

19th FIM Congress Report

Johannesburg 1-3rd October 2008

British Musicians Union

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Introduction

The 19th FIM Congress held in Johannesburg on 1st - 3rd October 2008 was another significant landmark within the history of FIM; the first congress to be held in Africa and the first to have so many African union representatives taking part. It was a hugely enjoyable and positive event that included live music every night, as well as interesting and relevant motions and guest speakers, during a packed conference programme. The overwhelming impression was of our African colleagues grappling with similar issues both locally, regional and globally but without the necessary infrastructure to integrate and collaborate effectively across the vast continent. During John Smith's terms as president, inroads have been made and continue to be made into these problems particularly in the areas of dissemination of information, capacity building, financial assistance and organisation. Once again as a delegation we were made aware of the range, diversity and effectiveness of the work of the global musicians and artists unions and just how far everyone has come; people work with hope and courage often in difficult conditions. It really feels like one world at these conferences with everyone working towards similar positive and life affirming aims; the only difficulty is the outside world and convincing them! Likewise the supporting organisations the ILO and Commonwealth Foundation seem to understand. Global unionism is the way forward and FIM is doing a fantastic job of promoting it. Two major issues for me: more funds needed to help the developing countries to get the skills and infrastructure they need to be effective and more women representatives are needed at every level from delegates to the presidium itself. The should once again be thanked for allowing John Smith to take such an active and positive role in FI, which as he says later is now being regularly consulted across the globe on issues concerning musicians.

Day 1 Wednesday October 1st 2008

1.1 Opening Speech by John Smith President of FIM

John as President welcomed everyone and described the period between this and the last congress as one in which FIM had expanded its influence and reputation and was now recognised at all political levels as the NGO that must be consulted and listened to when decisions that affect working musicians are considered. He paid tribute to the dedicated work of the secretariat, who with the small staff of three (Adeline Brun, Thomas Dayan and Benoit Machual) working from the Paris office, are able to cover the plethora of issues that confront FIM affiliates and their members across the world.

John reminded everyone that this was the first FIM congress to be held in Africa and mentioned the MU's part in opposing apartheid by banning members from accepting engagements in SA. Acknowledging the primary role played by SA trades unions in working to create the modern democratic state, he thanked the brothers and sisters from the Creative Workers Union of South Africa (CWUSA) for their hospitality and for hosting the FIM congress in its 60th Anniversary year.

FIM was originally formed after WW2 in 1948 by a small group of unions for mutual support and encouragement to foster international brotherhood and to try and influence world events for the better. This

remains the vision and FIM actively works with other international federations that are active in the entertainment sector: the International Federation of Actors (FIA) and Union of Media, Entertainments and Arts (UNI-MEI), both of whose General Secretaries later addressed Congress. FIM is also part of the International Arts and Entertainments Alliance (IAEA) which was recognised by the International Trades Union Congress as a Global Union Federation, giving musicians, actors and entertainers a voice at the highest levels of international trades unionism.

John went on to detail the various meetings that have taken place since the previous Congress in London, including the four EC meetings in Budapest, Tel Aviv, Nashville and Zurich and thanked the hosts of those meetings for their hospitality and generosity. He then introduced the FIM Vice Presidents on the platform: Oopa Lebongo from CWSUA, Alhaji Siduku Buari from Ghana, Anders Laursen from Denmark, Beat Santschi from Switzerland and Tom Lee from the US. Since the London Congress the Presidium has met in Nice, Washington, New York, Accra and London. John thanked them for their work and also thanked their own unions (and the MU) for not only meeting their expenses but for generously allowing them the time and independence to concentrate on and participate in FIM issues.

During the past five years FIM has been very active in training and capacity building involving regional projects in sub-Saharan Africa, Latin America and Asia (in partnership with FIA). Expert FIM speakers, alongside guests from WIPO, UNESCO and the ILO have helped enormously in supporting and assisting in areas such as union organisation, collective bargaining copyright and performers rights, and contracts. These projects depend upon the generous funding from the collecting societies within FIM namely: CPRA from Japan, LO-TCO from Sweden, FNV from the Netherlands, Adami from France, SIG from Switzerland, Östig from Austria, GVL from Germany, and PPL from the UK..

Also during the past four years the Europe Group has met in Warsaw, Berlin and Copenhagen and the 1st FIM Orchestral Conference was held in April this year in Berlin, which was a great success enabling musicians to talk and discuss various problems and to begin to develop solutions. Thanks were due to the German Unions DOV and GVL and the sponsors MFO of Norway.

Johns concluded by saying that despite all of this marvelous work, there was still much to do: FIM must assist in the implementation of the UNESCO convention of the Protection of the Diversity of Cultural Expressions; to work on the Status of the Artist project; to raise the level of performers rights to that of copyright; to assist our US colleagues to extend intellectual property rights to US performers; to strengthen audio-visual rights and to make sure that all of the money thus collected reaches the right people across the globe.

As John said: "When you go home, make sure that the members of your Union know all about FIM and the importance of its work." This is the purpose of the current report.

1.2 Speech by Hugh Masekela SA Musician

Hugh Masekela gave a really interesting speech about the differences for musicians between the time of apartheid and the present day. From first hand experience, he described the segregated time where every small village had different bands and because of the pass laws, stayed primarily within their communities. When they wanted to travel they had to have a pass which was for 72 hours and had to be signed by the local police both in their home town and at their destination, making travelling difficult. Also the police would stop musicians late at night travelling home from a gig (they also had to have a night pass) and make them perform

their instruments or dance in the wilderness, in the headlights of the police car, to check their stories. They were all arrested many times and kept overnight in the cell. Despite all this, there was a fantastic network of places to play and an informal musical system which also acted as a training ground. There was a Saturday morning radio programme called the Bantu programme, which played only African music and releases of the week, which everyone listened to (servants would down tools and stop work for it) which at the start were 78's. Bands that were featured included Miriam Makeba, the Boston Brothers and Reds Busia, Later with re diffusion, this became a 24 hour station which played all the music of South Africa plus European and US music. By the 1980's the situation was so bad that he was in exile along others such as Abdullah Ibrahim, Dudu Pukwana and Bheki Msekliku. At around this time S African music really crossed over into the rest of the world; was very popular and had its own distinct identity among the musics of the world. With hindsight it is clear that the draconian laws and oppression of the time, really brought out culture and the cultural boycotts of the 1970's forced radio stations to play local bands thereby strengthening it further. So that the brothers that came out of South Africa, took the world by storm; the music played an integral part of the campaigns to Free Mandela and Down with Apartheid in 1985/6, and acted as a catalyst for change. They all felt that if the music was this powerful under oppression, that there would be a real explosion once they were free; the music was, after-all driven by the musicians and their own efforts and was without any material government or other support. The strange thing is that the opposite has happened; there is less and less music broadcast and live that belongs to the people of SA. They have had to fight to get 20% of African music in broadcasts, and opening up the country to travel has meant that all the old and established local communities where the music was developed and played, have fragmented as new people have arrived and local people have left. Likewise many of the places where music used to be played have been closed up, which has killed employment for SA musicians. The feeling was that the SA government would support musicians financially and they are waiting for that rather than creating their own work as they always had done- so the musical community has dwindled. There are still the festivals like the one held this September, but he said that he doubted whether any of us at the conference would be able to go out and see some live music in Jo'burg during our stay. In fact we saw several great bands but these were organised by CWUSA. Masekela said sadly that there were now places where the music had died; this is for real and of course very sad. Musicians like Ladysmith and Abdullah Ibrahim hardly work in SA at all now and it is very hard for those musicians who depended on the old established circuit to live now. The CWUSA is trying to affect change and they need all the help they can get; the music should be owned by SA and the distribution should be owned by the musical community. It needs to be a new African vision otherwise we will always be living in the past. There are independent companies and musicians but a continental network has not yet developed and we need to attract funds for music education and to reopen the many community theatres and venues that have closed. We have to change this employee mentality- musicians are just hanging around waiting for the state to help instead of organising themselves, Freedom and the very positive changed in the law have created social upheaval which has damaged the old networks and community based musical community; it is now a dormant force and has to evolved into a new incarnation.

1.3 Administrative matters

Establishment of the quorum; adoption of standing orders; election of chairs; approval of agenda; election of tellers etc.

1.4 Speech by Judica Amri- Makhetha Pretoria International Labour Organisation

Judica Amri- Makhetha highlighted the lack of copyright royalties for the composer of the famous “Lion Sleeps Tonight ‘ song which became an international hit and who died a pauper with his family. Over 200 artists across the globe covered this song and the writer received nothing. The ILO latest campaign is for decent work, improved working conditions and improved rights. The ILO mandate is driven by: issues of rights; productive employment; social protection and social dialogue so that the voices of the people are heard. They are linking human rights in a development agenda for social dialogue. They also implement policies to encourage enterprise in a three way process. with governments, employers and workers. The ILO argues strongly in all forums that performers should be paid for any subsequent use of their performance and they have a history of helping cultural workers, providing technical assistance also and social security schemes. A joint ILO/UNESCO project which runs from 2008-2011 aims to strengthen the creative industries in Mozambique and Zambia. She made mention of the ongoing debate around freelance/employed status of musicians and how that effects benefits and tax. The Status of the Artist continues to be a major ongoing issue for the ILO, and the globalisation of music has raised many issues for musicians, not least those of intellectual property and the need for strong collective agreements, both of which the ILO promotes. IP could form the basis for pay and social protection, which is why it is so important; it could reduce musicians dependence on government and low fees; decent work for all musicians is what the ILO is working for and she said that the ILO ‘would be with you as far as you can go.’

1.5 Motion 4 Amendment of FIM rule 26 dealing with transportation expenses to delegates of member unions

Proposed by Dan Gottfried Israeli Musicians Union, the rationale for the motion was that sound budgetary management was needed if FIM was to carry out all of the work deemed necessary by the members, therefore it was suggesting that reimbursement of travel expenses should not exceed the total amount of membership fees paid to FIM by the union. Whilst this was thought to be a reasonable motion, the consensus was that the motion would create difficulties for the small unions in travelling to congress and it was most important that they attend. Therefore the motion was withdrawn, and referred back to the EC for more discussion with a view to setting up specific transport fund for the smaller unions.

1.6 Motion 5 Amendment of FIM rule 45 on decisions made by the FIM EC Proposed by Dan Gottfried Israeli Musicians Union; it was agreed that where a decision is taken by the FIM EC on which the rules are silent, they shall submit to the next congress a motion to amend the said rule.

1.8 Motion 6 Cancellation of FIM rule 5b

Proposed by Dan Gottfried Israeli Musicians Union; the motion questioned the issue of more than one union representing musicians of different genres in each country. It was decided that no rule change was needed and the more diverse representation of musicians, the better.

1.9 Motion 7 Amendment of FIM rule 13 on termination of membership

Proposed by Horace Trubridge of the British Musicians Union, the motion asked that FIM members who no longer pay their dues be designated as being terminated rather than resigning, which is altogether a different thing, which was agreed.

1.10 Speech by Tali Atsepick (Check name) Department of Arts and Culture Minister

Tali Atsepick welcomed FIM to SA and said that the possibility of addressing global issues had been a dream of his, and FIM was beginning to implement it. He stated that SA was in a dramatic transition period with a new

president, elected without bloodshed and contrary to the views expressed by Hugh Masekela, he felt that things were going well. The government is internationally mandated to looking at the creative industries and how income can be generated from them. Their main aim is how to develop the musical environment so that intellectual property is respected and musicians are not exploited. FIM is assisting them in this work; most especially how to make sure that musicians get their due recompense.

1.11 Motion 8 Guaranteeing balance on the FIM executive

Proposed by the FIM Africa Committee (FAC), the motion asked for the FIM rules to be modified to maintain a suitable level of regional representation of FAC members on the FIM EC and other bodies., in order that good communication and co-ordination can continue.

1.12 Speech by Sduma Dlamini President of Congress of South African Trades Unions (COSATU)

Mr Dlamini began by stating that this was a significant period in SA history with a smooth changeover of politicians for the better. The global economy is in financial crisis, affected by both wars and the price of oil, and also the collapse of most socialist states since 1991. WTO negotiations have broken down and with increasing competition at global level, there is no guaranteed protection for workers and technology also poses a threat as well as an opportunity for musicians. SA government and unions now have to confront the many challenges about how creative workers are defined within employment law. The big issue remains

1.13 Motion 9 Gender Equality

Moved by Anders Laursen, of Denmark the motion encouraged better gender representation. The discussion ranged around the notion of positive discrimination (which the BMU thought was inappropriate) and the idea that women need to be given the opportunities that will enable them to compete equally with men within the trades union movement as a whole. It was noted that there were no women on the presidium or the EC of FIM but that for example at various unions women are better represented; the Chile MU has for example, a woman president and also half their EC.

1.14 Motion 37 Young affiliates in unions

Anders Laursen , of Denmark, also moved the motion to encourage young musicians to affiliate to Musicians Unions. It was noted that the recruitment of the young is one of the biggest problems in the labour movement as a whole. They implied that it was essentially a marketing issue, but we thought it was more structural and that unions may need to think about reorganising themselves to engage young people better; they do not appear to be interested in our traditional democratic structures. Most of all the BMU stated that we needed to ask young people what they want and how they want to be involved. It is our duty to find our successors. The ULF project which the BMU has initiated, may may some useful recommendations in this area, which can be disseminated to FIM.

1.14 Speech by Jim Wilson Director of Union of Media, Entertainment and Arts (UNI-MEI)

Jim explained that UNI-MEI represents creative workers of all sorts - actors, visual artists, musicians, media workers and so on. They are most successful in the area of social dialogue and are hopeful of this process to move our various agendas forward, They have now been recognised by the global unions which is similar to being recognised by the UN. The Asia Pacific region is the biggest challenge and they are currently involved in a project in Mumbai to increase the membership in the region. There are three significant areas that UNI-MEI is concerned with the first is status, organising and intellectual property, which is the most important area for

freelancers. The potential labour law change in the US depends upon Obama being elected, and they continue to work in Uruguay where there is now a progressive government and where a law change has meant that the original contract now applies to all contractors down the line who are responsible for the conditions. On the organising front he said Organise, Organise, Organise, is the only way to survive. UNI-MEI is now working for global collective agreements through the Union Network International with Disney, Bertlesman, Newscorp and Sony. The objective is to get global agreement on union recognition. Only 20 % of members have intellectual property rights and the union is trying to improve performers rights and copyright for performers. There is also the issue of image rights for sports people. There is now a FIM/UNI-MEI alliance, which is proving highly fruitful.

1.15 Motion 3 Amendments to FIM rules on voting rights at congress and finances

Benoit spoke to the motion, and stated that the FIM secretariat aims to keep FIM dynamic, healthy, visible, powerful and properly international however, their first priority is to work within the framework of the budget. Generally the FIM budget balances over 2 or 3 years, there are some blips on a year to year basis. Currently FIM has no margin within the budget to consider any more activities or for contingencies, and some activities may have to be curtailed. Membership stays the same whilst expenses increase on a year by year basis, therefore FIM needs to find a workable solution by changing voting rights and to change the way that delegates to congress are reimbursed so that they can save @£15k a year. This congress will ask for FIM to do even more in the way of activity, and to do this it needs to balance the books and to use its funds for development at a regional, national and international level. There followed a lively debate which covered the issue of FIM members being unable to afford to come to congress, with only the rich unions able to participate; the need to look at the finances in a more long term way; the need to organise more meetings to be held at the same time as the congress in order to maximise networking and communication possibilities; deciding whether it is an income or an expenditure problem; changing the voting rights to one man one vote. The motion was contentious and not carried, but the EC will look again at a solution, because of the budgetary situation.

1.16 Speech Steven Saks from the office of the Mayor of Johannesburg

Steven Saks welcomed everyone to Jo'burg and looked forward to a long and continued partnership with FIM. He said that having accessed the website, he was amazed at the amount of work that FIM does and mentioned the next challenge which is to implement the UNESCO Cultural Diversity Convention, by finding the resources to promote and respect indigenous musical forms. Contrary to Hugh Masekela's account, he said that there is plenty of live music in Jo'burg, and described the September festival events - the Joy of Jazz Festival and Moshatu Music Market which is a major industrial convention, Arts Alive which included music from Cuba, Africa, India and Brazil. He stated the statistics of Jo'burg: 3.5m population, 80% black. 20% indian and white with 40% being young. The festival audience was predominantly young and diverse this year, which is a remarkable achievement considering that only 15 years ago, they were still under apartheid. They have build al of this using music and other creative arts which naturally brings divers audiences together.

1.17 Motion 3 return

More debate on this subject centered around the same issues clarifying that each member union is entitled to one vote and that they intend to raise the subscriptions by 5%. Benoit summed up by reiterating that both the FIA and UNI-MEI conferences are well attended without any reimbursement and that EC membership is allocated by country not by the union. Carried 30 in favour, 21 against. The will seek a compromise that does not disadvantage disproportionately the poorer, smaller or newer unions.

1.18 Emergency Motion 1 relating to the threatened closure of the Avignon Orchestra

From Union Nationale des Syndicats D'Artistes Musiciens de France (SNAM) the motion expressed FIM's whole hearted support for the musicians in the Avignon orchestra which is under threat of closure within 30 days due to recurring financial problems and inadequate budgets. The musicians are organising a solidarity concert on the 18th October at the opera house with the support of SNAM and other orchestras. Any more news on this?

1.19 Speech by Dominick Luquer General Secretary of the International Federation of Actors (FIA)

Dominique stated that there was lots of common ground between FIM and FIA and that it was great that the congress was being held in Africa, especially in recognition of the cultural diversity convention to acknowledge the commitment of colleagues who work in this big continent. There is still however a North/South divide which we want to eliminate. FIA's next congress is in Morocco also as a sign of solidarity. The two federations should continue to work closely together in the future to ensure they have more clout; they have a similar structure, identical goals - they want to improve pay and conditions and to shape policy for the better. The current issues that are important to FIA are the reviewing of subscriptions with five different rates for five different regions, so that the system is fairer; to balance the growing needs of the membership and numbers of the most developed unions, and they intend to survey all members to find out what they want and whether they are happy with their services. They continue to lobby WIPO for a treaty on Intellectual Property the negotiations of which have currently been stuck for four years. The area of new media is moving fast and operating either with badly operating rights, or no rights at all, which has to be addressed. For example the NY Opera now broadcast their live performances simultaneously around the world. Health and safety is still an issue as is gender and the inclusion and representation of women both in the profession and in the unions.

1.20 Motion 11 Follow up to FIM international conference on orchestras

Moved by Dan Gotfried of the Israeli union the motion asked for a follow up to the orchestral conference in Berlin, which was such a success. This was agreed.

1.21 Motions 12 Permanent working group on orchestras

Likewise, the motion asked for a permanent working group for orchestras to meet once or twice a year to discuss mutual issues and problems on a global scale. The informal working group would continue the networking, discussion and dissemination but without formal frameworks, standing orders etc. It would also provide a model for other genres.

Day 2 Thursday October 2nd 2008

2.1 Motion 19 on the exclusion of culture and artistic creation from the internal market's rules of free competition

2.2 Motion 20 on enhancing the financial backing needed to implement the UNESCO Status of the Artist recommendation

SNAM asked that 1% of resources be used for public article creation of the UNESCO convention- ask John about this- check the notes at home.

2.3 Speech Fran Nevrla Chairman and CEO of Phonographic Performance Limited (PPL)

PPL represents 50,000 performers, 15,000 record companies and has been licensing repertoire for 75 years. Last year it generated £130m of revenue income for its members which has doubled since last year, and the cost to income ratio has halved over the past year. PPL supports creativity, originality, copyright and the value of music which is the greatest art form and the only universal language. We turn to music in good times and in bad and it is used in all kinds of events; it enhances business and we produce an immensely large range of music across all of the genres. Musicians are also working to highlight the global issues of poverty, hunger and disease. All rely on copyright which is the bedrock of all support for creativity and the livelihood. Copyright is under attack; the advocates of creative commons says that there is nothing new under the sun so that nothing needs to be protected anymore. PPL wants the licensees to be happy; both sides benefit but music must be paid for at a rate that is fair and reasonable. He takes the view that if you think you can, you can, if you think you can't you're probably right. PPL supports the MU in lobbying for an extension of performers rights and the AFM to secure legislation on an exclusive right for broadcast musicians. There is a long way to go, but the signals are good; together we are stronger, and unity is strength- all the old socialist labour slogans. Music is called content by the giant corporations and is forgotten by them- the big question is whether we feature as important in the new digital landscape. Music needs to have its properly valued place; music as a profession must be protected. PPL applauds FIM for all its efforts in lobbying for stronger rights, and better conditions for musicians, and is honoured to work with FIM and to provide financial support for activities and campaigns. Collectively we need to put pressure on governments to support copyright and to value music and musicians as an intrinsic part of cultural and economic life of the nation. Vaclav Havel, novelist and former President of Yugoslavia said which loses respect for its history and culture is in danger of losing its soul, and its the same for music; music keeps us on the right side of civilisation.

2.4 Motion 15 on Making professional career paths secure

Check the agenda for this motion. Despite the work on the status of the artist, high level rights are needed for all. These rights should be universal whether musicians are freelance or employed.

2.5 Motion 10 on the creation of a support fund for the Southern unions

FAC proposed the motion which seeks to create a support fund for the southern unions especially in the areas of social security. Many governments in Africa still do not consider music to be a profession and FIM could join forces with the ILO to tackle some of these issues. There have already been experiments in Senegal with the ILO to create social security programmes and micro health insurance schemes and FIM could add to and enhance this initiative.

2.6 Speech by Risto Ryti President of Copyright Society of Performing Artists and Phonogram Producers in Finland (GRAMEX)

Mr Ryti described his experience as chair of GRAMEX the collecting society of Finland in regard to media and copyright. Since 1980 the Finnish musicians and artists enjoyed enhanced rights but this has recently changed due to technological advances and a huge increase in recorded music. The biggest mistake was that the producers saw the internet as a threat instead of an opportunity. As a consequence the use of recorded music has much expanded in new media but GRAMEX has no mandate over new media rights. The government is no longer supportive and wants to be the no 1 information society therefore encouraging big business. The responsibility for copyright has been transferred from the ministry of culture and education to the ministry of trade who consider monetary and economic value only. GRAMEX has joined with other artist groups with common interests but air rights have been transferred to the employer

who can use the rights in any way at any time.

2.7 Motions 13 & 17 Working conditions in Greek orchestras and improving the situation of freelance musicians in the mediterranean region

Proposed by the Greek union the motion explains that there is a wide disparity of pay between regional state orchestras, radio and regional orchestras in Greece. Greek classical musicians (both freelance and employed) often work under poor conditions with health and safety issues. There followed a discussion of the 'pay to play' scene in the US and Horace mentioned the MU initiative to highlight the good venues and promoters to encourage both musicians and audiences to support them. The AFM suggested an amendment to improve the condition of freelancers around the globe, not just in the Mediterranean.

2.8 Motion 18 Musician's occupational ailments

The motion, moved by Austria sought to pull together information about musicians ailments and Bill Kerr mention that a lot of work has already been done both by the UK and Australia in registering various chronic musicians' ailments as industrial diseases that therefore need both proper treatment and compensation. He suggested that FIM collate and disseminate this information for the benefit of all unions.

2.9 Speech by Michael Keplinger Deputy General Secretary of the World Intellectual Property Organisation (WIPO)

After sending greetings from their General Secretary, Mr Keplinger reiterated WIPO's longstanding commitment to the rights of performers, and the most pressing issue is of course the protection of the performer in the digital environment. The 20th century rights model relies on the distribution of physical product and is wholly inadequate when dealing with the virtual world. WIPO provides the right forum for discussions about a new way to approach rights in the 21st century. It works in close collaboration with FIM and government organisations in the areas of contracts, improved remuneration and improvements in legislation. Audio-visual artists also need better protection and WIPO is working in consultation with FIM, FIA, trades unions, governments and all other stakeholders in discussions and education and training events. The practical focus of the training is to improve the status and remuneration of the artist within the creative industries. Africa needs better performers protection and there was a landmark audio visual treaty in 2008 and governments in general have not moved on any copyright or rights issue since 2000. The whole area of performers rights is hotting up in the Us (who are not signatories of the Rome Convention and WIPO will bring any pressure they can to lobby for performers rights.; they should have them it is embarrassing for them not to. Tom Lee of the AFM said that the US government supports it; its big business that is the problem. The radio broadcasters in the US make \$20bn a year, they can more than afford to give \$4bn to the performers and writers who actually create the music, the talk shows alone make \$16bn a year and have a 60% music content. - they are also using the back catalogues and really should be paying for the use of all this music.

2.10 Speech Xavier Blanc General Secretary of the Association of European Performers Organisations (AEPO-ARTIS)

M. Blanc emphasised the continuing need for collecting societies and trades unions to work together to provide all aspects of assistance to musicians, African musicians are not being remunerated properly and are without basic social rights; so many users and users of rights need management. The collecting societies and FIM also need to continue to co-operate; the only priority should be the interests of the artists. Duration of performers rights is now the issue from 50-90 years. Mobile digital media is a major

issue and the use of music on mobiles and the internet should be the subject of secure guarantees from the organisers of this media; the big question is how to remunerate for the uses. There is also the issue of the making available right, which are transferred to the producer, with guaranteed remuneration to the artist via the collecting societies.

2.11 Motion 22 on fighting against music piracy and respecting intellectual property rights in Africa

Proposed by FAC the motion stated that music piracy is a major issue in Africa and the legislation against it should be up dated. On a test case in Senegal, a pirate was prosecuted but the judiciary had to prove repeated infringement and could only fine him 75 euros and 1 month in prison. A new law came out in January 08 which increases the fine to 1500 euros and up to 2 years in prison. In close collaboration with FIM and the World Bank, what is needed is a pan African legal framework, otherwise the pirates move to different regions. Currently, piracy doesn't affect performers so much as record companies and it is high time that performers and composers own their music naturally and as rights holders. In many African nations, the pirates are rich and strong and use their own people to fight the legislation.

2.12 Motion 23 Equitable remuneration

Moved by Horace, the motion explained that despite the progress made with the Acquis Communautaire, there are still major problems with identifying artists and performances and the BMU wants improved information to help improve performers rights remuneration. PPL wants the split to be 50/50 between record companies and performers and is currently working on a new digital database that will improve both the quality and quantity of information in this area. Historically, it has been difficult to identify the repertoire and artists track by track because of the disorganisation of both musicians and record companies. PPI is thinking of applying sanctions to those record companies that do not give detailed information and but others for example Beggars Banquet provide 100% documentation which allows PPL to pay out exactly on the 50/50 split. FIM is also currently involved in preparing and perfecting an improved registration system so this ought to be sorted out in the near future.

2.13 Speech by Sam Masuyama Manager of the legal department of the Centre for Performers' Rights Administration and Japanese Council of Performers' Organisations (CPRA GEIDANKYO)

GEIDANKYO represents 72 performers associations and speaking on their behalf, Mr Masuyama said that it was a honour and privilege to attend the FIM congress on its 60th anniversary. FIM was advancing the status of performers across the globe and had provided strong support and aid to Japan since 1990, which they are grateful for especially as there is opposition in Japan to performers rights.

2.14 Motion 24 on private copying in the EU

Funding from private copying is considered to be a primary source of income for SPEDIDAM the French collecting society, and they are committed to having the private copy levy refined and extended to provide even more income. It is clear that Ireland and the UK also need this levy, so that there is a single market for the 27 countries. As it was set up in 1982, they have had 26 years of copying income and are fighting for the levy not to be challenged. The MU in the UK would dearly love a private copying levy (on MP3 devices and mobiles for example) but the government is refusing to consider it, and wants format to format shifting to be an exception without any remuneration, which is going against Europe.

2.15 Motion 25 The right of making available

WWPT introduced an exclusive 'making available' right in 2007 which needs to become an equitable

remuneration right because currently, the credit card companies are making more than the performers out of this. Horace related a story about his own experience with Darts tunes - 6p divided between 9 people. For such tiny sums, the musicians may as well give their music away and focus on the live scene. What needs to be ascertained is what is the economic weight of this exclusive right and rentals should also come under the scheme. What is required is the best of both worlds- a one off payment and an income from the sale of tracks and records.

2.16 Motion 27 FIM world music store

The motion, proposed by SMV of Switzerland proposed the setting up of a FIM music store online similar to i-tunes, for members. Bill from the said that his company was currently involved in such scheme in the States and had invested some \$20m in the project. He could however offer infrastructure i.e. part of his site with the FIM branding on it, as a starting point. The high costs are due to the record company licenses to reproduce tunes and records on the sites. A long discussion followed on the pros and cons of the idea with the Hungarian union also describing their own experiences in the field and offering first hand help and information. The BMU considered that it would be a rights nightmare to run and not the core business of FIM and so voted against it (the only union to do so). It was carried anyway.

2.17 Speech by Jim McKee General Secretary of the Federations of Coalitions for Cultural Diversity

Jim McKee emphasised again the importance of culture as an intrinsic part of society, which has been increasingly recognised and been part of a growing debate over the past 15 years or so. The arguments around the importance, value and meaning of culture should not be reduced solely to the economic benefits that can accrue from supporting it; culture should be made available and be part of all communities. So far, 56 states and 90 countries have ratified the UNESCO treaty on cultural diversity which aims to have an effect on the worst excesses of globalisation, and should allow those speaking for and nurturing local and indigenous cultures, to speak with one, more powerful voice. The main priority now is for the countries that have ratified the treaty to implement it. UNESCO has 193 members, so just under half have signed up to it, and 150+ are needed. The most important thing is that countries do not renounce their rights over the local culture in trade negotiations.

2.18 Motion 26 Exclusive Rights SNAM

The motion concerned the relationship between the trades unions and exclusive rights and proposed the notion that unions are entitled to provide a framework to decide on the minimum remuneration of exclusive rights.

2.19 Motion 28 Creation of an international training centre for African musicians

Proposed by FAC the motion asks for a FIM supported music training center for African musicians. THE majority of African musicians (90%) play by ear and cannot write or read music, which the African musicians now consider to be a handicap to their participation in the world wide music business and industry. They say that with the social upheaval since the end of apartheid, much of the indigenous African music is vanishing, and it has not been written down or documented properly. New musicians are being thrown together from various parts of the country and learning to read and write music would speed up the process of assimilation and the melding together of different traditions though easier writing of arrangements and adapting music. Likewise, it would be useful for African musicians to have their music written down for copyright purposes and to be able to fight piracy and plagiarism more effectively. There was some discussion about the merits of notating music and the Eurocentric literary culture that can

fossilise what are aurally based organically developing music, but the consensus was that formal notation based music training would be very useful at this point in their political and cultural development. Apparently, music is no longer taught routinely in school and there is a large skills gap that needs to be addressed. Training is also urgently needed in music business and industry issues.

During the discussion, it came to light that several musicians unions operate their own music schools in various genres. The Hungarian MU- runs its own music school for 240 kids, employing 49 teachers and they focus on those with the least opportunities; they offered help and advice. FIM also needs to find suitable institutions to support existing African music schools; there are many different musical languages within Africa that should be nurtured. In Chile, the musicians union has successfully run a pop music school for the past 15 years and they are thinking of expanding it now to Argentina under the auspices of the Latin America School for Popular Music. (It is unclear how the unions fund these institutions.) They too offered help and advice. The Nigerian union also has their own music school and the lessons and workshops are broadcast in to some 42m people who benefit educationally, giving some insight how enthusiastically education is received. It was agreed that the planning and implementation of music education and training would require more work and the FIM executive will look into further into it and also provide its own seminars and trainers.

2.20 Motion 29 Music education

The motion emphasised the need to stop the deterioration of music education and to lobby governments to invest more money in music. In Namibia, disabled children are currently excluded from music education and the delegate from that union wanted their music teachers to be part of the musicians rather than the teachers' unions, in order to have a more positive influence and to support them better. A debate followed on the role of traditional teachers in African (elders who passed on their knowledge aurally) and the present day system which is fragmenting the old societies but not really providing enough of the new methods to make things work better educationally. FIM will consider this motion also along with motion 21.

2.21 Motion 30 on convincing states to ratify the UNESCO Convention on the Protection of the Diversity of Cultural Expressions 2005

Proposed by the Latin America Group (Peru, Brazil, Chile, Argentina), the motion called on all countries to ratify the UNESCO Convention on the Protection of the Diversity of Cultural Expressions 2005. The Latin American unions did not want their governments to negotiate away the diverse cultures of the continent in trade agreements, as if they were talking about commodities such as wood or wine. Governments are agreeing in principle but have to act to save the cultural heritage of their countries and not be railroaded by trans-national companies. Free trade agreements should involve the cultural industries musicians, artists and writers (and guarantee their freedom of movement across the globe).

2.22 Motion 31 FIM requests that those countries who have ratified the above treaty, implement it forthwith

In the motion, SNAM reiterated the need for governments not just to ratify the treaty but to take steps to implement it. There is a dialectical problem between the aims of cultural diversity and the internal market of global competition and generally trade ministers do not understand cultural issues in any great depth, therefore the unions need to continue to enlighten and lobby them.

Day 3 Friday October 3rd

3.1 Speech by Ong Peng Chu Director of Performers and Artists Rights Malaysia (PRISM)

Mr Chu is the MD of the sole performers association in Malaysia which was formed in 2002, when they negotiated exclusive rights in live performance, for performers, with the government. Their main problem currently is piracy; they are so professional and organised that they operate online and will deliver pirated goods to your door! Unfortunately, as in so many countries music is not taken as seriously as an industry; it is seen primarily as entertainment and not as a primary contributor to culture or as a source of income or part of the economy. There are three collecting societies in Malaysia; one each for musicians, authors and composers. There is no trades union for the welfare of performers in Malaysia but the local music councils help to protect the rights and interests of musicians. Also currently there is a lack of training and pension provision which PRISM is working on providing. He thanked FIM and FIA for their continuing support.

3.2 Motion 33 on the promotion of cultural policies that aim to preserve and enhance traditional music

Proposed by the Greek union, the motion described the situation for traditional musicians in Greece who are increasingly being replaced by commercial and synthesised music, or recordings. They lamented the current focus on the importance of good looks (for example for singers) encouraged both by the media and the recording industry, all of which assisted in the decline of traditional music and musicians in Greece. There was also a heartfelt plea for authenticity and the need to play instruments well rather than just mime or use backing tracks and preprogrammed elements. The union seeks to preserve traditional greek music and work for musicians in the face of rampant global capitalism and the homogenising of culture across the world based on the American way. The point was made that if governments spent 1% of what they spend on wars on music (particularly in the UK and the US) then music and music education would be thriving. It was also the delegate's fervent wish that by the next FIM congress, there would be no war in the world and that no-one should be oppressed.

Rab Noakes seconded the motion and told the congress that the Scottish government is largely supportive of traditional music both through the Scottish Arts Council and the BBC. There is also a degree course in celtic music at the Scottish Academy of Music and Drama and a series called Celtic Connection which is broadcast. The most negative elements in Scotland come from the commercial sector especially radio stations. New business models need to be encouraged for traditional styles of music and governments lobbied to ratify and implement the cultural diversity treaty with regard to traditional musics.

3.3 Motion 34 on developing a balanced representation of all musical genres within FIM

This motion asked for FIM congress to work towards developing the membership to include teachers and students as well as professional musicians of all genres. Some countries were, for example, only represented by unions of one genre of music; Fim should be more inclusive.

3.4 Speech John Simson Executive Director of Sound Exchange (US Collecting Society)

Sound Exchange is a not-for-profit performance rights organisation that collects royalties on behalf of sound recording copyright owners i.e. record labels and artists and featured artists for non-interactive digital transmissions, including satellite and Internet radio. Sound Exchange is also a membership organization, representing over 31,000 featured artists and 3,500 record labels, as of October 2008. Members are able to be awarded royalties from other countries that have reciprocal agreements with

Sound Exchange for eligible international performances. Sound Exchange membership offers other benefits, as well. For 75 years since the inception of radio broadcasting and recording, there were no performance rights, and therefore no collecting societies in the US and recording companies and performing artists were not entitled to receive payment for the public performance of their sound recordings. This changed with the Digital Performance in Sound Recordings Act 1995 and the Digital Millennium Copyright Act of 1998 (which John Simson, Tom Lee of the AFM and may others lobbied for), so that now, users of music pay the copyright owner of the sound recording for the public performance of that music via certain kinds of digital transmissions, mainly satellite and cable formats. Currently, there is only a digital performance right in sound recordings, so they are now campaigning alongside the AFM and others, for terrestrial performers rights when their music is broadcast on the radio. Since setting up in 2000 Sound Exchange have received extensive help from Fran and PPL and have been able to enhance musicians value and property. Like other collecting societies they are seeking to improve the quality of data surrounding recordings and are working in collaboration with the AFM to do so, with an on-line registration service. They are also seeking artists for legacy payments prior to 1995 and have so far managed to track down 73% of recording artists and or their families to give them payments. Apparently, many African artists are also being sought for payments. There is a vast amount of music played in the US especially on radio and they should be paying for it! The campaign for terrestrial performance rights really began in 1937 with Paul Whiteman who instructed RCA to print 'Not authorised for radio play' on his recordings, and later continued with Frank Sinatra in the 1950 and 80s. There have been three congressional hearings this past year and no opposition from government or ASCAP but much from the radio broadcasting companies. Their current campaign as part of Music First Coalitions is Fair Play for Air play.

3.5 Emergency Motion 2 Supporting the Bollywood workers strike

The wages for bollywood workers are @£10 a day ; producers outsource the recruitment of staff to contractors who also take a cut and are difficult to deal with in the event that workers are not paid. There are 150,000 workers in Bollywood and this is their first strike for 50 years, with many films stars joining in and supporting the strike. FIM supports the strike also and seeks to create better links with the Indian film industry. Most film workers belong to a union which is a left over from the colonial past! There are five main federations who negotiate with the producers. In Mumbai, for example, there are 22 unions in the Cinema Federation and among them is the Film Musicians Union, and all of them are unanimous in calling for a strike, and for re-establishing collective bargaining. UNI-MEI, FIM and FIA are encouraging and supporting Asia to unionise and asks congress to show support and solidarity in the current dispute.

3.6. Motion 10 The creation of a support fund

FAC proposed the motion and asked for FIM to set up a support fund to investigate new models of promoting music in Africa. Currently there is no music industry infrastructure across the continent and assistance is needed to develop one.

3.7 Motion 36 on the provision of regional conferences

African musicians need more training and education in the music business in order to deal effectively with the range of social, cultural and economic issues that affect them and regional conference would help to inform them as well as bringing them together. For example, workshops and training sessions could be organised to run simultaneously with the FIM congress to save on travel costs. FIM will consider this proposal also with similar motions.

3.8 Motion 38 on the African unions' involvement in FAC activities (FAC acronym?)

FAC wishes to become involved in the decision making processes in the African Union in much the same way as the unions are involved in the EU and they have not historically been well represented. For example at a recent pan african meeting of cultural institutions, no musical body was represented. Therefore the motion asked for FIM and FIA's support in lobbying for greater musicians representation.

3.9 Motion 39 on the use of music in interrogations

Moved by the BMU, the motion described the use of music as a means of torture in interrogations by the US, especially in Guantanamo and various other 'dark' prisons outside of the law around the globe. There is now extensive evidence from CIA, FBI, the US military and released detainees that prisoners have been chained into tress positions, kept in the dark and bombarded with deafeningly loud music, sometimes for weeks at a time. The resulting psychological damage can be permanent and is part of the US 'torture lite' strategy whereby no physical marks are left on the victim. The motion called for an end to these barbaric practices and to torture altogether and mentioned the UK charity Reprieve, which is actively involved in representing and freeing such prisoners. There was widespread support for the motion particularly from those countries, for example, in Latin America who had first hand experience of torture through draconian governments.

3.10 Speech by Andrew Firmin Programme Manager - Culture and Diversity Commonwealth Foundation

This is the first time that the Commonwealth Foundation has participated in FIM, and it represents 53 states in a voluntary union. The Commonwealth Foundation exists to support non- governmental organisations and civil society in general, and they are currently expanding their cultural programme and want to do more work in Europe. They have already met with FIA in 2007 in Uganda as part of an advocacy meeting with the government there, and want to continue to emphasise the importance of cultural development and how best the commonwealth can play a part within it. There are many common themes and issues for artists across the globe at present; piracy, copyright and intellectual property, non-collection of royalties, difficulty of international movement, visa issues, poor consultation between government and civil society, real capacity constraints and so on. Despite this, there are many causes for optimism; there is more understanding of the creative economy, and more political acceptance at government level. The 2005 UNESCO convention on cultural diversity was a significant international development in cultural resistance to dominant global capitalist culture. It now means that governments are not the sole arbiters of cultural process- that must come from the people themselves.

3.11 Motion 14 on work permits + amendment from the AFM

Currently, the views of musicians are by-passed in the visa process and they are best placed to understand the issues. Since 9/11 the whole visa issue has become more complex as countries seek to make their borders more secure against terrorists. In the UK there was a resident labour market test until recently which the MU were consulted over, to decide whether visiting musicians would affect the labour of UK musicians. Since its removal, the MU has not been consulted at all on applications and it is therefore difficult to see on what grounds musicians are allowed into the country. The BMU believes that musicians (like other artists) should be a separate case because of their contribution to the cultural wealth and exchange across the globe and that their movements should be tracked by a friendly IT system. The amendment from the AFM wanted to broaden the motion to include the issue that the domestic work force has to be protected and to ensure that visiting musicians are not being exploited. THE New Zealand MU GS said that all applications for visiting musicians went through the union and were never refused because

he insists on local bands as a support!

3.12 Motion 32 on visas for artists

The motion proposed using the UNESCO convention on cultural diversity to strengthen the arguments in lobbying for visas for artists. It is important that artists are connected to the local union of the country they are touring in. (Did anything ever happen about the idea of the FIM passport which would have allowed musicians to access unions globally?)

3.13 Motion 21 instruments on planes

In 2006 the BMU made an agreement with the Department of Transport (despite the security issues) that professional musicians be allowed to carry their instruments on planes as hand luggage. Despite this agreement and the issuing of a special card by the MU for the airline companies, there are still major problems with various airline companies, airport staff, check staff, cabin crew and so on. The fundamental problem is that airlines, amongst others, do not understand musicians or the need for them to take valuable and fragile instruments into the plane so that they won't get damaged. Danny related that he spoke to the same motion at the TUC and that a delegate said it was the funniest motion she had ever heard! Similarly John Smith was on the radio discussing the issue and the presenter said; Tell me, why do musicians want to take their instruments on holiday with them? What is needed is firm guidelines across the globe that apply to all countries and all airlines. The airline crews and the baggage handlers unions supported the motion at the TUC, it just needs more work.

3.14 Finance report

3.15 Motion to propose a subscriptions increase

The discussion of the most centered around the issue of some unions being more wealthy than others and therefore more able to pay subscriptions to FIM. Benoit said that the EC would look at this on a case by case basis and that they are also looking to create a support fund to assist the developing countries. There were also other possibilities for funding from UNESCO and the Commonwealth Foundation.

3.16 National reports

3.17 Emergency motion 3 supporting the Romanian musicians struggle

The motion, moved by Romanian union asked for support for the musicians currently in dispute with their government over the lack of pay increases, non consultation and the implementation of a new pay framework based on performance, all of which are a major challenge to collective agreements.

3.18 Elections

John Smith was again elected as President, with Tom Lee, Anders, Laursen, Oopa Lebongo, and Beat Santschi. Most notably, there were not women representatives on either the Presidium or the EC. In fact, there were only a handful of women delegates.

Day 4 Saturday October 4th

Commonwealth Foundation Meeting Notes by Thomas Dayan Assistant General Secretary FIM

**Musicians unions in the Commonwealth: a key to cultural diversity
Consultation at International Federation of Musicians World Congress
Johannesburg, South Africa, 4 October 2008**

The views expressed in this summary report are not necessarily those of the Commonwealth Foundation.

Present: Representatives from Australia, Cameroon, Ghana, India, Jamaica, Malawi, Malaysia, Malta, Namibia, Nigeria, Sierra Leone, South Africa, Swaziland, Tanzania, United Kingdom and FIM

Suggested questions and topics of discussion

1. What are the main issues musicians and musicians unions face in Commonwealth countries?
2. How do these issues vary between countries and regions?
3. Where is there common ground between countries or within regions? Is there scope for cross-country co-operation?
4. Are there innovative solutions that have been applied in some contexts that could be replicated elsewhere?
5. What can best be achieved by work at the (a) national, (b) regional and (c) pan-Commonwealth level?
6. How can the Commonwealth Foundation best play a role that complements but does not duplicate other efforts? Who could potential partners be?
7. Are there key music festivals and other opportunities in which the Foundation could be supporting exposure for musicians in Commonwealth countries?

Key points and recommendations arising from discussion

1 An issue for musicians: movement restrictions

- Obtaining visas and permits is a serious and ongoing difficulty for Commonwealth musicians. This inhibition of movement causes a number of problems. There is the time and expense taking in securing visas, which include transit visas, and the fall out from visas being refused. Applications often need to be made through embassies and high commissions in distant countries.
- The situation has worsened in recent years, partly due to the security and border control agenda. Decision-making has also shifted away from officials who might understand musicians' needs and exercise discretion and moved towards a rigid and distant application of rules.

- This deteriorating situation has significant implications for cultural exchange, mutual learning and the professional development of musicians. If musicians and other artists from developed countries find it easier than those from developing countries to travel and share their practice, what will this mean for cultural diversity and the status of different cultures in a globalised world?
- Musicians unions clearly have a key role to play here, and there are promising examples of good practice. For example, in Nigeria the musicians union has a designated role with the Ministry of Foreign Affairs in sanctioning applications for permits. However, in other countries where unions have more limited capacity, there would be unease about replicating this example. Such a role effectively calls upon unions to vouchsafe for musicians, even if they do not have the capacity for due diligence.
- Unions at both ends – both in the country where a musician comes from and also in the country she/he is visiting - ought to be involved to ensure that cultural exchanges are both genuine and non-exploitative. Knowledge needs to be shared between unions about who is travelling so that they can deploy their support for mutual advantage. Unions could also act as alarm bells and reporters on rogue promoters. There is an associated need for the sharing of good practice and the development of unions' capacity.

2 Potential for advocacy on movement restrictions

- There is potential for lobbying of Commonwealth governments to adopt a common standard on the movement of musicians. Advocacy would be backed by research, case studies of impact of the current regime and identified examples of good practice. Lobbying could be undertaken in the run up to, and at, the next Commonwealth Heads of Government Meeting and Commonwealth People's Forum, in Trinidad and Tobago, November 2009. Foreign ministers and senior civil servants would be particular targets for advocacy at this event.
- The UNESCO Recommendation on the Status of the Artist offers a resource that can be drawn on in this regard. The Commonwealth should build awareness of the special status of the artist and what this should mean for their mobility. In general, the Commonwealth Foundation should play a bigger political role as an advocate towards governments for culture.
- Article 16 of the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, which calls for preferential treatment for cultural expressions from developing countries, is also relevant here. Advocacy for the implementation of the article in practice should continue, especially amongst countries that have ratified the Convention and agreed to abide by its principles.

3 An issue for musicians: taxation and sustaining livelihoods

- Taxation emerged as a second key area of concern for musicians. Tax burdens on travelling artists are heavy, in some cases prohibitively so. This includes taxation on instruments and equipment, and on performances. Such forms of taxation act as

barriers for musicians in sustaining a livelihood.

- The talents of young artists are often lost because they drop out of the profession unable to make a living. This represents a huge loss of talent, and of potential gains for national cultural confidence and social cohesion. There are issues of rural to urban migration of young musicians, and the loss of opportunities to practice and perform when people migrate to urban centres. Young musicians need to be encouraged to find and develop second sources of income to sustain them until their practice reaches a level where they may be able to make a living from it. They may be able to get support from designated small-scale lending schemes for young enterprise, as in Nigeria, but it may be a case of building awareness about this and promoting the development of young musicians as a viable enterprise.
- There are, however, examples of tax waivers and tax breaks that could be shared, for example in Ghana and Nigeria, and their adoption as good policy more widely could be urged.

4 Further advocacy potential: taxation and sustaining livelihoods

- Again, it may be possible to establish and advocate for common good practice and reciprocity at Commonwealth level. As well as the Commonwealth level, regional meetings of culture ministers could be a focal point for advocacy. For example, the African Union culture ministers meetings and Organisation of American States culture ministers meetings could provide opportunities.
- Where there has been successful advocacy work in countries, proper research, constructive engagement with government and good presentation had all played important roles in achieving this change. The International Federation of Musicians has access to specialist counsels who are a source of advice on taxation. There are other sources of information on visa, permit and taxation issues, such as the website www.artistsfromabroad.org, and these should be used as ways of sharing experiences and information.

5 Festivals and large events

- Festivals were identified as of growing importance for helping visiting musicians quickly reach new audiences. An approved Commonwealth list of festivals of strong cultural significance could be developed, and in these festivals it could be agreed that visa and permit rules would be relaxed. The Commonwealth might look at this in the context of an overall debate on migration.
- Festivals also offer an opportunity to promote ongoing relationships of mutual exchange and benefit between different countries. New festivals could be established, and information about existing festivals and the opportunities they create be shared more widely, as there can tend to be limited awareness and knowledge of them.
- It was recognised that important festivals should not be one-offs. There are models of festivals which have contributed to the development of year-round industries and

creative specialist niches (for example in the Caribbean). These should be shared and adapted. Connections for the sharing of expertise and the development of new festivals could particularly be made between Southern Africa and the Caribbean.

- Festivals, however, should also go beyond performance and be used as a platform for the mobilisation of civil society, which might include discussion, joint working on issues and promotion of regional strengths. Similarly, the existing annual South African music conference, Moshito, could also be broadened out to encompass wider African debate.

- The cultural festival around the Commonwealth Games is not well known and could be expanded to play a bigger role as a showcase for Commonwealth talents. It should not be about showcasing the talents of the host country so much as a platform for sharing the talents of the Commonwealth's 53 countries, in the same way that the Games themselves are.

- In large events, however, the treatment of artists can be a problem. They are often asked to perform in ceremonies without proper remuneration, and dismissed afterwards. It was recognised that at such times governments need musicians, without whom they would have no ceremonies, and therefore these events present opportunities for musicians to exercise their power to extract concessions. The need to involve artists properly in the design of such events, and to work in an open and inclusive manner, was discussed. This includes the 2010 World Cup in South Africa, where a working committee has now been established to try to ensure that there is appropriate African cultural content and inclusion.

6 Helping others to understand musicians' concerns

- There is a need to educate decision-makers, and the public, as consumers of music, on the complexity of the music industry and the difficulties many musicians face. Even when people appreciate music they often don't understand the issues of the people who make it. People need to understand that musicians never stop learning or trying to improve, and that this learning advances through inter-cultural exchange and international sharing. International movement of musicians is important not just for their livelihoods but for their progress as musicians.

- Policies in other areas can also often have unintended consequences for the cultural sector, because decision makers can fail to understand or appreciate the perspective of cultural practitioners. For example, in India a ban on live performance after 10pm, brought into force to reduce urban noise pollution, had particularly negative effects on the livelihoods of traditional performers, who in any case represent a sector that is struggling. There is therefore a need to make policy connections and bring attention to the negative consequences of interventions. Governments in general may lack cultural expertise, with culture ministers being political appointments with limited subject knowledge. There may be a role for educating others about the concerns and complexities of the musicians' world.

- Music representatives, however, also need to take responsibility in working more broadly and in making common cause with people from other sectors. South Africa

has models of this, both with Cultural Workers Union of South Africa and the South African Coalition for Cultural Diversity. Further, there may be a need for music representatives to address issues of gender.

- The music sector should be playing a driving role in establishing national coalitions for cultural diversity in those countries where such coalitions are not yet in place.

7 Steps forward: regional co-operation

- There is real potential for regional level working, particularly in Africa, and for sub-regional level working (for example, in East Africa). This will be important as there is a continued need for capacity-building and training, including strengthening the capacity of musicians unions themselves. Training needs include music education which will enable musicians to develop their potential and compete better in a world market.
- However, workshops need to form part of a longer-term process and demonstrate that they are delivering beyond initial enthusiasm and ideas at the workshops themselves. The Africa Fund which the International Federation of Musicians was mandated to set up at the 2008 Congress speaks to this need and should therefore be supported.
- There should be more cross-African working and promotion. There is potential to develop African showcases through trade shows, based on a broadening out of the current Samex South African export council model, and to make more use of the African Music Export Council, based in Senegal. A session on the African music market, for example, will take place at the next Womex.
- There may be potential for more twinning arrangements between unions. There have been examples of successful twinning arrangements, for example between Namibia and Finland, and between South Africa, Malawi, Sierra Leone and Sweden. This has assisted, not least, with the channelling of resources. In the Swedish case, this has broadened out to also enable dialogue between South Africa, Malawi and Sierra Leone, which has driven the realisation that they face common challenges and can also share learning with each other.

8 Steps forward: Commonwealth co-operation

- Some participants regretted the fact that the Commonwealth was lacking a political dimension and thought it would be useful if it could more focus on cultural issues.
- There may be potential for some Commonwealth-specific twinning arrangements and partnerships and experience sharing between Commonwealth countries and Commonwealth musicians unions at a regional level. A Commonwealth working group within the International Federation of Musicians could help to ensure that these ideas are taken forward.
- The Commonwealth Foundation, as an organisation mandated to support civil society, could do three things in particular to support musicians as cultural

practitioners in the Commonwealth:

1. Develop an advocacy campaign with the International Federation of Musicians around visa issues, and lobby for the adoption of good common standards.
2. Support the identification and sharing of good policy practice, particularly concerning tax breaks and waivers.
3. Work with the International Federation of Musicians to develop regional capacity building and training projects, particularly in Africa and the Caribbean.
4. Partner a FIM workshop in the framework of the next Moshito Music Conference to be held in Johannesburg in September 2009.

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