy Permanent Representatives of the Member States to the European Union.

Vice President of the European Commission, Mr. Ansip.

Commissioner for Digital Economy and Society, Mrs. Gabriel.

Director-General, DG Communications, Networks, Content and Technology, Mr. Viola.

As the European trade union federation for 7 million service workers, **UNI Europa** speaks for the sectors that constitute the backbone of economic and social life in Europe. Headquartered in the heart of Brussels, UNI Europa represents 272 national trade unions in 50 countries, including: Commerce, Banking Insurance and Central Banks, Gaming, Graphical and Packaging, Hair and Beauty, Information and Communication Technology Services, **Media, Entertainment and Arts**, Postal Services and Logistics, Private Care and Social Insurance, Industrial Cleaning and Private Security, Professional Sport and Leisure, Professionals/Managers and Temporary Agency Workers.