

**FIM Executive Committee, Paris, May 23-25, 2002**  
**EuroFIA meeting, Madrid, May 24-25, 2002**

**JOINT CONCLUSIONS**

1. The two international organisations FIM and FIA represent performers' trade unions, guilds and associations around the world. They, therefore, represent the social as well as the economic interests of performers and they also deal with their intellectual property rights. Together with UNI-MEI, they speak for cultural workers in the entertainment and media field, as they have done for more than 50 years. FIM, FIA and UNI-MEI jointly form an International Alliance named IAEA and a European Alliance (EAEA).
2. Since the development of mass uses of audio and audiovisual fixations, the Federations have continuously worked for a statutory protection of performers' intellectual property rights, separate from authors' rights but of equal value.
3. Largely due to the work and the active participation of the Federations in the negotiations which took place within intergovernmental organisations, the Rome Convention (1961) was adopted by a Diplomatic Conference at which the Federations were the only representatives of performers. Similarly, the Federations played a crucial role in ensuring that the WPPT (1996) was adopted and, at the European level, that certain rights were given to performers by several Directives.
4. The members of the Federations have successfully lobbied to achieve a wide recognition of performers' rights in their national legal orders, although the level of such protection is not yet fully satisfactory, especially in the audiovisual field.
5. The Federations and their members were indispensable in setting up most of the collecting societies, particularly for the collection and the distribution of the equitable remuneration right provided for in article 12 of the Rome Convention (now also art. 15 of the WPPT and article 8 of the EU Directive 92/100).
6. At the European level, a spirit of co-operation led to FIM and FIA assisting in the setting up of AEPO (the Association of European Performers' Organisations), representing the two Federations, for their respective European members, and a group of collecting societies, mainly managing aural rights. At the same time, ARTIS was also set up by other collecting societies, aiming to promote performers' rights at a European level. AEPO and ARTIS, however, never really co-operated since their respective creation. Earlier, a substantial number of collecting societies had agreed to hold regular meetings to discuss technical issues related to the collection and the distribution of monies arising from the rights of performers. This regular practice, led to the setting up of SCAPR, which was originally a merely informal forum and became, at the end of 2001, a full-fledged international organisation. The Federations participated constructively in these meetings from the beginning, although they had some doubts about the need for a formal structure.
7. The two Federations hoped that AEPO would become a useful and efficient forum to foster the co-operation between trade unions and collecting societies representing performers and strengthen their lobby at the European level.

8. However, this objective has not been achieved and the existence of such a hybrid organisation appears to have caused increasing misunderstanding on the part of the European institutions as to the will of performers on a number of occasions. Furthermore, it appears that the AEPO membership of the two Federations was in fact limiting the chances for a transparent and open dialogue with all the performers' collecting societies. The Federations feel that a different and broader approach is now necessary and that a comprehensive relationship with all performers' collecting societies should be pursued, whatever organisations they may be members of.

9. The two Federations seek the establishment of a regular consultation practice between the unions and all performers' collecting societies at a European level, based on a clear statement of principles, enshrining co-operation policies and guidelines accepted by all the unions and collecting societies acting for performers.

10. Since this aim is not realistic given the organisational barriers referred to above, the two Federations have decided to withdraw their involvement in AEPO on good terms. The Secretariats will, to this aim, jointly draft the declaration signifying this decision to AEPO.

11. The two Federations welcome the efforts already made within SCAPR to create open co-operation between SCAPR and the Federations, and they wish to pursue a similar approach on particular issues, such as contractual practices and intellectual property rights.

12. The Federations will therefore initiate the holding of a European annual Performers' Forum, open to all the unions and the collecting societies representing performers, with the aim of sharing views and possibly reaching a common understanding and strategy on specific issues.

13. The Federations, together with UNI-MEI, will also strengthen their co-operation to raise the visibility of the Alliance at the European level.

*(end of the declaration)*