Intellectual property, original works of art: resale right for the benefit of the author

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The Committee welcomes the provisions of the proposal, which remove distortions of competition within the single market. EU harmonization of the resale right would be a first step towards extending the right to all EEA countries, and to the countries of central and eastern Europe, the Baltic States and the independent states of the former USSR, which are linked to the European Union via association, partnership or cooperation agreements. Whilst this provision is wise, it does not excuse the Commission from arguing forcibly, in international arenas and in multilateral and bilateral negotiations with third countries, for worldwide extension of the artist's resale right, in the interests both of artists and authors, and of art dealers. The Committee feels that collective management of the artist's resale right is the most appropriate solution to protect the author's interests. The Committee welcomes the extension to third countries of the principle of reciprocal treatment. A monitoring procedure of this kind seems fully in order for the proper implementation of the artist's resale right. The Committee feels, however, that if the collation of information is to be efficient and avoid hindering the smooth operation of the agencies concerned, it must be governed by appropriate measures. The Committee would stress the positive role which authors' copyright associations could play in collating information. The Committee welcomes the provision that the Commission is to present to the European Parliament, the Council and the Economic and Social Committee, on or before 1 January 2004 and then every five years, a report on the implementation of the directive, and will, where appropriate, put forward proposals for adjusting the minimum threshold and the rates of the royalties to take account of changes in the sector.