



# Fair Practice in Music

Esther Gottschalk

Belgian Music DAYS, Brussels, 2024, February 15

***'When it comes to art,  
money is an unimportant detail.  
It just happens to be a huge unimportant  
detail'***

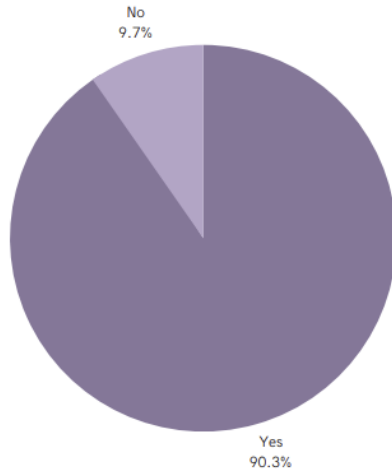
Iggy Pop  
(John Peel lecture, BBC, 2013)

# Questions

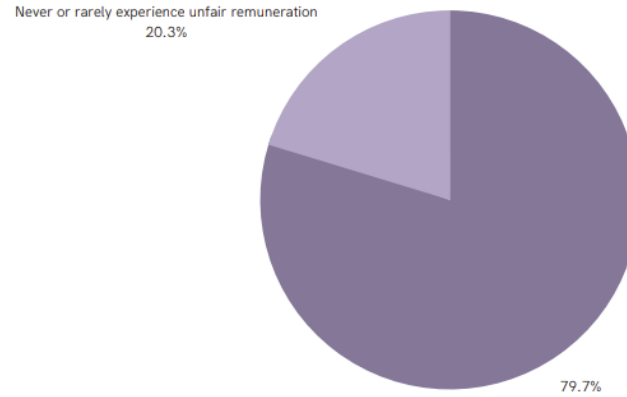
- Have you ever been asked to do artistic work for free?
- Have you been confronted with unfair remuneration more than once?
- Who claims to earn sufficient income as a composer / musician / publisher / ...?
- Do you believe the music sector will provide a sustainable future for you?



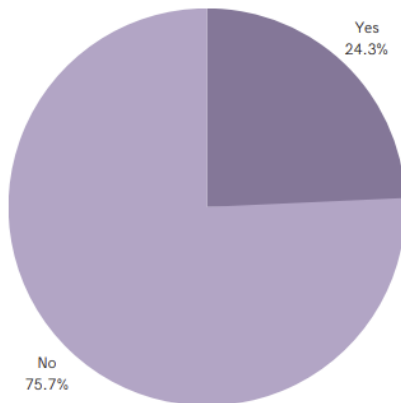
As a composer and songwriter, have you ever experienced unpaid work?



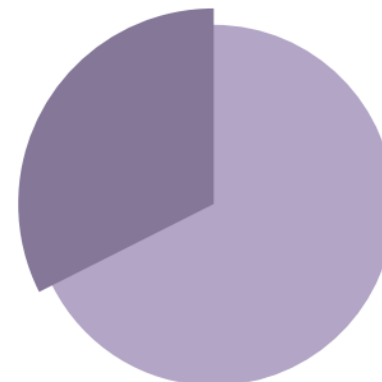
As a composer and songwriter, how often have you experienced unfair remuneration?



Are you able to earn sufficient income exclusively from your composer and songwriter profession?



Only 31.3% of respondents working in the music sector are convinced that their career will provide a sustainable future for them.



# Nieuw Geneco & New Music NOW

- **Nieuw Geneco** : Dutch Composers Association  
Lobby & composers community
  - artistic, political and economical interests of professional composers working in the Netherlands
  - Professional support & community for members
  - Tools for Fair Practice
  - foster circumstances under which composers may practice their profession in a climate of artistic freedom and independence.
- **New Music NOW**: collective promotion of new music, independent foundation and Do-It-Together Network of ensembles, publishers, venues, festivals, audiences and more.
  - Platform [www.newmusicnow.nl](http://www.newmusicnow.nl)
  - Dag van de Componist (Dutch Composers Day)
  - Media infiltration strategy; radio, tv, streaming services

# Topics of this talk

- ECSA report Navigating the Path to Fair Practice
- Dutch Fair Practice Code
- Nieuw Geneco Fair Practice Code
- DIY / Do-It-Together activism New Music NOW

# ECSA Report 2023



NAVIGATING  
THE PATH TO  
FAIR PRACTICE

# ECSA Report

- ECSA Survey (sept 2022- nov 2023)
- Reponse: 247 participants from 24 different European countries and all genres pop, media, classical/contemporary
- Following advocacy awareness raising and advocacy for several years
- Fair Practice part of ECSA's 4 year Creative Europe program
- Fair Practice Working group



# ECSA Report

- Composers and songwriters are the very source of artistic musical creation.
- Music industry generates billions of dollars
- But many creators struggle to make ends meet.
- Composers are frequently confronted with insecure economic and social conditions
- Low and fluctuating income
- Unequal bargaining power
- Unanimously, composers share concerns about discontinuities of professional opportunities and irregular income
- Author right income has dropped dramatically –due to streaming, unfair contracts and extreme competition

# ECSA report: Many creators struggle

- This applies to all genres. But zoomed in still big differences
- Over 50% creators in the audiovisual music sector do not earn sufficient income from composing
- 2/3rd of popular music creators do not earn enough
- Even worse in contemporary music
- Only 13,3% in contemporary and 12,1% in classical music claim to earn sufficient income from composing.
- Notably, those few who do, are also active in media or pop. None solely in classical Music.

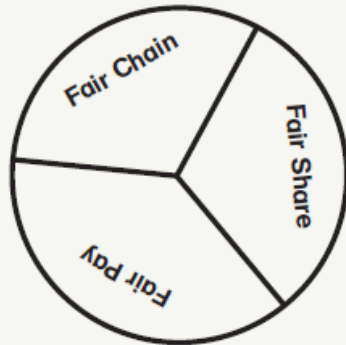
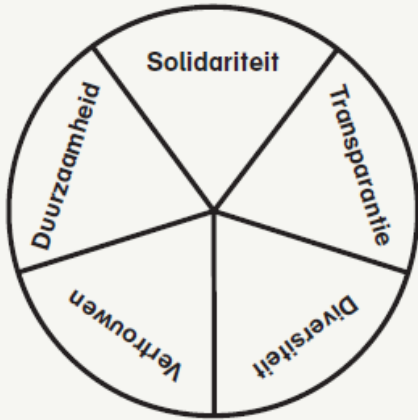
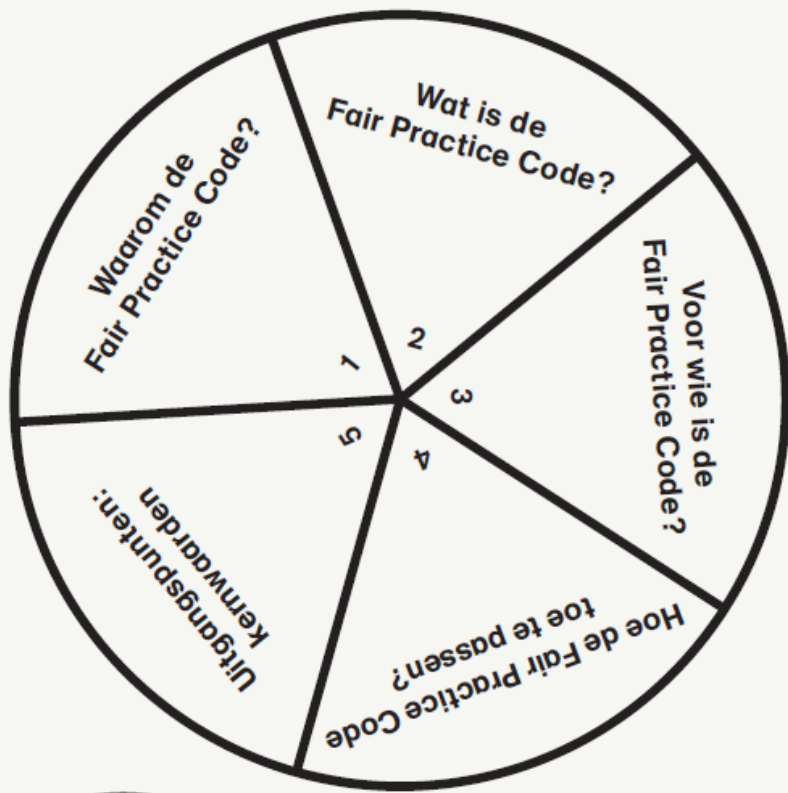
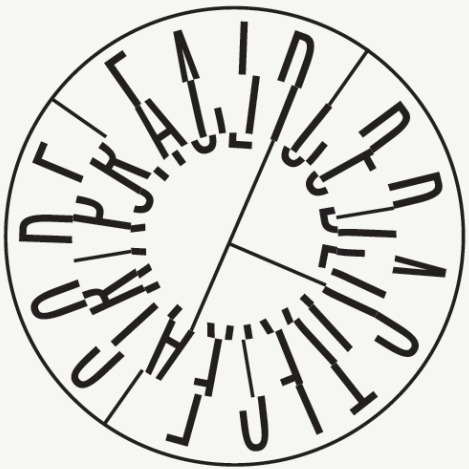


# Fair Practice models

- **Nieuw Geneco Fair Practice Code, Tariffs & Award** (Netherlands); praising good practices in commissioning
- **Fair Practice Prize** (Danish Composers Society); prize for outstanding contractual practices and productions
- **Fair Commissioning Manifesto**; calling for the end of buy outs. Part of the **Fair Score Campaign** (Ivors Academy UK)
- **Fair Art Campaign** (Finland); set of guidelines and models to assist artists, consumers commissioners
- **Fair Process** (Austria) **Fairness Forum**; working group and gathering for all stakeholders government and cultural sector. **Fairness Codex**; general guidelines
- **Code of Good Practice** (France); publishing contracts

# ECSA Report - Recommendations

- **Raising awareness** on existing fair practice initiatives from different countries is key to demonstrate the potential for positive change in the industry and encourage more of them to be implemented.
- The report emphasises the need for more **collective actions and agreements**, to promote fair practice and protect the rights of music creators.
- Fair Practice is a **responsibility of all parties** involved.
- Both authors' **contractual counterparts and policy makers** have a role to play to ensure those agreements become a reality and can improve the working conditions of music authors.
- **Allowing recommended rates & bargaining agreements** would help improving the negotiation process and the fairness of commissioning contracts for music authors.



# www.fairpracticecode.nl

Fair Practice Code

Take the Quickscan

Read the Code



What is de Fair Practice Code?

The Fair Practice Code is a code of conduct for entrepreneurship and work in art, culture and creative industries, based on five core values: solidarity, diversity, trust, sustainability and transparency.



Who is the Fair Practice Code for?

The Code exists for all workers within the creative and cultural sector, as well as everyone that supports the sector and anyone who is a consumer of art and culture.



How to apply the Fair Practice Code?

The Fair Practice Code should act as a practical tool for all culture professionals to enter into dialogue.



Why have a Fair Practice Code?

Many of those working in the artistic, cultural and creative sectors face an unfavourable labour market position. This is confirmed by two important reports by the SER (Social and Economic Council) and the Council of Culture. The Fair Practice Code attempt



# 5 core values

- **Sustainability**
  - Fair remuneration for work, according to sector norm
- **Solidarity**
  - Proportionality and fair share
  - Collective social agreements and directives on fees
- **Diversity**
  - Diversity in cultural backgrounds, gender, age
- **Transparency**
  - Transparent fees
  - Transparent administration
- **Trust**
  - Acknowledge intellectual property and rights, as a way to make a living
  - Include licence fees in budgets and applications
  - Fair contracts and agreements



# Success factors in NL

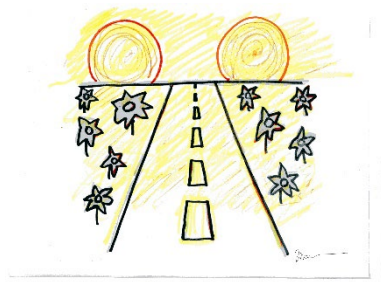
- Campaign – raise awareness of poor conditions and need for Fair Practice Code in music; Create a buzz
- Independent *economic* Report on working conditions & professional development for composers in Europe
- Political Conference and debate
- Task force – set an agenda for change and make music sector fair
- Adoption of the Fair Practice Code by national and cultural funding bodies.
- Extra money to reduce the fair pay gap

'Soms sta ik bij de supermarkt en hoop ik dat ik nog kan pinnen'



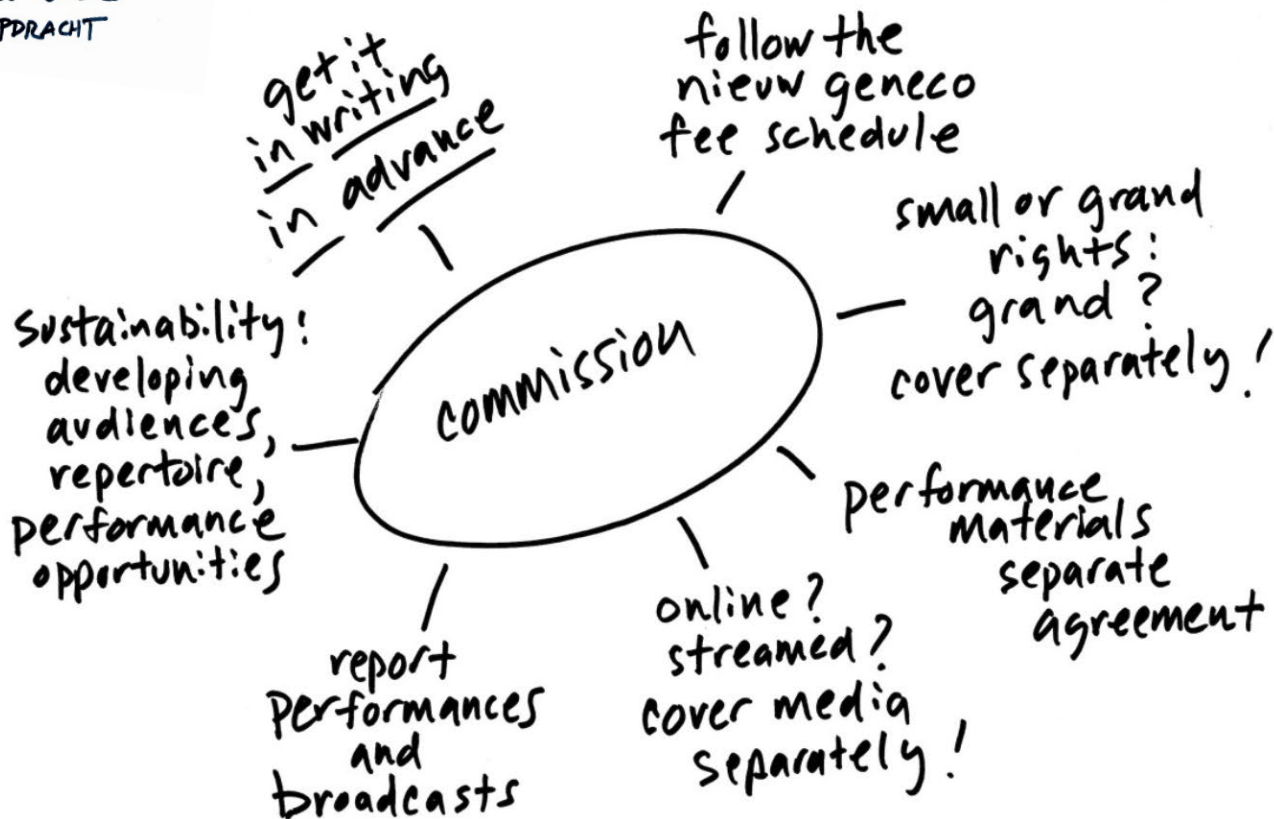
# Nieuw Geneco Fair Practice Code

- Nieuw Geneco develops Fair Practice Code for new music Commissions
- Practical checklist and fee schedule
- Within overall moral frame work of the Fair Practice Code
- Conferences, expert sessions, working sessions, panel discussions, etc, etc
- In dialogue with colleague organizations in jazz/impro, pop, media, publishers



## ROADMAP

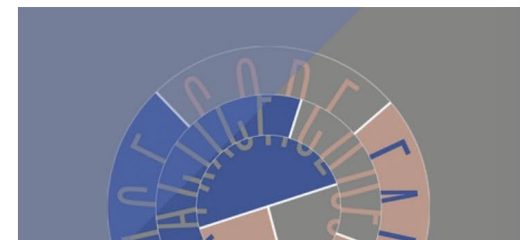
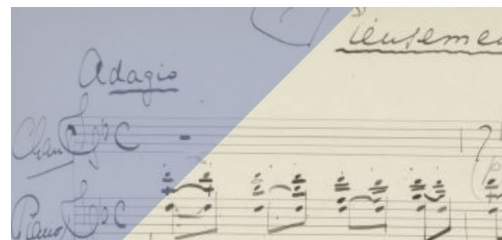
FAIR PRACTICE CODE  
COMPOSITIEOPDRACHT

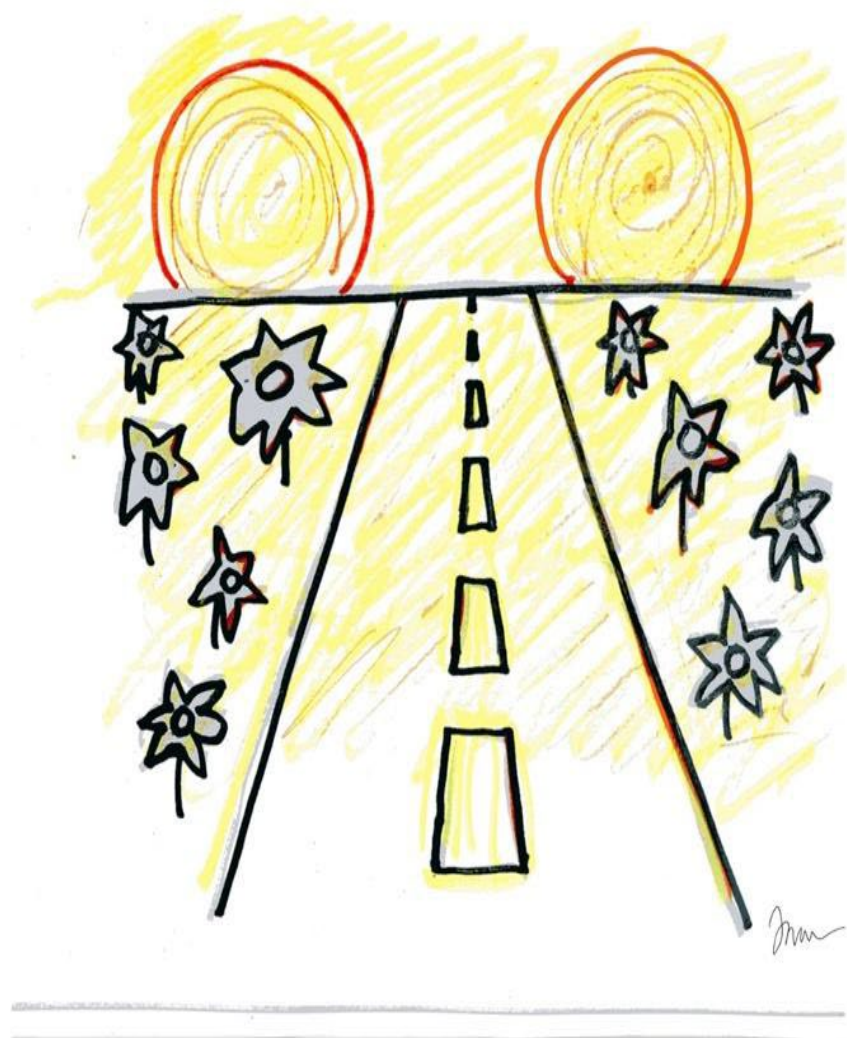


# Commissioning Tariffs

- Agreement on recommended tariffs for composition commissions
- Full commitment of colleague organisations in pop, jazz, songwriting and publishers
- Fund Performing Arts adopts the Fair Practice Code and refers to the Nieuw Geneco recommended tariffs.
- All grant applicants have to comply to the Code (or explain) and comply to the Nieuw Geneco fee schedule

# Fair practice en richtlijnen honoraria





nieuw geneco  
fair  
practice  
award  
2023







Martijn Padding handing the prize to Orkest De Ereprijs



# New Music NOW

## collective promotion

- **New Music NOW platform** [www.newmusicnow.nl](http://www.newmusicnow.nl) (calender, articles, video's, playlists, profiles) 31,000 unique visitors online and 40,000 viewers per edition of New Music NOW TV 48 editions a 90 minutes on cable tv per year
- **Festival Dag van de Componist**
  - More than 15 cities, 150 concerts, 150+ composers, 500 musicians, 15.000 live audience
  - music train with concerts on board and at the stations
  - City Composers and new city compositions
  - National radio and livestream
- **Media infiltration strategy**
  - TV program cable-tv-channel
  - Collaboration with NPO public radio
  - Content production and collaboration model

# Collective action to generate more airplay & audience

- Despite the urgency of the work and the international fame of Dutch-based composers there are few opportunities for the public to hear new music on the (major)Dutch venues and public channels.
- There is less and less room for the adventurous works of contemporary makers, while it is precisely they with their drive for innovation that keep music alive.
- Contemporary music is hard to find on streaming platforms. Many works have never been professionally recorded.
- We believe in a dedicated 'niche' community that demonstrates its strength and attractiveness for new audiences, professionals and creators
- New Music NOW therefore has been successfully driving positive change for the last 3 years.
- Together with a growing national network of network partners, we sustainably build new connections between audiences and music.
- The catalyst is a catchy, large-scale, widely supported action: festival Day of the Composer
- The platform keeps audiences engaged year-round
- By creating co-investing pools for new AV recordings, more music is recorded, distributed and remains retrievable for larger audiences.



## De keuze van <sup>12</sup>

Componisten, musici en connaisseurs voeren je mee in hun favoriete muziek

[Bekijk het hele overzicht »](#)



Playlist

### De keuze van Emma Roijackers

[contrasten](#)

De violiste Emma Roijackers is vorig jaar in



Playlist

### De keuze van David Dramm

[Muziek voor een etmaal](#)

Wij vroegen componist David Dramm om een



Playlist

### De keuze van Oene van Geel

[Een kijkje in Van Geels luisterkeuken](#)

Op 23 december gaat bij Holland Opera

## Podcasts <sup>5</sup>

Luister naar spraakmakende podcasts over nieuwe muziek





Calliope Tsoupaki  
wint Matthijs  
Vermeulen Prijs  
voor 'Thin Air'

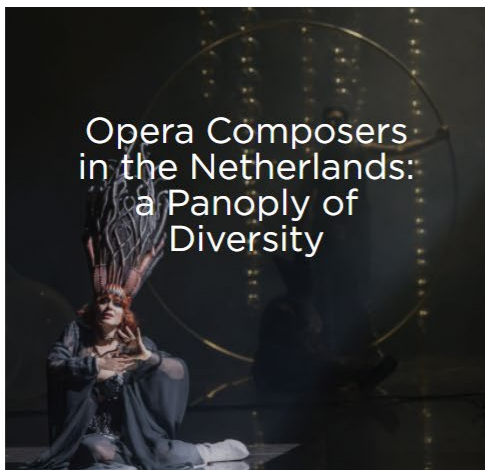


Dutch Composers  
NOW start 2e  
serie New Music  
NOW op TV

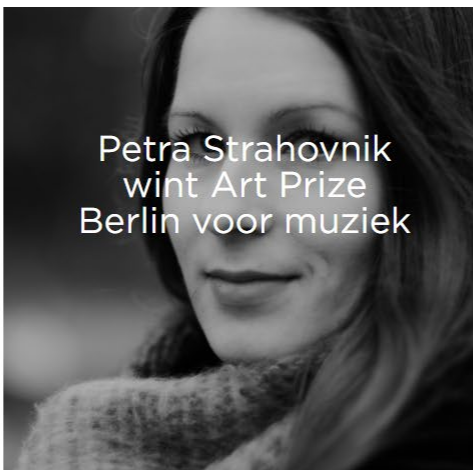


Nieuw Geneco  
overhandigt Fair  
Practice Award  
2021 aan twee  
winnaars: Orkest  
De Ereprijs en  
mecenas Marcia

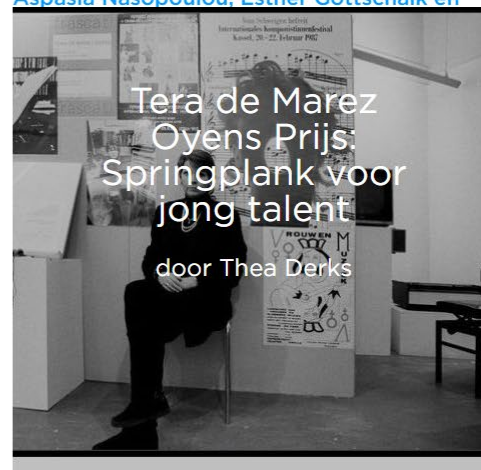
[Aspasia Nasopoulou, Esther Gottschalk en](#)



Opera Composers  
in the Netherlands:  
a Panoply of  
Diversity



Petra Strahovnik  
wint Art Prize  
Berlin voor muziek



Tera de Marez  
Oyens Prijs:  
Springplank voor  
jong talent  
door Thea Derks

Dag van de Componist – New Music NOW

DAG  
VAN DE  
COMPONIST



17 juni | 09:00 - 20:00 | LIVE!

11:10:58

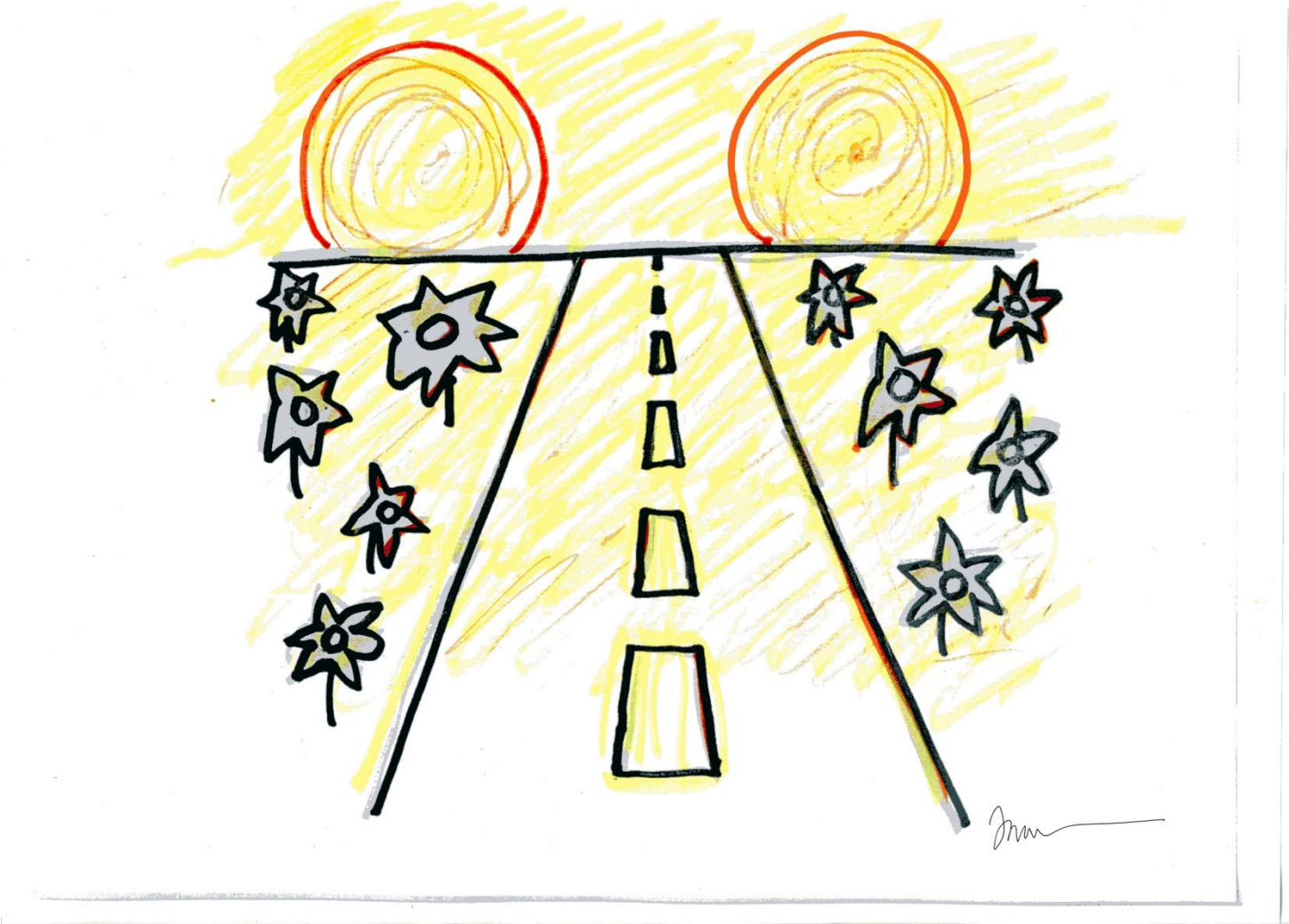












**On the road to...**  
**A European Fair Practice Code**

**WWW.NEWMUSICNOW.NL**

**WWW.NIEUWGENECO.NL**