



# MUSIC IN THE DIGITAL AGE

INTERNATIONAL CONFERENCE | DIGITAL TECHNOLOGIES AND ARTISTS' RIGHTS

ATHENS, OCTOBER 22-24, STAVROS NIARCHOS FOUNDATION CULTURAL CENTER

## EXECUTIVE SUMMARIES

**Music in the Digital Age: Streaming & Artificial Intelligence** has been a three-day international forum organized by APOLLON (Greek CMO for musicians' neighboring rights) and FIM (International Federation of Musicians). Against the backdrop of **AI-generated content and the dominance of streaming platforms**, the conference examined how **revenue models, legal frameworks and artistic labor are being reshaped** in a digital economy that prioritizes scale over sustainability.

Bringing together artists, journalists, industry professionals, legal experts, academics, policy makers and technologists, the event focused on three core questions:

- How to build **sustainable and equitable compensation** models in a saturated streaming market?
- How to protect creators' rights when **AI is trained on and competes with their work?**
- What role should legislation play in **securing ethical AI and fairer digital markets** without stifling innovation?

The second panel moved from diagnosis to concrete legal and policy solutions for fairer streaming remuneration, especially for non-featured performers, and for protecting cultural diversity.



**APOLLON**  
GREEK MUSICIANS'  
COLLECTING SOCIETY



## B. STREAMING | SOLUTIONS FOR PERFORMERS & AUTHORS

### 1. Keynote by Christophe Van Vaerenbergh, PlayRight Managing Director

Van Vaerenbergh argued that while streaming generates around 70% of global recorded-music revenue, **most performers - particularly session musicians - receive nothing from it.** He used the historical example of The Wrecking Crew to show that session players often add decisive creative value, which international instruments like the Rome Convention and WPPT were meant to reward. Today, musicians still get modest, stable one-off session fees, but when the same track is broadcast, they get neighboring-rights income - when it is streamed, they usually get zero, despite their contribution.

He rejected individual contracts as a solution, citing the 2024 “Streams and Dreams II” survey, showing artists fail to secure better terms or revise legacy contracts. Instead, **he advocated a non-waivable, non-transferable collective remuneration right**, managed by performers’ CMOs. Belgium adopted such a right when implementing the CDSM Directive in 2022, but the law is now under CJEU scrutiny after challenges by major labels and big tech.

Beyond money, he described **a deeper cultural crisis: music increasingly treated as a financial asset by investors**, with less risk-taking and fewer genuinely new genres. His core message: robust copyright and neighboring-rights frameworks are essential if we are to “take the music back” and ensure artists share in the value they create.

### 2. Panel discussion - moderated by Christophe Van Vaerenbergh

- **Julie Jueyoung Lee (FKMP, South Korea)** described Korea’s exclusive “interactive transmission” right for performers (in law since 2004, applied even earlier via the reproduction right). Designed partly as a social-security-style measure, **it guarantees both featured and non-featured artists ongoing streaming royalties in addition to session fees.** FKMP manages these rights collectively under government-approved conditions, offering legal certainty to platforms while materially improving performers’ income and status.
- **Marcos Alves de Souza (Brazilian Ministry of Culture)** recounted a decade of attempts by GRULAC to put “Copyright in the Digital Environment” on WIPO’s SCCR agenda, largely blocked by Group B (developed) countries. Frustrated, Brazil is advancing its own streaming bill, which would:
  - Create an **inalienable compensatory remuneration** for all music/ audiovisual rightsholders (including performers), regardless of contracts;
  - **Regulate playlists and bot farms** and ban remuneration for AI-generated content;
  - Allow platforms to **deduct performers’ shares directly from producer payments.**

Brazil is also pushing these issues at G20, BRICS and UNESCO, arguing the WCT/ WPPT treaties are outdated for the streaming / AI era.

- **Tino Gagliardi (AFM, US & Canada)** said there is systemic inequity in streaming, with side musicians particularly disadvantaged. Under WPPT, US performers get remuneration only for broadcast/communication to the public, not for making-available. AFM has negotiated some streaming payments in film/TV and sound-recording agreements, but big tech captures most profits. **He called for a statutory equitable-remuneration right for streaming**, continued pressure at WIPO, and US reforms such as the Protect Working Musicians Act and finally paying performers for terrestrial radio. **He likened repeated conferences without change to “running on a hamster wheel”** and insisted “the time for action is now.”
- **Paul Torremans (University of Nottingham)** argued that contracts alone cannot fix the imbalance, given **extreme power asymmetries**. The WIPO Internet treaties mostly gave performers negative rights (to stop uses), useful against piracy in 1996 but insufficient for monetizing streaming. **What is needed is a positive remuneration tool—a statutory right—to rebalance bargaining power.** He criticized UK inaction post-Brexit (no CDSM-equivalent reform), warning that if legislators don’t move, **the law drifts ever further from market reality.**
- **Philippe Gautier (SNAM-CGT, France)** presented the French 2022 collective agreement with producers as a partial but concrete improvement:

  - Session musicians receive a **fixed per-track fee plus small tiered bonuses** at high streaming thresholds (7.5m, 15m, 30m, 50m streams).
  - Featured artists receive a **€1,000 flat fee per album plus 11–28% streaming royalty**, depending on deal structure.

The union insisted on a fixed component and on the principle that merely being in the catalogue has value, since **users pay for access to \*all\* tracks, not only hits.** Gautier stressed that **negotiation was hampered by severe opacity** (e.g. IFPI’s claim that 35% of streaming income goes to artists, which even French labels dispute) and said **unions must also wage a major transparency battle**, using tools in the 2019 EU Directive.

### 3. Collective management, alliances and cultural diversity

- Panelists agreed that **unions and CMOs are natural allies** and increasingly coordinate (e.g. AFM/SAG-AFTRA funds in North America; regular union–CMO meetings in France). Julie Lee emphasized that for performers, **individual licensing in digital markets is practically impossible**, making CMOs essential rather than obstructive.
- On cultural diversity, Christophe cited Belgian data showing the number of locally produced albums in the Top 100 dropping from 64 to 16 once streaming entered the charts, reflecting the **dominance of international stars and curated global playlists**. PlayRight’s response—creating combined airplay+streaming charts—has modestly increased local visibility.
- Marcos highlighted UNESCO discussions on a digital environment protocol to the Convention on Cultural Diversity, which would explicitly **allow states to impose local-content promotion and investment obligations on platforms**. Torremans noted that such measures and any new remuneration rights will almost certainly be litigated, but maintained they are necessary if we want both **fair pay and genuine cultural diversity**.

### 4. KEY THEMES

Across jurisdictions and roles, the panel converged on a few core points:

- **Statutory, non-waivable remuneration rights for streaming are increasingly seen as the only realistic way to secure fair pay for performers—especially non-featured musicians.**
- **Contract-based solutions have largely failed, given persistent power and information asymmetries.**
- **Some countries (Korea, Spain, Belgium, Brazil, France) are experimenting with legal and collective models that could serve as templates.**
- **Alliances between unions and CMOs, stronger transparency obligations, and targeted cultural-diversity policies are essential elements of any sustainable, creator-centered digital music ecosystem.**