

**PROTECTION OF PERFORMERS RIGHTS
IN PHONOGRAMS**Motivation

Recently, for instance during the WIPO Diplomatic Conference, attempts were made by phonogram producers to diminish the rights of performers in sound recordings, in view of the future developments in the information society. There will be an increasing number of audio-visual carriers on the market in which the phonograms are incorporated. As we know, audio and audiovisual performances have different levels of protection, especially at the international level. Performers in phonograms are protected through the Rome Convention and the WPPT, and should remain protected when exclusively aural fixation of their performances are incorporated (i.e. reproduced) into audiovisual products.

Motion

The 17th FIM Congress acknowledges the leading role that FIM has always played in the creations and preservation of performers' rights. Therefore, Congress calls upon the Executive Committee to take all possible actions to preserve the protection of phonograms when incorporated in an audio-visual product.