



TEXTS ADOPTED

P9_TA(2024)0020

Cultural diversity and the conditions for authors in the European music streaming market

European Parliament resolution of 17 January 2024 on cultural diversity and the conditions for authors in the European music streaming market (2023/2054(INI))

The European Parliament,

- having regard to Article 167 of the Treaty on the Functioning of the European Union,
- having regard to the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions,
- having regard to Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC¹,
- having regard to Regulation (EU) 2021/818 of the European Parliament and of the Council of 20 May 2021 establishing the Creative Europe Programme (2021 to 2027) and repealing Regulation (EU) No 1295/2013²,
- having regard to Regulation (EU) 2022/1925 of the European Parliament and of the Council of 14 September 2022 on contestable and fair markets in the digital sector and amending Directives (EU) 2019/1937 and (EU) 2020/1828 (Digital Markets Act)³,
- having regard to Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act)⁴,

¹ OJ L 130, 17.5.2019, p. 92.

² OJ L 189, 28.5.2021, p. 34.

³ OJ L 265, 12.10.2022, p. 1.

⁴ OJ L 277, 27.10.2022, p. 1.

- having regard to its resolution of 14 December 2022 on the implementation of the New European Agenda for Culture and the EU Strategy for International Cultural Relations¹,
 - having regard to its resolution of 20 October 2021 on Europe's Media in the Digital Decade: an Action Plan to Support Recovery and Transformation²,
 - having regard to its resolution of 20 October 2021 on the situation of artists and the cultural recovery in the EU³,
 - having regard to its resolution of 19 May 2021 on artificial intelligence in education, culture and the audiovisual sector⁴,
 - having regard to its resolution of 20 October 2020 with recommendations to the Commission on a framework of ethical aspects of artificial intelligence, robotics and related technologies⁵,
 - having regard to its resolution of 20 October 2020 on intellectual property rights for the development of artificial intelligence technologies⁶,
 - having regard to its resolution of 17 September 2020 on the cultural recovery of Europe⁷,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the report of the Committee on Culture and Education (A9-0388/2023),
- A. whereas the music sector is a major pillar of culture, as a vital component of cultural and linguistic diversity in the Union, with the widest public outreach of any cultural and creative sector (CCS);
- B. whereas the music sector is an important part of the CCS, which is recognised as one of the 14 key ecosystems for building the European economy, as it brings growth and the creation of jobs, including for young people;
- C. whereas composers, songwriters and performers are at the very root of the music sector value chain and are the first and foremost creative driving forces of all music distributed on streaming platforms;

¹ OJ C 177, 15.5.2023, p. 78.

² OJ C 184, 5.5.2022, p. 71.

³ OJ C 184, 5.5.2022, p. 88.

⁴ OJ C 15, 12.1.2022, p. 28.

⁵ OJ C 404, 6.10.2021, p. 63.

⁶ OJ C 404, 6.10.2021, p. 129.

⁷ OJ C 385, 22.9.2021, p. 152.

- D. whereas rapid innovations in digital technologies over the last two decades have profoundly transformed the music sector, in particular the way music is created, produced and distributed and the way people access and consume it;
- E. whereas the music sector is constantly and rapidly adapting, with new business models, new ways of interacting with audiences and the use of complementary platforms such as social media platforms or short-form video apps, which create both new opportunities and challenges; whereas, in this context, significant challenges need to be addressed, such as the promotion of cultural diversity and fair remuneration for authors;
- F. whereas the main way that people now enjoy music is via streaming music services through either digital music platforms or platforms where online users upload content, including social media platforms, live performance streaming or short-form video apps, which provide access to up to 100 million tracks that are available anywhere, anytime and on all kinds of devices, either for free or for a comparatively low monthly subscription fee;
- G. whereas streaming represents 67 % of the music sector's global revenue¹; whereas the global music sector has experienced sustained growth, culminating in 2022 with an eighth consecutive year of growth and annual revenue of USD 22,6 billion; whereas the increasing number of investors in the music sector reveals its enormous overall economic value;
- H. whereas authors and performers are frequently not recognised or remunerated in a way that reflects the true extent of their contribution, which results in a majority of authors receiving very low revenue from the music streaming market and often means they are unable to sustain their professional careers, which creates a significant imbalance over time that needs to be addressed²; whereas there is a need to explore fairer models of streaming revenue allocation for authors and performers, by looking into different available mechanisms, such as pro-rata and user-centred models or totally new ones; whereas the criteria on how streams are counted by platforms may also have an impact on streaming manipulation practices;
- I. whereas studies point out that the current situation is characterised by new challenges, as well as several long-standing systemic issues

¹ International Federation of Phonography Industry, 'Global Music Report 2023', 21 March 2023.

² Briefing – '[Research for CULT Committee: Cultural diversity and the conditions for authors in the European music streaming market: a bibliographical review](#)', European Parliament, Directorate-General for Internal Policies – Policy Department for Structural and Cohesion Policies, June 2023.

that the music sector continues to face, in particular a decline in the overall value of products, a concentration of revenue takings by major labels and the most popular artists, a lack of quality data to properly identify authors, performers or other rights holders, streaming manipulation, the illegal use of music content by online content-sharing service providers and dominant online platforms and apps stores; recalls that all of these factors affect the fairness and sustainability of the revenues generated by the music streaming market;

- J. whereas the average price of a monthly subscription to a music streaming service has not increased over the years since the launch of such services, especially when taking into account inflation and the vast increase in the content available;
- K. whereas authors' rights should not be considered as a free asset for music services' own commercial and promotional strategies;
- L. whereas music streaming platforms, through their use of algorithms and recommendation systems, play an essential role in the discovery of content and therefore have a significant impact on cultural diversity; whereas they may also influence, select or inflate the visibility of certain tracks and therefore the revenues of authors and composers, as well as other players in the European CCS;
- M. whereas music streaming platforms should continue their efforts to increase overall transparency and traceability on many operational aspects of high relevance to authors, performers and other rights holders; whereas music streaming platforms are under no obligation to provide transparency on their algorithms and recommendation tools or to ensure the promotion of European musical works;
- N. whereas the promotion of cultural diversity in the European music streaming market, including the promotion of European artists worldwide, needs to be further analysed to unleash the full potential of the European CCS, which cannot depend solely on the commercial decisions of dominant private global operators;
- O. whereas the music sector is increasingly confronted with the rise of AI-generated content, with a growing number of tracks flooding streaming platforms on a daily basis, which risks aggravating existing imbalances as regards discoverability and the remuneration of authors; whereas the development of AI technologies should instead serve and enhance human creativity and their use should be transparent;
- P. whereas several studies have identified cases of streaming fraud and manipulation, as certain players work to manipulate the system to skim off revenues that should go to authors and performers, for example, by using bots to artificially inflate the number of listeners

for certain uploaded tracks¹; whereas detection systems and identification mechanisms to mitigate this fraudulent behaviour on music streaming platforms are so far limited;

- Q. whereas it is important to ensure a functioning single market for the online distribution of music; whereas, therefore, more dedicated efforts should be made to tackle and eliminate discrepancies and imbalances, given their impact on the market, in particular with regard to revenue share from streaming platforms; whereas to this end, further investigation and analysis should be conducted to collect data and identify factors that could create obstacles to the circulation of music content across Europe;
- R. whereas the proper identification of authors is crucial not only for their recognition and better remuneration, but also for ensuring diversity and transparency on platforms;
1. Stresses the need to support and create rules ensuring a fair and sustainable ecosystem for music streaming in the Union that both promotes cultural diversity and addresses the imbalances that negatively affect the sector, especially its authors and performers, and may prevent it from flourishing;
 2. Highlights that all actors in the music streaming value chain need to engage in an effective dialogue that includes authors and performers and make the necessary changes to ensure a fair, inclusive and sustainable ecosystem in the sector, so that it can contribute to cultural diversity, by providing opportunities to discover artists, as well as by promoting local repertoires;
 3. Notes with concern that the current imbalance in revenue allocation in the music streaming market disfavours both authors and performers and puts the sustainability of their professional careers in the digital market at risk; welcomes any efforts towards fairer remuneration for authors and performers, in recognition of the importance of their role in the European music sector;
 4. Calls on the Commission to assess the impact of existing contractual practices in the European music streaming market, as well as of the current revenue distribution model for music streaming services, on cultural diversity and the principle of appropriate and proportionate remuneration for authors and performers, and calls on it to explore, in cooperation with the relevant stakeholders, appropriate measures, including alternative and fairer models to reallocate streaming revenues; calls on the Commission to examine whether there is a high level of concentration in the music industry and to assess its

¹ Press release – '[Fake streams, real phenomenon: the CNM working with the industry to fight streaming fraud](#)', Centre national de la musique, 16 January 2023.

impact on cultural diversity, on the remuneration of authors and on competition;

5. Urges all stakeholders to take all necessary steps to overcome the current imbalances and asks the Commission to monitor and encourage progress in this regard and to consider appropriate policy proposals, should voluntary stakeholder initiatives fail to produce meaningful solutions;

Towards a sustainable ecosystem for authors

6. Emphasises that the key role of authors should be reflected through greater visibility on the music streaming services and a more balanced distribution of streaming revenues; calls on the industry to explore new models for allocating streaming revenue in order to ensure the most equal and fairest distribution possible for authors and performers;
7. Encourages the Commission to evaluate whether the use of new technologies, such as blockchain, and the international identification codes of rights holders, musical works and sound recordings have the potential to improve transparency and cost efficiency within the music streaming market, in particular for the accuracy of metadata and remuneration, especially for authors and performers; regrets that, in general, music streaming services significantly lack such transparency and identification requirements;
8. Underlines the importance of authors becoming members of collective management organisations to ensure the right to collective agreements and collective representation; emphasises that collective negotiations through authors' societies aim to ensure proper value for the use of authors' works in the music streaming market, as well as to facilitate fairer access to markets and cultural diversity within the Union; recalls the importance of Directive 2014/26/EU¹, which provides the framework for the online multi-territorial licensing of authors' rights for music streaming services, ensures authors' free choice in selecting the most efficient way of managing their remuneration rights, and sets a high level of transparency and good governance rules for collective management organisations, which are crucial for the effective management of repertoires on music streaming platforms;
9. Emphasises that it is essential to improve the identification of anyone involved in the creation process, in particular authors and performers, on music streaming services, by ensuring the

¹ Directive 2014/26/EU of the European Parliament and of the Council of 26 February 2014 on collective management of copyright and related rights and multi-territorial licensing of rights in musical works for online use in the internal market (OJ L 84, 20.3.2014, p. 72).

comprehensive and accurate allocation of metadata from the time of creation for any track uploaded to a music streaming service; encourages, in this regard, the use of all international identification codes (IPI¹, ISWC², ISRC³, IPN⁴ and ISNI⁵); highlights that proper identification of creators plays a key role in the search for and discoverability of works, and enables proper remuneration for creators in the distribution of revenues;

10. Calls on all music industry players to intensify their efforts to ensure the comprehensive and correct metadata allocation of songs by identifying and accurately reporting authors' data for their musical works on streaming services, including when the uploaded content is done by fully independent authors;
11. Stresses the need to raise awareness, in particular among young authors, of the importance of accurately getting credited and paid for their music in the streaming market; welcomes relevant research programmes and initiatives, including at international level, and calls on the Commission to explore ways to support such initiatives;
12. Recalls the need to ensure the value of authors' rights, regardless of what music streaming services offer; notes that several recent studies^{6,7} show that a majority of authors and performers do not receive sufficient revenue from music streaming; calls for the revision of pre-digital royalty rates to bring them into line with fair and modern rates; condemns the existence of any schemes, such as so-called payola schemes, that would force authors to accept lower or no revenue in exchange for greater visibility, thereby further reducing authors' already very low streaming revenue, especially given that the promise of greater visibility remains unfulfilled in most cases;
13. Notes that the competition between music streaming providers on the European market is dominated by a few global players; recalls the need to rapidly implement the Digital Market Act and the Digital

¹ IPI: Interested Parties Information, <https://www.ipisystem.org/>.

² ISWC: International Standard Musical Work Code, <https://www.iswc.org/>.

³ ISRC: International Standard Recording Code, <https://isrc.ifpi.org/en/>.

⁴ IPN: International Performer Number, <https://www.scapr.org/tools-projects/ipd/>.

⁵ ISNI: International Standard Name Identifier, <https://isni.org/>.

⁶ European Composer and Songwriter Alliance, '[Music streaming and its impact on music authors – why we should fix streaming and how to ensure a sustainable future for all music creators](#)', July 2023.

⁷ Legrand Network, '[Study on the place and role of authors and composers in the European music streaming market](#)', European Grouping of Societies of Authors and Composers, 28 September 2022.

Services Act in order to ensure a fair ecosystem, by putting an end to unfair competition practices by online content-sharing platforms and music streaming service providers in the music streaming market, such as those enabling users to illegally stream or download protected content; stressed the need for transparency and efficient auditing in this regard; highlights the necessity of eliminating such infringements on and by platforms, as well as on app stores;

14. Stresses the importance of ensuring investment in new European talent and music, including local artists, niche artists and artists from vulnerable communities, through appropriate funding instruments, including the Creative Europe programme to boost investment in more diverse forms of repertoire in terms of language or genre, in the provision of digital skills and in the digital transformation of business models and stresses the need to raise authors' awareness of their rights;
15. Supports promoting the sharing of information about artists' live performances on platforms, especially for local artists, to facilitate new discoveries and further visibility;
16. Asks all stakeholders in the music streaming sector to work together to assess and reduce the carbon footprint of digital music;

Prominence and discoverability of European musical works

17. Calls for action to be taken at Union level to guarantee the visibility and accessibility of European musical works, considering the overwhelming amount of content constantly growing on music streaming platforms and the lack of Union rules to regulate them in a harmonised manner;
18. Welcomes the study launched by the Commission that aims to assess the discoverability of European musical works in the music ecosystem, including through music streaming services; asks the Commission, based on these results, to propose adequate measures, including a legal framework to ensure the visibility, accessibility and prominence of European musical works on music streaming platforms;
19. Calls on the Commission, in this context, to ensure that such a legal framework includes specific diversity indicators that would allow for an independent assessment of the use and visibility of European musical works and its diversity of genres, languages and independent authors;
20. Stresses, moreover, that such a legal framework would require the Commission to identify best practices to test diversified content promoted on platform interfaces and to regularly monitor and report on this with a clear methodology to comprehend and assess the visibility of European musical works in, among others, curated

playlists, user interfaces, algorithmic choices and recommendation systems to ensure prominence and discoverability;

21. Calls on the Commission to collect data and conduct a thorough analysis aimed at ensuring the discoverability of European musical works through music streaming services, as well as to create a structured dialogue between all parties involved; asks the Commission, based on the findings, to reflect on the possibility of imposing concrete measures, such as quotas for European musical works, on music streaming platforms;
22. Calls on the Commission and the Member States to assess adequate ways to preserve the digital European musical heritage, while reducing the de facto dependence on commercial music streaming platforms so as to ensure the availability and accessibility of European musical works in the long term;

Towards the ethical use of AI

23. Calls for the ethical use of AI in the CCS, including music, and highlights that AI can be a tool for artists to explore, innovate and enhance their own creations; calls for maximum transparency and stresses the need to ensure compliance with all Union legal requirements on the development, production and delivery of musical works by means of AI technologies; stresses the need to address the specific implications of AI uses in the CCS;
24. Calls on the Commission to propose legal targeted provisions to ensure the transparency of the algorithms and content recommendation systems on all relevant music streaming platforms, with a view to preventing unfair practices and streaming fraud that are used to reduce costs and further lower value for professional authors; asks the music services to continue investing in adequate tools to identify such activities;
25. Emphasises that the rise of AI-generated content has led to a growing number of tracks uploaded to streaming platforms, which makes ensuring the prominence and discoverability of European musical works even more important; highlights that the public should be aware of whether the musical works, songs or artists they listen to on music streaming platforms have been generated mainly by AI and/or without the substantial contribution of human authors; stresses, in this regard, the need to work towards ensuring that consumers are well-informed, and stresses the need to set up a clear, timely and visible label to inform the public about purely AI-generated works that do not involve the expression of the author's personality or creativity;
26. Welcomes the dialogue between stakeholders on tackling the spread of deepfakes on music streaming platforms, and calls for the interests of all authors and performers to be considered; recalls that

deepfakes are outputs produced by AI models and applications that may use authors' and performers' identities, voices and likenesses without their consent; calls for the increased deployment of identification tools to detect deepfakes and manipulated content and calls for easily accessible reporting mechanisms for authors, performers and other rights holders;

27. Stresses that authors, performers and other rights holders should be allowed to reserve and license the rights for the use of their work for AI training, development or design beyond scientific research; emphasises, in this regard, the need for transparency on the training content protected under copyright law for the purposes of generative AI systems in order to ensure it is in compliance with applicable Union or national copyright law and stresses that, therefore, the providers of such AI generative systems must document and make publicly available a sufficiently detailed summary on the use of such training data, regardless of where such training took place, in order to allow for the proper application of the text and data mining exception provided for under Union copyright law;

Perspectives

28. Calls on the Commission to set up a European music observatory to provide information on music markets in the Union by collecting and analysing data in the Member States, as well as to analyse and report on legal issues affecting the music sector, in particular the music streaming market, with a view to developing the sector;
29. Calls on the Commission to further improve the Creative Europe programme, in particular through comprehensive action on music;
30. Stresses that music has great potential to further promote European culture, history, heritage, values and diversity; believes that music also has the potential to contribute to the Union's soft power; highlights that the promotion of European artists in third countries should be a strong focus of the Union; calls on the Commission, in this regard, to develop a comprehensive European export strategy on European musical works;
31. Invites the Commission to establish a structured dialogue between all stakeholders in order to discuss current issues affecting the music streaming market and to work together to find common solutions towards a fairer distribution of the revenues from music streaming platforms, in particular for authors, performers and small and micro independent producers, in parallel to its expected legislative proposals regarding the transparency of algorithms and the prominence of European musical works;
32. Invites the Commission to consider introducing a European industrial strategy for music to make the Union play a role in promoting the diversity of its artists and musical works, focusing on

the strength and diversity of the European music sector, boosting smaller players, acquiring more investment, providing more exposure to artists and quantifying the results;

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33. Instructs its President to forward this resolution to the Council and to the Commission.