UK Turkey Trade – Call for Input. UK Music Submission

1. UK Music is the collective voice of the UK’s world-leading music industry. UK Music represents all sectors of the music industry – bringing them together to collaborate, campaign and champion music. UK Music promotes the music industry as a key national asset to all levels of Government. A full list of UK Music members is available in Annex A.

2. As of 2023, Turkey's economy is the 17th-largest in the world, and 7th-largest in Europe by nominal GDP. Turkey could become a key global music market. This is particularly important for the UK music industry, given that we are a net exporter of our musical talent.

3. We expect that - given the right parameters - the music industry in Turkey will grow considerably in the next decade. The annual growth in the Turkish music industry is expected to be 12.35% resulting in a projected market volume of US$47.17 million by 2027. Notably, the baseline for total revenue in 2022 stands at approximately US$26.51 million, reflecting a lack of legislative and practical support of the music industry in Turkey.

4. Like other Asian countries, especially India, the consumption of digital music is expected to rise, driven by a young, music-loving, and tech-savvy population. Realising the full potential of the Turkish market for the UK music industry requires clear parameters in copyright/enforcement, collective administration, and touring. Such parameters will support a wide range of sectors, including technology and digital services, as envisaged by the UK Government.

5. Consequentially, we hope that ongoing trade negotiations will address our key concern of market access. As a legacy of our relationship with Turkey as a member of the European Union (via Turkey’s membership of the EU Customs Union), the focus of our trading relation was on customs duties and tariffs, specifically for goods. In 2024, we hope that these negotiations provide an opportunity for the United Kingdom to be more ambitious, particularly in relation to the provision of services and licensing.

6. Given the importance of copyright for the UK economy (according to the latest available Government figures, the creative industries based on copyright contributes £116 billion to the UK economy), we stress the need for a substantial chapter on copyright in any trade agreement with Turkey. The UK copyright and enforcement regime provides a good model for a national approach within the international...
copyright framework. It should not be reduced to an afterthought during the negotiation process.

7. The lack of enforceable copyright protection for our music poses a significant barrier to market access. Users of our music in Turkey often refuse to obtain licenses, resulting in a substantial loss of revenue for UK creators and rights holders. Additionally, this situation infringes upon international copyright obligations.

8. Moreover, as Turkey’s music market continues to expand, it is expected to become an increasingly appealing option for touring UK musicians, especially due to its proximity to the UK and EU. Relatively friction-free touring between the countries is therefore vital.

9. UK Music’s three main asks are:

   I. Express Reference to Copyright and Enforcement

10. A strong copyright and enforcement regime in Turkey will not only ensure compliance with mandatory international copyright obligations, but also deliver economic benefits for both the UK and the Turkish music industry by capitalising on its creative and musical talent.

11. We ask the UK trade negotiator to remind their Turkish counterparts about the importance of the music sector, and indeed the entire creative industries, as an economic powerhouse. UK Music is available to the UK negotiating team to explain the background of our most recent report on the economic significance of music within the UK. The headline statistics in UK Music’s This is Music 2023 report released are:

   • UK music exports generated £4 billion in 2022.
   • Music industry’s contribution to UK economy was £6.7 billion (GVA) in 2022.
   • Total UK music industry employment was 210,000 in 2022.

12. The unauthorised use of copyrighted material via online platforms and well-known e-commerce websites continues to be a problem due to the lack of an effective enforcement mechanism. As indicated in the EU Third Country Report, digital piracy, via cyberlockers, bit-torrent and other peer-to-peer linking sites remains widespread, and global stream ripping sites (e.g., ssyoutube.com, y2mate etc) are also widespread in Turkey.

13. We are looking forward to working with the trade and IP specialists of the UK Intellectual Property Office (IPO) to develop detailed wording of a copyright chapter.
II. Express Reference to Collective Management

14. Collective Management Organisations (CMOs) play a crucial role in the music value chain, administering rights for labels, performers, composers, and music publishers.

15. National CMOs operate at an international level by sharing income collected on behalf of rightsholders based on reciprocal agreements. For example, PRS for Music collects licensing fees for the use of Turkish music repertoire in the territory of the UK and transfers the relevant monies to their Turkish counterparts (MSG and MESAM), which reciprocate for UK-originated repertoire used in Turkey.

16. High standards of accountability, governance, and transparency are essential for the accuracy of this reciprocal remuneration system, particularly for the UK as a net exporter of music. Compliance with these standards should be referenced in trade agreements, mirroring the UK–Japan Comprehensive Economic Partnership Agreement.

18. Therefore, in addition to referencing the international protection of music as musical or literary works (WIPO Copyright Treaty) and musical performances and sound recordings (WIPO Performances and Phonograms Treaty), we urge the UK Government to include an article on collective management along the lines of the UK–Japan Comprehensive Economic Partnership Agreement which states in Article 14.16: Collective management:

1. The Parties recognise the importance of fostering cooperation between their respective collective management organisations for the purposes of facilitating licensing of content between such collective management organisations, as well as encouraging transfer of royalties for use of works or other copyright-protected subject matters of the nationals of the other Party.

2. Each Party shall ensure that its collective management organisations are encouraged to:

   (a) operate to collect and distribute revenues to the right holders they represent in a manner that is fair, efficient, transparent and accountable; and

   (b) adopt open and transparent record keeping of the collection and distribution of revenues.

3. The Parties endeavour to facilitate non-discriminating treatment by collective management organisations of right holders they represent either directly or via another collective management organisation.

III. Ensure Frictionless Touring between the UK, EU and Turkey
19. Like any growing music market, Turkey is likely to become an increasingly attractive destination for touring UK musicians—particularly given its proximity to the UK and EU.

20. As with all free trade agreements, we encourage governments to take proactive measures in addressing the challenges faced by touring musicians. Globally, artists require clear, uncomplicated procedures to obtain visas, work permits and other documentation for both themselves and their equipment. Turkey currently offers visa-free travel for work up for up to 90 days in any 180-day period. Trade negotiations should ensure that this relatively friction-free arrangement remains.

21. While Turkey is not a member of the European Union, ongoing talks about its accession highlight the importance of addressing existing difficulties in UK/EU touring arrangements. Increased bureaucracy since the UK left the EU has led to issues including restrictive visas and work permits, complicated red tape like carnets, and barriers related to selling merchandise and truck hire. **The UK should therefore negotiate a Cultural Touring Agreement with the EU.** Such an agreement should be prioritised, potentially as part of the anticipated 2026 Trade and Cooperation Agreement (TCA) review.

22. We look forward to further discussions on the importance of the creative sector in the context of UK-Turkey trade relations throughout 2024.
Annex A

UK Music's membership comprises:

- **AIM - Association of Independent Music** – The trade body for the independent music sector and community which make up more than a quarter of the UK’s recorded music market. Representing 1000+ independent record labels and associated businesses, AIM’s members range from globally recognised brands to the next generation of British music entrepreneurs.

- **BPI - The British Phonographic Industry** - The representative voice of the UK’s recorded music sector. Their membership consists of approximately 500 music companies, ranging from hundreds of SME independent labels to the major global record companies Universal, Sony and Warner. They also organise the BRIT Awards, the Mercury Prize and administer the Music Exports Growth Scheme (MEGS).

- **FAC – The Featured Artists Coalition** - UK trade body representing the specific rights and interests of music artists. A not-for-profit organisation, they represent a diverse, global membership of creators at all stages of their careers and provide a strong, collective voice for artists.

- **The Ivors Academy** - An independent association representing professional songwriters and composers. As champions of music creators for over 70 years, the organisation works to support, protect and celebrate music creators including its internationally respected Ivors Awards.

- **MMF – Music Managers Forum** - Representing over 1000 UK managers of artists, songwriters and producers across the music industry with global businesses.

- **MPG - Music Producers Guild** - Representing and promoting the interests of all those involved in the production of recorded music – including music studios, producers, engineers, mixers, remixers, programmers and mastering engineers.

- **MPA - Music Publishers Association** - The representative voice of the UK’s music publishing sector. Membership includes over 95% of the country's major and independent music publishers and close to 4,000 catalogues across all genres of music.

- **Musicians’ Union** - Representing over 32,000 musicians from all genres, both featured and non-featured.
• **PPL** Licenses recorded music in the UK when it is played in public or broadcast and ensures that revenue flows back to our members. These include independent and major record companies, together with performers ranging from emerging musicians to globally renowned artists. In 2021 we collected £252.8 million while also distributing money to 147,000 performers and recording rightsholders.

• **PRS for Music** is responsible for the collective licensing of rights in the musical works of 150,000 composers, songwriters and publishers and an international repertoire of 28 million songs.

• **UK Music** also has an informal association with **LIVE (Live music Industry Venues & Entertainment)**, the voice of the UK’s live music and entertainment business. LIVE members are a federation of 13 live music industry associations representing 3,150 businesses, over 4,000 artists and 2,000 backstage workers.