



White Paper on Fairness in Music Ecosystems

D5.4: White Paper on Fairness in Music Ecosystems WP 5, T5.4

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1. Introduction

The digital age has profoundly transformed how music is created, distributed, experienced, and exploited commercially. The shift from physical to digital formats, from ownership to access, and from national markets to global online infrastructures has reshaped the European music ecosystem.

Today, a small number of platforms - including Spotify, YouTube, Apple Music, and TikTok - operate as crucial intermediaries between music artists and audiences. Through their algorithmic distribution systems, data infrastructures, and commercial strategies, they influence which repertoires gain visibility, how creators are remunerated, and how cultural diversity reaches listeners across Europe and beyond.

These developments have generated both opportunity and imbalance. Digital services have broadened access and stimulated new creative practices, yet they have also concentrated economic and informational power. As a result, questions of fairness - in remuneration, visibility, participation, and governance - have become central to the sustainability of the music sector and to Europe's cultural and democratic life.

The Fair MusE project was conceived to address these transformations. Its goal was to develop an interdisciplinary understanding of fairness in the contemporary music ecosystem and to explore how legal, economic, and technological innovation can support it. Funded by the European Union, Fair MusE brought together experts in law, economics, data science, and the arts, working in ongoing dialogue with creators, collective management organisations (CMOs), industry stakeholders, and public institutions. The project aimed to provide both diagnostic clarity and policy foresight by identifying sources of unfairness and opacity in the digital environment and proposing tools and recommendations to address them.

1.1 Fairness in a Platform-Dominated Media Economy

Fairness has become a defining issue in a media economy dominated by data-driven platforms (see Section 4.1). Technology companies rely on music as strategic content to attract and retain users, monetising attention rather than musical value. In this context, creators' remuneration often depends on opaque contractual arrangements and business models seeking to boost users' attention rather than the cultural relevance or the actual engagement their works generate. Such a data-driven digital music economy based on user profiling and personal advertising inevitably eroded creators' remuneration opportunities, especially in light of a fast and exponential rise of user-generated content (UGC) and the consolidation of a social media industry from the launch of YouTube onwards. In particular, the policy objective of addressing the so-called "value gap" between the remuneration paid by UGC platforms and that paid by licensed streaming services to music rightholders informed several core provisions of Directive (EU) 2019/790 (the DSM Directive), most prominently Article 17, which reshaped the copyright liability and licensing framework applicable to UGC service providers.



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Fairness also extends to the ways in which algorithms structure exposure and opportunity. Recommendation systems may reproduce and reinforce existing biases by privileging already successful artists, amplifying dominant languages and genres, and marginalising others. Such dynamics risk undermining Europe's commitment to cultural and linguistic diversity and form a central strand of Fair MusE's analysis of algorithmic systems (see Section 4.2). At the same time, access to platform data is frequently restricted or shielded as trade secrets, limiting meaningful scrutiny by creators, researchers, and regulators.

Fair MusE approaches fairness as a multidimensional concept encompassing equitable remuneration, algorithmic accountability, diversity and inclusion, and democratic data governance. Its work spans the entire value chain, combining legal analysis, economic modelling, and empirical research to determine how fairness can be meaningfully defined and achieved.

The COVID-19 crisis accelerated many of these dynamics. The collapse of live performance circuits during this health emergency heightened creators' and audiences' dependence on online platforms, further entrenching platforms' market and data power. This convergence of effects exposed the pressing need to confront platform dominance across both digital and offline segments of the music ecosystem—an issue that underpins the institutional and cross-regulatory recommendations advanced in Section 4.3.

Fair MusE places these developments within the broader European ambition of aligning the digital transition with cultural sustainability. The project's findings underscore that fairness cannot be confined to revenue redistribution but must encompass structural transparency and participatory governance. These are foundational preconditions for a cultural ecosystem in which Europe's linguistic, stylistic, and gender diversity can be sustained and renewed.

1.2 Transparency and the Data Foundations of Fairness

A fundamental source of imbalance in the digital music economy lies in information asymmetries among stakeholders. The music sector operates under pervasive opacity: contracts between individual creators (composers and performers) and their traditional counterparts (music publishers and record labels) are confidential; music metadata is multi-layered, fragmented, and insufficiently interconnected; and essential data on the uses of sound recordings and the revenues they generate is either kept confidential or disclosed to rightholders inconsistently, or in ways that do not allow them to assess the economic value of their works. This situation undermines evidence-based policymaking, prevents creators from verifying their remuneration, and hinders a broader understanding of how cultural value is produced and distributed. These findings underpin the transparency and metadata governance recommendations developed in Sections 4.1 and 4.2.

Fair MusE therefore places transparency and the standardisation of music creators' data and metadata at the centre of its mission. Without shared, interoperable, and reliable data infrastructures, fairness remains purely aspirational. Building on European debates around music data ownership and data-sharing responsibilities, the project explores governance models capable of supporting equitable remuneration and cultural accountability.



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Fair MusE's empirical and technical components contribute to three interconnected outcomes:

- Music Copyright Infrastructure (D5.1): a framework to enable transparent and standardised data-sharing among stakeholders.
- Music Data Dashboard (D5.2): an interface providing access to a set of original statistical indicators on the European music sectors.
- Fairness Score (D5.3): a benchmarking system evaluating platforms' performance in terms of fair treatment and equity.

These tools provide the conceptual foundation for the operational measures proposed in Section 4.2 of this Paper.

1.3 From Research to Policy: Purpose and Structure of the White Paper

This White Paper considers three specific objectives pursued by Fair MusE's interdisciplinary research:

1. To provide an interdisciplinary analysis of fairness in the music industry, involving creators and stakeholders.
2. To promote and enhance transparency concerning music industry practices and data governance.
3. To assess risks arising from platform dominance, including those intensified during and in the aftermath of the COVID-19 crisis.

Fair MusE's policy recommendations are addressed to EU and national policymakers, industry stakeholders, creators, and civil society. Section 2 summarises the research findings of Fair MusE's Work Packages (WP2, WP3, WP4). The findings from WP2, WP3, and WP4 collectively reveal structural, data-related, and institutional challenges that hinder fairness in the European digital music ecosystem. These challenges are synthesised in Section 3 and form the foundation for the policy recommendations presented in Section 4, ensuring full continuity between Fair MusE's empirical research and its proposed regulatory interventions.



2. Key Research Findings

2.1 Assessing the Role of Regulation (WP2)

2.1.1 Evolution of Fairness in EU Copyright Policy

An in-depth diachronic textual analysis of 121 EU legislative and policy documents (1990s–2024), undertaken in WP2’s Task 1, shows that fairness has evolved from a copyright-centred notion into a cross-cutting regulatory principle. In particular, Deliverable D2.1 (*Origins, Goals and Effects of EU Law and Policy in the Online Music Sector*) emphasises that “fairness” entails a multidimensional policy framework encompassing remuneration, transparency, platform governance, competition, and cultural diversity.

2.1.2 Persistent Barriers

Task 2 identifies persistent disparities in the national implementation of EU directives, particularly with regard to transparency and data-access obligations under Chapter III of the 2019 DSM Directive. As highlighted in Deliverable D2.2 (*Music Creators’ Rights under EU Law*), significant divergences in the transposition of the Directive into national laws concern, in particular, the conditions governing contractual adjustment mechanisms and the revocation of rights assignments. Fair MusE’s comprehensive study of EU music copyright law further observes that the lack of harmonisation of authors’ and performers’ moral rights—specifically the rights of attribution and integrity—as well as of their exclusive right to authorise derivative works, significantly weakens their legal protection in the face of the growing power of generative AI.

WP2’s Task 3 highlights Article 17 of the DSM Directive as marking a structural shift in the liability regime applicable to UGC platforms. Deliverable D2.2 shows that the inclusion of this provision in the DSM Directive resulted from a complex legislative reform whose primary objective was to re-establish fairness in digital music markets. The fairness-enhancing dimension of Article 17 relates both to the equal treatment, under copyright law, of large-scale exploiters of recorded music—such as UGC platforms and streaming services—and to the overall volume of revenues these services pay to music rightholders as a consequence of proper copyright licensing, data collaboration, and accurate, intelligible, and reliable information exchanges. The findings of the Fair MusE copyright study in this area directly support the platform-compliance and harmonisation measures recommended in Section 4.1.

Finally, the legal and empirical analysis conducted in Task 4 shows that Directive (EU) 2014/26 (the CRM Directive), while enhancing the transparency and efficiency of CMOs, has also contributed to accelerating repertoire fragmentation in the multi-territorial licensing of musical works for digital uses. As detailed in Deliverable D2.2, this development stems from the freedom granted to music publishers and composers’ societies to withdraw their online rights from multiple CMOs—which traditionally operated on a country-by-country basis—and to concentrate them instead in specialised digital licensing hubs or so-called independent management entities (IMEs). Deliverable D2.2 further emphasises that these



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rights licensors in the music publishing sector continue to operate under divergent, and in some cases conflicting, regulatory regimes across EU Member States. These disparities reinforce the need for EU-level oversight and further harmonisation of CMO and IME practices, as proposed in Section 4.1, including for the purpose of improving interconnections between music metadata infrastructures (see D5.1, *Music Copyright Infrastructure*).

2.1.3 Three Systemic Deficits and the Centrality of Transparency

Across all the tasks outlined above, transparency consistently emerges as a central precondition for achieving fairness in the digital music ecosystem. The analysis carried out under WP2 identifies a set of structural deficits that continue to undermine this objective:

1. Persistent opacity in data flows, algorithmic decision-making, and contractual arrangements limits the ability of creators and policymakers to understand how value is generated and distributed.
2. These transparency gaps are closely linked to low remuneration issues, which stem from asymmetries in bargaining power and from the absence of clear and reliable information on revenues derived from digital uses, especially in the social media industry.
3. Shortcomings in enforcement mechanisms constrain creators' effective ability to claim and exercise their rights in practice.

Taken together, these interrelated deficits provide the analytical basis for the challenge framework developed in Section 3 and inform the policy responses proposed therein.

2.1.4 Platform Regulation and Competition Law Findings

Task 5 assesses the applicability of the Digital Services Act (Regulation (EU) 2022/2065; DSA), the Digital Markets Act (Regulation (EU) 2022/1925; DMA), the Platform-to-Business Regulation (Regulation (EU) 2019/1150; P2B Regulation), and EU competition law to the digital music ecosystem.

From an institutional perspective, Deliverable D2.3 (*Roles of EU Competition Law and Platform Regulation across Online Music Platforms*) finds that major social media platforms qualify as “Very Large Online Platforms” (VLOPs) under the DSA and, in several cases, as gatekeepers under the DMA. By contrast, music streaming services (MSSs) do not currently meet these designation thresholds, which significantly limits the applicability of key transparency, access, and fairness obligations to them. As a result, many of the enhanced transparency and accountability requirements under the DSA, as well as core access and fairness obligations under the DMA, do not extend to central actors in the music streaming market. Moreover, D2.3 identifies a gap in the scope of application concerning the notion of ‘business users’. This gap stems from the fact that EU platform regulation instruments remain insufficiently attuned to the hybrid position of music creators, who do not fit neatly within the business-to-consumer intermediation logic underpinning the DSA and the DMA.



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These findings underpin the recommendations for cross-regulatory alignment and enhanced institutional coordination set out in Section 4.3.

2.2 Platforms, Businesses and Professionals in the Music Industry (WP3)

WP3's Task 1 examines how the recorded music industry has been reshaped over the past two decades by the rise of MSSs. The analysis draws on a systematic review of 158 academic and policy publications, complemented by a thematic analysis (see Deliverable D3.1, *From Value Networks for Recorded Music to the Music Ecosystem* (2024)). This work documents a structural reconfiguration of value creation and capture in the recorded music sector, marked by increasing platform intermediation and data-driven distribution models.

Task 2 focuses on music professionals' perspectives on fairness in the European music ecosystem (see Deliverable D3.2, *Music Industry Perspectives on Fairness in Europe*). Based on 360 survey responses and 22 semi-structured interviews, the analysis identifies three recurring and closely interrelated dimensions of fairness: transparency in contracts, algorithms, and value chains; remuneration through sustainable and predictable compensation structures; and cultural diversity, understood as equitable representation across repertoires and creators. These dimensions emerge as mutually reinforcing and point to the need for coordinated, system-level responses—an insight reflected in the multifaceted policy recommendations set out in Section 4.

Task 3 analyses contemporary business models in the music industry through a combination of a rapid market scan and in-depth case studies of Amazon Music, Apple Music, SoundCloud, Spotify, TikTok, and YouTube. Consistent with the findings of D3.1, Deliverable D3.3 (*Innovative Business Models in the Music Sector*) highlights persistent asymmetries of information and bargaining power between dominant intermediaries and creators. While MSSs and social media platforms have expanded access to audiences, they increasingly monetise attention through algorithmic curation and data-driven advertising models, thereby reinforcing economic concentration and opacity within the ecosystem.

Taken together, WP3 positions fairness not merely as a normative aspiration, but as an operational and economic principle. Achieving fairness in practice requires transparent data flows, equitable revenue models, and effective safeguards to ensure the sustainability and participation of smaller and independent actors within the digital music ecosystem.

2.3 Music Consumers & Music Diversity (WP4)

WP4 demonstrates that fairness in MSSs cannot be meaningfully addressed as a distributive or contractual issue alone, but must be understood as structurally embedded in data governance and technical design. As data-intensive intermediaries, MSSs continuously collect and process granular behavioural data to personalise recommendations, curate visibility, and shape cultural consumption. However, WP4 evidences that these data-driven architectures entrench significant power asymmetries vis-à-vis both creators and users, who



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remain largely excluded from insight into, or control over, the systems that affect discoverability, remuneration, and cultural diversity.

This overarching diagnosis is substantiated through the three deliverables, which collectively move from empirical triangulation to analytical modelling and operationalisation.

D4.1 (*Triangulation of data from collecting organisations/platforms, broadcasting, and users*) provides the empirical backbone of WP4 by triangulating data from music platforms, collective management organisations, broadcast radio, and end users. By combining donated playlist data from more than 250 users across eight EU countries with curated broadcast playlists, and enriching these datasets with open artist and repertoire metadata, the deliverable offers a rare cross-system perspective on music exposure and consumption.

The findings of D4.1 confirm that algorithmic curation significantly differs from traditional editorial models in terms of concentration, repetition, and diversity outcomes. Crucially, the deliverable also exposes the structural constraints under which such comparative analysis must operate: the absence of shared technical standards for usage metadata, interoperable data-export formats, and consistent identifiers severely limits cross-platform comparability and longitudinal scrutiny. These limitations are not methodological shortcomings, but symptoms of deeper governance deficits that restrict independent research and regulatory oversight.

Building on the evidence of D4.1, D4.2 (*Scoring musical platforms and social media – Demonstrator/pilot/prototype*) translates empirical insights into a demonstrator that operationalises comparative scoring of musical platforms and social media services. The prototype illustrates how platform behaviour with regard to exposure, diversity, and bias can be assessed in a systematic and replicable manner, notwithstanding existing data-access constraints.

At the same time, D4.2 emphasises the fragility of such scoring exercises in a regulatory and technical environment in which independent researchers cannot rely on platform-facing algorithmic reporting tools and have only limited access to meaningful usage data. In this regard, it is unfortunate that Fair MusE's researchers could not rely on the European Commission's Delegated Regulation 2025/2050 to obtain access to data from UGC platforms qualifying as VLOPs under the DSA—data that would have enabled them to conduct sustained, independent auditing of how these platforms' algorithms and recommender systems influence music discoverability and exposure. The Regulation was adopted on 1 July 2025 but entered into force only on 29 October 2025, when Fair MusE was already in its final stages. This delegated legislation supplements Article 40 of the DSA by specifying the technical conditions and procedural requirements under which providers of VLOPs and very large online search engines are required to share data with vetted researchers, thereby enabling access to data necessary to study systemic risks and to assess the effectiveness of mitigation measures. In this sense, Fair MusE's D4.2 functions both as a proof of concept and as empirical evidence of why the potential data disclosure obligations enabled by Article 40 constitute indispensable preconditions for effective algorithmic accountability.

D4.3 (*Fairness Indicators*) consolidates WP4's contribution by developing a set of fairness indicators capable of informing governance, regulatory, and design choices in algorithmic



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music distribution. This deliverable demonstrates that such indicators can only be robust if “data fairness” is treated as an operational principle. This entails (i) transparency and auditability of data flows and recommender logics; (ii) interoperable and standardised data formats that enable verification and cross-platform comparison; (iii) meaningful control for creators and users over data relating to their works and activity; and (iv) algorithmic systems capable of reflecting Europe’s cultural and linguistic diversity rather than amplifying existing market concentration.

Taken together, the above-mentioned findings reposition fairness as a socio-technical property that must be embedded ex ante in data infrastructures and platform design. WP4 thus moves beyond descriptive analysis to provide an integrated framework in which empirical evidence, technical demonstrators, and fairness indicators jointly support the development of a more sustainable, inclusive, and culturally diverse music ecosystem.



3. Challenge Map: Systemic Obstacles Addressed by Fair MusE's Recommendations

This 'Challenge Map' synthesises the policy problems identified across Fair MusE's research hubs. The challenges are grouped into three clusters - (§3.1) Fairness, (§3.2) Data & Algorithms, and (§3.3) Institutions & Enforcement - and each cluster corresponds to a set of policy pathways and Recommendations developed in Sections 4.1, 4.2, and 4.3.

3.1 Fairness Challenges

These challenges concern the allocation of value, the definition and protection of authorship, and structural asymmetries in bargaining and enforcement:

1. Fair remuneration remains difficult to determine and enforce: persistent information asymmetries weaken the implementation of Articles 18 and 19 of the DSM Directive.
2. Copyright harmonisation remains incomplete, especially in relation to key economic rights and fair remuneration mechanisms.
3. Authorship is increasingly blurred due to the continuing expansion of UGC and the rise of Artificial Intelligence (AI)-generated music.
4. Oversight of CMOs and IMEs is inconsistent, owing to divergent national regulatory and supervisory models.
5. Awareness and enforcement capacity remain low, preventing creators, CMOs, and regulators from effectively using existing legal frameworks.
6. Application of DSA/DMA remedies to the music sector remains unclear, limiting access to transparency and competition safeguards.

3.2 Data & Algorithmic Challenges

These challenges relate to the data infrastructures, algorithmic systems, and platform practices that shape visibility, diversity, and remuneration:

1. Platform dominance and opacity distort market access, discoverability, and value distribution.
2. Recommender systems lack transparency, limiting contestability and accountability.
3. 'Algorithmic fairness' lacks an operational definition, and current metrics fail to capture diversity or cultural representativeness.
4. Revenue-sharing structures remain opaque, reinforcing historical inequalities and producing low per-stream payments.
5. Access to platform data and functional portability is restricted, hampering research, oversight, and competition between different services.



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6. Music metadata is fragmented and frequently inaccurate, especially in relation to the identifiers of musical works (ISWCs), composers and publishers (IPIs) and performers (IPNs) if compared to the main recorded music identifiers, namely, ISRCs (recordings).
7. Usage metadata lacks standardisation, hindering accurate reporting, creators' rights management and revenue allocation.
8. Streaming fraud and manipulation distort audience metrics, misdirect revenues, and undermine trust.
9. Limited digital literacy among artists and audiences reduces the capacity to exercise rights and navigate digital markets.

3.3 Institutional & Enforcement Challenges

These systemic challenges arise from fragmented governance and insufficient monitoring across EU cultural and digital policy domains:

1. Fragmentation of EU policy and legislative frameworks across copyright, competition, digital regulation, and cultural policy leads to siloed and inconsistent implementation.
2. Lack of coordinated monitoring and national divergence prevents convergence of fairness standards across Member States.
3. Empirical evidence remains insufficient, limiting the EU's ability to evaluate remuneration outcomes, diversity, and algorithmic impacts.



4. Policy Recommendations

The following recommendations are addressed to the European Commission, the EU lawmakers, the Member States, Union agencies, national regulatory authorities, collective management organisations, music sector intermediaries, music streaming services and social media companies, as appropriate.

4.1 Enhancing fairness in the EU digital music ecosystem

4.1.1 Strengthening the enforcement of Article 18 DSM Directive

The Commission and the Member States should ensure effective implementation of Article 18 of the DSM Directive on appropriate and proportionate remuneration by:

- Ascertaining the impact and suitability of statutory remuneration rights for online exploitations of musical works, performances and sound recordings, taking account of existing national models;
- Clarifying, by means of guidance and, where necessary, legislative measures or EU-wide templates, the scope and minimum content of transparency obligations under Article 19 of the DSM Directive;
- Providing for effective, proportionate, and dissuasive sanctions in cases of systematic non-compliance with transparency duties; and
- Encouraging the use of collective bargaining and alternative dispute resolution mechanisms to enable creators to enforce contractual adjustment and revocation rights, including in cross-border situations.

4.1.2 Strengthening regulatory oversight of contractual relations

The European Commission and national competition and regulatory authorities are invited to develop a European framework for the oversight of contractual relations in the digital music market, with a view to:

- Scrutinising platform–label agreements that significantly affect market conditions and revenue allocation in which one or several of the parties involved hold market power;
- Enabling independent monitoring of contractual standards and practices; and
- Supporting sectoral mediation mechanisms to address imbalances in bargaining power affecting smaller players and creators.

4.1.3 Filling copyright harmonisation gaps to prepare future copyright unification

1. The Commission should consider examining the need for further harmonisation of substantive copyright rules in areas where fragmentation persists, including:
 - The right to authorise derivative and transformative uses;
 - Creators' moral rights to attribution and integrity of their works;
 - Statutory remuneration schemes for broadcasting and communication to the public as well as private copying levies with a view to avoiding remuneration gaps or



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disparities across EU Member States and fostering data cooperation and cross-border revenue allocation mechanisms among music rightholders, especially performers' organisations.

2. The Commission should consider proposing legislation aimed at:
 - Reinforcing reciprocity-based protections for Union creators where equivalent protection does not exist in third countries; and
 - Establishing a Union framework for “transformative use” licensing, providing legal certainty for remixes and derivative works under fair and transparent conditions.

4.1.4 Maintaining legal certainty on copyright exceptions while protecting fundamental rights

1. EU lawmakers and the Member States should preserve a balanced approach to exceptions and limitations to copyright to achieve a fair balance of interests especially as regards educational, cultural, research and transformative uses that can entail the exercise of fundamental rights.
2. EU and national policy makers should monitor the implementation of the Text and Data Mining (TDM) exception provided under Article 4 of the DSM Directive, ensuring that:
 - TDM does not unduly undermine authors', performers' and other rightholders' rights to control the use of their works for AI training (so-called 'input phase') wherever they expressly reserve their rights in an appropriate manner. These reservations can be made explicit and effective by using state-of-the-art technologies and machine-readable formats in the case of works made publicly available online, as recommended in the European Commission's Code of Practice for General Purpose AI Models (Copyright Chapter, Measures 1.2 and 1.3);
 - TDM uses do not prevent music rightholders from developing licensing schemes involving all the music rightholders concerned, on the grounds of inter-connected rights' data layers and identifiers, as proposed in Fair MusE's 'Music Copyright Infrastructure' (D5.1).
 - Statutory measures establishing alternative fair compensation mechanisms are considered only if licensing solutions fail and making sure that remuneration is based on reliable identification of the rightholders concerned.

4.1.5 Clarifying the legal status of AI-generated music

1. The Commission should carry out a comprehensive review of the interaction between AI-generated or AI-assisted musical outputs and Union copyright law, ensuring that:
 - Human creativity remains central to the concept of authorship and to entitlement to remuneration; and
 - The use of copyright-protected recordings works and performances in AI training datasets complies with applicable copyright law provisions and the copyright-related provisions laid down in Regulation (EU) 2024/1689 (AI Act).
2. The Commission and the AI Office should monitor the implementation of the AI Act and of the Codes of Practice the Commission has promoted to foster and demonstrate compliance with the AI Act obligations regarding:
 - The obligation for all providers of general-purpose AI models to draw up, regularly update, and implement a copyright policy, as well as to make available a summary



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- of that policy and to comply with the transparency obligations relating to training datasets, including those containing protected musical works, sound recordings, and performances; and
 - The labelling requirements for AI-generated or AI-altered content pursuant to Article 50 of the AI Act.
3. Before proposing AI-specific copyright exceptions or statutory remuneration mechanisms, the Commission should assess the effectiveness of the existing legal framework, including the DSM Directive and the AI Act, in safeguarding creators' rights and ensuring transparency.

4.1.6 Monitoring and aligning platform compliance (Article 17 DSM Directive)

1. The Commission should make full use of the stakeholder dialogue under Article 17(10) of the DSM Directive to:
 - Foster convergence in the implementation of Article 17 across Member States;
 - Promote best practices for licensing, notice-and-takedown, and value distribution;
 - Develop EU-wide guidance that aligns Article 17 enforcement with the principles of fair remuneration (Article 18) and transparency (Article 19).
2. Online content-sharing service providers should be required to publish regular transparency reports covering their music licensing practices, content identification systems, takedown procedures, and revenue allocation.
3. National competition authorities should be encouraged to intervene where dominant platforms impede fair negotiations with CMOs, publishers, labels, or composers' and performers' organisations.

4.1.7 Addressing the “value gap” and strengthening UGC platform regulation

1. The Commission and the Member States should ensure that UGC platforms comply with fair licensing obligations and contribute appropriately to creators' remuneration.
2. Competition and regulatory authorities should monitor conglomerate strategies such as cross-subsidisation and vertical integration that may concentrate cultural influence and undermine fair remuneration.
3. When considering new legislation, the Commission should examine the suitability and feasibility of an equitable remuneration mechanism for online uses of music performances, drawing upon existing broadcasting rights regimes, online exploitation rights, and existing performers' data infrastructures and identifiers.
4. The enforcement of existing provisions applicable to UGC platforms should be reinforced, including through:
 - Periodic reporting on identification, exploitation, and allocation of revenues concerning sound recordings and the underlying musical works and performances; and
 - Structured stakeholder consultations to align rights clearance mechanisms, usage reporting obligations and enforcement with the realities of market practice.

4.1.8 Enhancing and Europeanising supervision under the CRM Directive

1. The Commission should explore options to strengthen EU-level oversight over CMOs and IMEs, in particular regarding:



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- Transparency obligations and the quality of information disclosed in annual reports; and
 - Consistency of governance and revenue distribution practices.
2. The principles of the CRM Directive should be extended, where appropriate, to digital licensing hubs and other joint ventures controlled by music publishers and CMOs to ensure equivalent transparency and accountability in the licensing of their repertoires.
 3. Equal treatment and oversight should be guaranteed for CMOs and IMEs in cross-border licensing to prevent unfair competition and reduce repertoire fragmentation.

4.1.9 Promoting collective bargaining and model clauses for fairness

1. To ensure that the 2022 Commission guidelines on collective agreements by solo self-employed persons effectively result in the adoption of such agreements, the Commission and the Member States should foster collective bargaining with self-employed artists through appropriate measures.
2. Labour-oriented antitrust initiatives should be encouraged to allow artists' associations to challenge unfair revenue-sharing models.
3. National economic dependency rules should be used, where available, to scrutinise unfair unilateral practices without requiring a formal finding of dominance.
4. The Commission is invited to develop Union model contractual clauses addressing fair remuneration, data access, transparency, and audit rights, drawing inspiration from the General Data Protection Regulation (Regulation (EU) 2016/679; GDPR) model clauses.

4.1.10 Applying competition law to secure data access and prevent discrimination

1. The Commission and national competition authorities should apply Article 102 TFEU and national economic dependency rules to address:
 - Discriminatory access to essential usage and revenue data; and
 - Discriminatory ranking, self-preferencing, or other practices that distort competition and undermine fairness.
2. The effective implementation of Article 6(10) DMA should be ensured so that business users, including creators and their representatives, obtain granular and timely access to data concerning the use and monetisation of their works.

4.2 Fostering transparency via greater data accessibility

4.2.1 Algorithmic transparency, accountability, and user control

1. The Commission and the Digital Services Coordinators under the DSA should require MSS and relevant platforms to:
 - Disclose the main parameters determining ranking and recommendation of musical content;
 - Clearly distinguish editorial, algorithmic, “algotorial”, and sponsored playlists;
 - Label sponsored and paid placements in a manner equivalent to advertising disclosures; and
 - Subject recommender systems to independent audits, under the DSA framework, with a sector-specific focus on music.



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2. MSSs should provide parametric user controls (e.g. preferences, filters) relating to diversity, familiarity, and location, as well as the possibility to opt out of the use of personal listening data for training recommender systems.

4.2.2 Creator-facing transparency and generative AI practices

MSSs and platforms should be required to provide transparent information on:

- The integration of copyright works into training datasets for recommendation algorithms; and
- The supply to music creators of dashboards enabling them to monitor how their works perform algorithmically and where they appear in recommendation pathways.
- The uploading and making available of AI-generated recordings, including information on their overall number and content identifiers, in accordance with the specifications set out in the European Commission's Code of Practice on the marking and labelling of AI-generated content.

4.2.3 Developing plural fairness metrics and diversity-by-design

1. The Commission should promote a plural and context-sensitive understanding of fairness, including:
 - User perception in recommender system architecture, diversity outcomes, and cultural representativeness; and
 - "Fairness by design" principles in recommender system architecture.
2. Platforms could be encouraged to address structural exposure imbalances, including the dominance of certain repertoires, while recognising the tensions between policy objectives and individual listening preferences.

4.2.4 Rethinking revenue-sharing models and introducing prominence obligations

1. The Commission and Member States should consider supporting:
 - Experimentation with user-centric payment systems (UCPS);
 - EU and national pilot projects in cooperation with MSSs and CMOs; and
 - Empirical evaluation of UCPS impacts on niche genres and emerging artists.
2. Historical revenue splits between labels, publishers, and creators could be reviewed with a view to ensuring more equitable remuneration.
3. MSSs and social media platforms could be made subject to discoverability and prominence obligations for European, independent, and minority-language repertoire, including through:
 - Minimum quotas for such content in MSS' playlists; and
 - Active promotion via marketing and recommendation features.

4.2.5 Metadata accuracy and EU music rights data standards

1. The European Commission or another EU supervisory authority appointed by the Commission - having competence and expertise in music copyright and digital licensing matters - should consider getting directly involved in the establishment of a multi-stakeholder Music Copyright Infrastructure task force pursuing the main goal of setting



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out EU-level standards for music metadata completeness and interoperability. The EU Commission could follow the example and the model set out by the UK Intellectual Property Office (IPO) in the conclusion of the 2023 UK Music Metadata Agreement, adapting it to the legislative framework, the stakeholders' organisations and multi-jurisdiction nature of the European Union.

2. The EU music metadata task force shall consider implementing an articulated proposal such as Fair MusE's Music Copyright Infrastructure (D5.1). This proposal entails a voluntary involvement of both music right holders' representatives and digital music services in setting out the technical and contractual conditions to achieve data interoperability within the various rights' and data layers of the music sector and between the music industry, as a whole, and digital music services including both MSSs and UGC platforms. These requirements shall include:
 - Mandatory use and integration at source of key content identifiers, namely, ISRCs (recordings), ISWCs (musical works), IPIs (composers and publishers) and, wherever relevant, IPNs (performers);
 - Data collaboration between music right-holders and digital service providers aimed at detecting and rejecting uploads and content registrations lacking essential metadata;
 - Alignment of ISRCs and ISWCs across proprietary databases, including MSS' and UGC platforms' rights management tools; and
 - Prohibition of deliberate alteration or omission of critical metadata for the purpose of content and right-holder identification.
3. MSSs and UGC platforms should be required to:
 - Disclose data helping right-holders identify unmatched tracks and the related revenues; and
 - Cooperate with CMOs and other stakeholders such as performers' organisations to allocate such revenues fairly.

4.2.6 Data transparency and accountability of music aggregators/distributors

Due to their increasing relevance, market power and responsibilities in the digital music ecosystem as data intermediaries for independent music companies and Do It Yourself (DIY) music creators, the Commission and the Member States should consider making music aggregators' and distributors' activities subject to obligations addressing:

- Clear, non-ambiguous contractual terms;
- Fair conditions for renegotiation and termination;
- Independent audits of their practices, where warranted; and
- Standardised disclosure templates for commission rates, royalty splits, and reporting frequency.

4.2.7 Enhancing platforms' data accessibility through a European Music Data Space

The European Commission should consider establishing a secure European Music Data Space where it could collect, store and make available all the open-access or non-confidential information obtained from MSSs and UGC platforms to mitigate the risks these services raise for fairness in the digital music ecosystem, as articulated in this Paper.



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In doing so, the Commission shall consider designing this Space as a section of the EU Cultural Data Hub announced in its 2025 Communication to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, titled ‘A Culture Compass for Europe’.

This Space should host - under conditions of accessibility depending on the type of the information and its potential legal protection as a trade secret - the following data:

- Music usage metadata and other reports and information obtained from DSPs as a result of existing and future data transparency obligations stemming from applicable laws or voluntary commitments;
- Data collections originating from data access requests submitted by vetted researchers under DSA’s Article 40 and the Commission’s 2025 Delegated Regulation with regard to the systemic risks triggered by VLOPs in the music sector. Although the legal regime of Article 40 is currently not applicable to music streaming services, its effective enforcement in the domain of VLOPs would enable independent researchers to access data shedding light on fairness, diversity, and remuneration in each of the VLOPs’ environments.

As far as data interoperability is concerned, the EU Music Data Space, and therefore the EU Cultural Data Hub, could host the following data:

- Music industry-specific voluntary standards aimed at fostering data interoperability among platforms, as well as access to consumer-facing music data and social interaction layers. Given that not all DSPs fall within the scope of the DMA, the European Commission - after consulting the European Board of Digital Services Coordinators - could rely on Article 44 of the DSA to support and promote the development and implementation of these standards;
- Interoperable data portability formats offered by MSSs to allow users to export and import their listening history, playlists, and social connections;
- Open-source, user-friendly portability tools should be encouraged;
- A unified usage metadata standard and a GDPR Article 15-compliant data export template should be developed to facilitate data portability and interoperability across platforms.

4.2.8 Anti-fraud measures and algorithmic literacy

1. Anti-fraud measures in digital music markets should be reinforced, including through:
 - Cross-industry collaboration to detect streaming manipulation and fraudulent practices, including AI-generated fraud;
 - Obligations on app stores to verify that music streaming apps comply with licensing standards before hosting them; and
 - Creation of a European anti-fraud task force involving CMOs, DSPs, distributors, labels, cybercrime units, and regulators.
2. The Union and Member States should promote algorithmic literacy and media literacy among consumers via EU-supported education and awareness initiatives.



4.3 Better EU regulation, more effective enforcement, institutional coordination and support

4.3.1 Integrating competition, platform regulation, and copyright frameworks

1. The European Commission should establish mechanisms for cross-regulatory coordination among its different branches, namely, the Directorate-General (DG) for Competition (DG COMP), the DG for Communication Networks, Content and Technology (DG CNECT), and the DG for Education, Youth, Sport and Culture (DG EAC), as well as national authorities to ensure coherent enforcement affecting the music sector.
2. It should issue guidance clarifying the application of the DSA, the DMA and the P2B Regulation provisions to MSSs and UGC platforms, confirming inter alia the status of authors and performers as business users where relevant.
3. The European Commission shall create a dedicated EU Music Observatory (cf. §4.3.6) with the institutional mission of monitoring cross-regulatory implementation and managing the European Music Data Space (cf. §4.2.7) to collect and make available empirical data.

4.3.2 Aligning transparency obligations under the DSM Directive, the DSA and the DMA

The Commission should provide interpretative guidance on how transparency duties under the DSA and DMA complement those under Article 19 DSM Directive, including:

1. The use of DSA transparency reports and recommender system disclosures to inform royalty verification;
2. The use of DSA's Article 40 and DMA's data-access frameworks to develop interoperable music data infrastructures; and
3. The application of the P2B Regulation to music distribution and promotion services.

4.3.3 Enhancing dispute resolution and collective enforcement

1. Alternative Dispute Resolution (ADR) mechanisms under the DSA and the DSM Directive should be expanded and clarified to cover licensing, visibility, and remuneration disputes in the music sector.
2. ADR bodies should be independent, subject to certification, and open to collective representation by CMOs, unions, and other representative organisations.
3. Collective action should be facilitated to enforce data-access and transparency obligations where individual litigation is impractical.

4.3.4 Enforcement, awareness and capacity-building

1. The Commission and Digital Services Coordinators should ensure robust enforcement of DSA obligations imposed on VLOPs' services relevant to music.
2. Capacity-building and awareness campaigns should be organised for creators, CMOs, and regulators on:
 - The interplay between DSM Directive, DSA, DMA, and competition law; and
 - The use of online platform redress and data-access tools.



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4.3.5 Establishing new coordination and governance fora

1. The Commission should consider establishing an EU Music Policy Forum within the 'Music Moves Europe' framework, bringing together EU institutions and key stakeholders to:
 - Ensure consistent application of fairness considerations across copyright, competition, cultural and platform policies;
 - Foster interinstitutional coordination; and
 - Publish an annual report on the state of fairness in European music.
2. An Inter-Institutional Working Group on platform-driven music markets should be created within 'Music Moves Europe' and then incorporated in the (future) EU Music Observatory to ensure coherence across relevant legislative and policy files (DSM Directive, DSA, DMA, AI Act, State aid, Creative Europe, etc.).
3. 'Music Moves Europe' or the EU Music Observatory should also host and coordinate an OMC Working Group to reflect on the principle of fairness in Member States' cultural and digital strategies with a view to:
 - Exchanging best practices among Member States;
 - Aligning approaches to transparency, algorithmic accountability, and diversity promotion; and
 - Identifying synergies between national initiatives and Union programmes.
4. The Commission could launch - within one of the above-mentioned policy and governance initiatives - pilot discoverability measures for European music, including prominence boosts, curated editorial playlists, strengthened platform reporting, and mandatory algorithmic transparency audits for music-relevant platforms.

4.3.6 A European Music Observatory to promote participatory governance, diversity, and funding

1. The Commission should create a permanent EU Music Observatory modelled on the Council of Europe's European Audiovisual Observatory, mandated to:
 - Collect and analyse data on remuneration, diversity, employment, sustainability, and gender balance, making this data available - wherever possible - through the European Music Data Space (cf. §4.2.7);
 - Manage the European Music Data Space within the EU Cultural Data Hub to foster market and metadata transparency; and
 - Support the implementation of innovative proposals such as the Music Copyright Infrastructure (D5.1), the Music Data Dashboard (D5.2) and the Fairness Score (D5.3) prototyped within the Fair MuseE project.
2. 'Music Moves Europe' and then the EU Music Observatory should help the European Commission develop participatory mechanisms at Union level to ensure balanced representation of creators, independent labels, CMOs, social media platforms and MSSs, unions, consumers and cultural NGOs in policy processes relating to music streaming.
3. Cultural diversity should be integrated as a guiding principle within the Union's digital and music policies, inter alia by:
 - Supporting independent and local artists through targeted funding and visibility schemes;
 - Encouraging inclusive curatorial practices by platforms;



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- Linking Creative Europe funding to measurable diversity outcomes; and
 - Aligning Union initiatives with the UNESCO Convention on the Protection and the Promotion of the Diversity of Cultural Expressions (2005), the related guidelines for the digital environment and the UNESCO Recommendation on the Ethics of Artificial Intelligence (2021).
4. Creative Europe and future Union funding instruments should be used to support projects that advance gender equality, diversity, inclusion, digital literacy, and capacity-building for under-represented communities and independent music scenes.
 5. The Commission should consider launching EU-wide training programmes in digital entrepreneurship, music business literacy, and audience development, including their integration into conservatories and music schools, and accompanied by accessible guidance resources for musicians.



5. Conclusion

The digital transformation of the music ecosystem has created unprecedented opportunities for creativity, access, and cultural exchange. At the same time, it has generated structural imbalances that challenge the economic sustainability of creative labour, the integrity of Europe's cultural diversity, and the transparency and accountability of the digital platforms that now mediate most forms of musical engagement. The Fair MusE project demonstrates that fairness in this environment is neither a single intervention nor a purely legal aspiration: it is a governance objective that must be pursued through coherent coordination across regulatory domains, institutional frameworks, and technical infrastructures.

The analyses conducted across Fair MusE's research hubs reveal three interlocking sources of systemic imbalance:

1. Creators and smaller intermediaries face persistent barriers to fair remuneration and contractual parity, despite the substantive rights introduced by the 2019 DSM Directive.
2. Data and algorithmic opacity remain pervasive, undermining the ability of creators, researchers, and regulators to understand and contest the systems that shape visibility, value, and cultural impact.
3. The institutional fragmentation of EU policy fields — from copyright and cultural policy to platform regulation and competition law — weakens enforcement and inhibits the development of a unified European strategy for a sustainable and diverse digital music ecosystem.

The findings also highlight the centrality of metadata quality, interoperable data infrastructures, and algorithmic accountability to the achievement of fairness. Without reliable, accessible, and standardised data, neither remuneration nor cultural diversity can be meaningfully safeguarded. Likewise, without clear oversight and transparent governance of recommender systems, the values of plurality and inclusiveness that underpin European cultural policy cannot be operationalised in the platform environment.

The policy recommendations set out in Section 4 translate this analysis into a coherent set of interventions capable of addressing these structural challenges. They include measures to strengthen and harmonise the enforcement of copyright protections; to embed transparency and accountability into algorithms, data practices, and contractual arrangements; to ensure cultural and linguistic diversity in music discovery and recommendation systems; and to reinforce the institutional capacity of the European Union through improved inter-DG coordination, new monitoring bodies, and evidence-based policymaking tools. Implemented together, these measures outline a practical roadmap for aligning digital innovation with the values, rights, and cultural aims of the European project.

More broadly, Fair MusE underscores that fairness in the digital music ecosystem is not simply a matter of redistributing value: it is a matter of rebalancing governance. This includes empowering creators with meaningful access to data; ensuring transparent and equitable market practices; strengthening institutional oversight; and supporting plural and inclusive forms of cultural expression. 'Fairness' also requires recognising that digital markets do not merely distribute content — they shape cultural memory, linguistic plurality, and the conditions under which artistic work can flourish.



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As Europe continues to refine its digital regulatory architecture, the music sector provides a clear illustration of the need for cross-sectoral coherence and long-term institutional commitment. By integrating substantive rights (DSM Directive), procedural and structural transparency (DSA and DMA), cultural diversity objectives (Article 167 TFEU and the UNESCO Convention), and competition principles in a unified framework, the European Union can ensure that the digital transition enhances rather than undermining the sustainability and richness of its cultural ecosystem.

Fair MusE offers the analytical foundations, technical tools, and policy pathways required to move in that direction. The next step lies in translating these findings into coordinated and effective action — enabling music creators, cultural institutions, tech companies, and policymakers to work together toward a digital future in which fairness is not merely an abstract policy goal, but a lived and measurable reality for all participants in Europe’s music ecosystem.



Glossary

Collective management organisations (CMOs)	CMOs are member-owned bodies established to administer copyright and related rights on behalf of authors and other rightholders, including licensing, royalty collection, usage monitoring, and the equitable distribution of remuneration.
Creator	For the purpose of this White Paper, '(music) creators' is a term used broadly to include both persons and enterprises who are involved in the composition, performance and recording of musical works, namely, composers, performers, as well as record producers. Each rightholder's category is considered separately wherever their rights and data infrastructures require specific attention or analysis.
Digital Service Providers (DSPs)	DSPs are platforms that enable users to access, share, or consume digital content, including both social media networks and music streaming services.
Gatekeepers (cf. Art. 3 DMA)	Gatekeepers under Article 3 of the DMA are large online platforms designated by the European Commission because of their significant impact on the internal market and their ability to control access between business users and end users.
Independent management entities (IMEs)	IMEs are private, for-profit undertakings that manage and license rights for rightholders without being controlled by its members. Examples include UNISON and Jamendo.
Interested Party Information (IPI)	The IPI is a unique identifier assigned to songwriters, composers, and music publishers registered with a collecting society managing their rights. IPIs are assigned on behalf of the International Confederation of Societies of Authors and Composers (CISAC).
International Federation of the Phonographic Industry (IFPI)	IFPI is the global organisation representing the recording industry, advocating for the interests of record producers, licensing rights, and coordinating anti-piracy and market data activities. IFPI is for the recording industry what CISAC is to CMOs.
International Standard Name Identifier (ISNI)	The ISNI is a global standard identifier that uniquely identifies public identities of individuals and organisations involved in the creation, production, and distribution of creative content.
International Performer Number (IPN)	The IPN is a global standard identifier assigned to performers registered with a collecting society representing performers and managing their rights. IPNs are created, managed and distributed through SCAPR's International Performer Database.
International Standard Musical Work Code (ISWC)	The ISWC is a global standard identifier for musical works, administered by CISAC, enabling accurate attribution, usage tracking, and remuneration.
International Standard Recording Code (ISRC)	The ISRC is a unique identifier for individual sound recordings and music videos that facilitates identification, usage tracking, and remuneration; administered globally under an IFPI-coordinated system.
Licensing hubs	Licensing hubs are rights administration entities that combine repertoires from multiple CMOs and/or publishers to license and/or administer rights for multi-territorial online usage. Examples include ICE and MINT.



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Metadata	Metadata generally refers to information that explains, identifies, or structures other data, such as its content, origin, format, or context. Metadata in music refers to information that describes a musical work or recording, such as title, artist, authorship, rights holders, release date, or identifiers.
Music streaming services (MSSs)	Music streaming services are online platforms that offer licensed, on-demand access to recorded music (e.g., Spotify, Apple Music, Deezer, Amazon Music, YouTube Music).
Social media platforms	Social media or ‘user-generated content’ (UGC) platforms are digital services designed for the creation, sharing, and dissemination of UGC and social interaction, including platforms such as Facebook, Instagram, YouTube, and TikTok.
Text and Data Mining exceptions (cf. Articles 3, 4 DSM Directive)	Text and data mining under Articles 3 and 4 of the DSM Directive are copyright exceptions permitting the automated extraction and analysis of information from digital content, either for research bodies and cultural heritage institutions (Article 3) or for all users unless rights have been expressly reserved with a so-called ‘opt-out’ (Article 4).
User-centric payment system	A user-centric payment system is a revenue distribution model linking each subscriber’s payment to their personal listening, unlike the pro-rata system, which pools all revenues and distributes them proportionally to total streams.
Very Large Online Platforms (cf. Art. 33 DSA; VLOPs)	VLOPs under the DSA are online services reaching at least 45 million active users in the EU per month and designated by the Commission as having a systemic role in distributing content, thereby subject to enhanced obligations.



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