

# THE STRASBOURG RESOLUTION

## 16 November 2000

Writers, translators, audio-visual authors, composers, visual artists, journalists and their organisations from the countries of the European Union and other European countries, gathered in Strasbourg on November 15 & 16, 2000 on the occasion of the 3<sup>rd</sup> European Congress of Creators' Organisations on AUTHORS' RIGHTS AND THEIR MANAGEMENT IN EUROPE, following the Congresses on CULTURE AND RIGHTS in Barcelona in 1994 and on AUTHORS' RIGHTS AND THEIR MANAGEMENT IN THE INFORMATION SOCIETY in Dublin in 1996

I.

**generally welcome** that the Council of Ministers has adopted a Common Position on a Directive for the harmonisation of certain aspects of Copyright and Related Rights in the Information Society (Council of the European Union 9512/00),

but **regret** that this draft has incorporated only some of the amendments proposed by the European Parliament with a view to strengthening copyright protection and **demand** a reduction in the now excessive number of more than 20 limitations and exceptions,

therefore **call upon** the European Parliament once again to ensure the protection of the rights of the author in its consideration of this draft, rather than merely to compensate him in some cases, and if there are unavoidable exceptions that they should be mitigated by the right to fair and equitable remuneration,

**are profoundly concerned** that the absence of moral rights as part of the directive together with the possibility of exceptions in favour of professional or otherwise systematic use runs the risk of undermining the very concept of the rights of the author;

II.

also **welcome** that the Council of Ministers has taken into account their Barcelona and Dublin Resolutions and in June 2000 approved a Directive on Resale Right (droit de suite), which is now under consideration by the Parliament,

**demand** that improvements to this draft be made so as to do better justice to the interests of the artist and

therefore **call for** the recommended draft of the rapporteur of the Legal Committee to be accepted without amendment;

III.

**generally welcome** that the Commission is concerning itself with the collective management of authors' rights, since strengthened protection of these rights, which is the goal of the proposed Directive on Copyright in the Information Society, will only be effective when accompanied by efficient administration of them,

**point out** that the desire of the user for a maximum of unhampered and unrestricted access to protected works, as is an option through digital technology, can only be fulfilled if corresponding protection, providing for appropriate conditions of use and remuneration, is guaranteed,

**are convinced** that this apparent contradiction can only be resolved by a balanced system of easily obtained and non-prohibitive licences, i.e. by a system of centralised licensing,

**emphasise once again** that the organisations best equipped to carry out this centralised management, because of their experience of collective administration over many years, including the capacity to handle the huge quantities of data the already existing collecting societies which are supported by, and represent, the authors,

**know** that in these circumstances the collecting societies will continue to perform their tasks with maximum transparency under efficient public supervision and, in carrying out their role of protecting authors' rights, will also fulfil their obligations to take account of social and cultural aspects.