

UNFAIR CONTRACTUAL PRACTICES

Motivation

It has been more and more widely noted that contracts in the music business are very often unfair towards artists. This is true particularly in recording, publishing, management and agency contracts. Many court cases have been raised in order to get rid of or change contracts which in some cases put artists in a position of slaves.

The unacceptability of artist contracts has during recent years come into public mainly due to court proceedings. However, there is no concentrated effort to change the unfavourable situation. Individual performers are seldom able to change the general nature of their contractual relationships.

Motion

Congress decides that FIM tries to get the International Labour Office interested in the issue of unfair artist contracts. ILO should study the present contractual relationships and the unfair elements in these contracts. Court cases could be a useful source of information.

FIM should also study whether the World Trade Organisation could be involved in this process. The matter might fall into WTO's domain if artist contracts were found to include elements that restrict free trade or competition.

The Executive Committee should discuss this issue and take necessary action to lift the problems of artist contracts into a wide and open international discussion.