

2016 ANNUAL REPORT









# 2016 ANNUAL REPORT

SERVING AUTHORS WORLDWIDE

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PROFILE



The Internationnal Confederation of Societies of Authors and Composers.



# WE PROTECT THE RIGHTS

and promote the interests of creators worldwide.





# If creators don't fight for what's right, who will ?

Nelly Furtado Singer-Songwriter SOCAN / Canada





Once my songs leave home, I want them to explore, meet new people, have fun, and get up to no good every once in a while... just as long as they keep in touch regularly and send the odd postcard.

> Imogen Heap CONSTRUCTION Recording Artist-Songwriter PRS for MUSIC / United Kingdom





Scriptariters and directors are forced to give away their rights, only to see business players profit from them. This must change. Audiovisual creators deserve to participate in the success of their works.





Authors' rights are our salary. We have an erratic profession. It can make us millionaires, give us a decent life or make us collapse into poverty. Our work must be protected by strong legal frameworks and helped by governments.

> Roberto "Tito" Cossa Playwright ARGENTORES / Argentina





# So that the book publisher shall not be the airplane and the author the bicycle, we must unite our letters, writing with words that do not exist.

Manuel Rui





# Art is universal. The resale right for visual artists and their beneficiaries ought to be as well.

Yan Pei-Ming Visual Artist ADAGP / China



#### PRESIDENCY



Fair remuneration is crucial to the future of the community of creators, and particularly for the continued creation of works of art by young minds. If the system no longer provides an incentive for new generations to make a living in the creative field, why would they choose to go there?

In 2015, the CISAC study *Cultural Times*, drew for the first time a clear picture of what authors bring to the global economy. And the image is impressive. Creative industries are a \$2,250 billion dollar (USD) business, directly employing close to 30 million people around the world. However, at the same time, authors are receiving less and less of these revenues. Our industries depend on strong copyright laws that protect the works of creators and allow them to see financial returns on the projects they invest in.

Through culture we connect people, we evoke emotions, we promote diversity. If we cannot live off our works of art, if we cannot create anymore, the world will be poorer not only culturally but also economically.

# CISAC is standing with the artistic community

to fight for fair remuneration. We urge policy makers to rebalance the transfer of value currently taking place in the digital market, where internet intermediaries build multibillion dollar businesses on the backs of creative content, yet do not remunerate authors properly or fairly. It is our duty and our responsibility, for the future of our culture and our society, to protect creators.



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diversity.

#### VICE PRESIDENTS



# Through music, women's voices, still too often reduced to silence, can be heard.

ANGÉLIQUE KIDJO - SINGER-SONGWRITER / VICE PRESIDENT

My songs help spread the heritage of my country and my continent, Africa, throughout the world. Music is undoubtedly the most widely spoken language in the world, and culture, in all its forms, knows no borders. CISAC defends this means of interaction, of social cohesion, and of expression of cultural diversity. Through music, women's voices, still too often reduced to silence, can be heard. Listen to what women have to say, give them recognition and encourage them as creators, remunerate them for their creative work - these are the simple attitudes that will change the way in which women view their daily lives. I hope this empowerment will inspire young women worldwide to do as I have done, to find their voice, to be proud of their heritage, to contribute to the rejuvenation of their cultures, and to share them with the rest of the world. Then all humanity would benefit.



# The general public offers overwhelming support for local productions.

JAVED AKHTAR - SCRIPTWRITER - POET - LYRICIST / VICE PRESIDENT

With an immense population and emerging middle class hungry for culture, Asia has become the leading continent in terms of wealth and employment in cultural and creative industries. In music, film, and other mediums, the general public offers overwhelming support for local productions. India is already the number one producer of films worldwide and sixth largest market in terms of box-office revenues. The book and press markets are also developing rapidly, all of which combines to offer great potential to creators. India has passed an excellent Copyright Amendment Law that is on par with the best practices in the world. However, illegal copies and unlicensed sharing of creative works remain dominant, taking away rightful remuneration from creators. Countries around the world, including India, need to reinforce the protection of intellectual property in order to preserve our cultures and our identities. The role of CISAC is decisive in carrying this message in the name of all creators.

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## VICE PRESIDENTS



# Currently, the right to remuneration exists in only a handful of countries.

MARCELO PIÑEYRO - FILMMAKER / VICE PRESIDENT

In Latin America, my region, Chile is in the process of adopting into law an unassignable and unwaivable right to remuneration for screenwriters and directors. This is the result of an intense advocacy campaign by CISAC with Writers & Directors Worldwide, launched in Beijing last November, for the fair remuneration of audiovisual creators with a right to receive payment for the reuse or rebroadcast of their works. Currently, this right exists in only a handful of countries, but to be effective in the digital age, where films know no borders, it must be embraced by all. Then and only then will authors receive royalties for their work no matter where it is shown in the world. It is with these royalties that scriptwriters and directors will be able to create the stories of tomorrow, for the benefit of all.



# CISAC promotes the adoption of protective laws and helps create new authors' societies.

**OUSMANE SOW -** SCULPTOR / VICE PRESIDENT

When I started out, I didn't know whether I could make a living from my art. The situation is still the same today for many artists in Africa and CISAC's support is vital. CISAC promotes the adoption of protective laws, helps create new authors' societies, and organises targeted training programmes for authors so that they are better able to protect their rights. The campaign for the universal adoption of the resale right fights for visual artists to receive a small percentage of the selling price when their works are resold by an auction house or a gallery. Many African countries

support this fight and have defended it with CISAC at the World Intellectual Property Organisation (WIPO). Adopting this right would demonstrate respect for visual artists throughout the world.



# "Our priorities can be summed up in one phrase: fair remuneration for authors."

GADI ORON. DIRECTOR GENERAL

#### WHAT IS THE GLOBAL TREND IN AUTHORS' RIGHTS PROTECTION?

For 90 years, CISAC has been promoting authors' rights worldwide and supporting the global network of collective management organisations. Things have never been easily granted to authors, but new societies are expanding our network and global collections are increasing. Legal frameworks are being updated with policy makers increasingly aware of the need to improve laws. The misperception that poor IP protection and free access to content offer competitive advantages is being abandoned. Yet the digital age is challenging authors' revenues like never before. Negotiations with online players for content licensing are often difficult and creators are often at a disadvantage when facing major users. This makes collective management even more vital than ever before.

#### WHAT DO YOU CONSIDER TO BE CISAC'S MAIN ACHIEVEMENTS IN 2015?

We launched a major review of our governance work towards a system that would offer greater support to our members. The new approach would better reflect the different levels of development of our members as well as recognise new structures and business models in our sector.

We also improved our visibility. We published a unique study, "Cultural Times", which offers a global map of the world's creative industries and shows our sector's contribution to the global economy and job creation. It is a pivotal tool for CISAC to promote a sustainable environment for creators in every region. In addition, we stepped up our lobbying efforts and worked with governments and legislators around the world on laws and initiatives that affect creators. Three key campaigns are in progress: for fair remuneration in digital markets, for global implementation of the visual artists' resale right, and for a right of remuneration for audiovisual creators.

We enhanced our educational activities, increased cooperation with academic institutions, and built strong partnerships with international bodies.

Finally, we significantly improved communications with our members

= MANAGEMENT TEAM ==

and the general public through our website, social media, publications, and newsletters.

#### WHAT ARE CISAC'S STRATEGIC **PRIORITIES GOING FORWARD?**

One of our upcoming goals is to complete the governance reform and implement the new approach to members' compliance reviews, update our governance tools, and prepare for a fresh approach to our membership criteria.

Externally, our priorities can be summed up in one phrase: fair remuneration for authors. The market is increasingly digital yet collections from digital services remain low. Addressing this requires efforts at different levels: legislation, capacity building amongst our members, raising awareness, and education. Our priority is to rebalance the distribution of value that currently favours digital operators at the expense of creators. Digital revenues should grow for creators across all repertoires.



Thibault de Fontenay Director of Operations



Sylvain Piat

**Director of Business** 

Standards and Rules

**Benjamin Ng** 

Regional Director -

Asia-Pacific

**Balamine Ouattara** Regional Director -Africa



Silvina Munich and Creators Relations



Cécile Rov Director of Communications



José Macarro Director of Information Systems



Santiago Schuster Regional Director - Latin America & Caribbean

**Director of Repertoires** 

20



**Mitko Chatalbashev** Regional Director -Europe

#### **BOARD OF DIRECTORS**



# *"We have been active on every front."*

ERIC BAPTISTE CHAIRPERSON OF THE BOARD OF DIRECTORS

**\*\*\*** 

"After a year of reorganisation, we are proud of the work accomplished in 2015. CISAC and its Director General Gadi Oron have been active on every front, from governmental and industry relations, to governance of authors' societies, and technological initiatives."



# "Better transparency and efficiency ACrOSS our network."

MARISA GANDELMAN VICE CHAIR OF THE BOARD OF DIRECTORS

•••

"2015 was a busy year dedicated to necessary reform of our governance rules and tools to achieve better transparency and efficiency across our network of member societies. In a fast-moving business environment where technology is changing the way authors' societies operate, cooperation is essential to guarantee that we all improve our governance structure, which will make us all better off."



# "CISAC is more united than **ever.**"

JAVIER GUTIÉRREZ VICÉN VICE CHAIR OF THE

BOARD OF DIRECTORS

"At 90 years old, CISAC is demonstrating enthusiasm for renewal, showing that collective management is the best tool available for defending authors' rights in a digital and global environment. In 2015, great progress was made in creating new tools, working with international organisations, and revitalising the processes of CISAC, which is more united than ever."

#### $= BOARD OF DIRECTORS \equiv$

Three-year term, elected by the General Assembly in June 2013



# **KEY FIGURES** (2014 DATA)





YEAR-ON-YEAR GROWTH IN TOTAL COLLECTIONS, IN CURRENT EUROS





YEAR-ON-YEAR GROWTH IN TOTAL COLLECTIONS, IN CONSTANT EUROS







GROWTH IN NON-MUSIC COLLECTIONS



**13%** OF TOTAL COLLECTIONS



#### **HEADLINES**

# CISAC in the news



On 3 December 2015, CISAC released a first-of-its-kind study, "Cultural Times -The First Global Map of Cultural and **Creative Industries**", at a major press conference hosted by UNESCO.

Nearly **300 articles** from over 200 media (print, web, radio and TV) covered the event, significantly raising CISAC's visibility and spreading the key message of the economic power of culture.

The world's major newswires picked up the study including Reuters, Bloomberg, Associated Press, AFP, EFE, and German Dow Jones.



Cultural times

by major media in Germany, Switzerland, Spain, Latin America, Africa, the United and China as well as by leading trade publications • (Billboard, Music Week, etc.).

## **HEADLINES**

## 02 **GLOBAL COLLECTIONS** REPORTS \*\*

In October 2015, CISAC published a Global • **Collections Report** covering 2014 royalties. This was the second • report issued in 2015. The first report, detailing 2013 royalties was released in February.

The new and enhanced format of the report attracted the attention of influential newspapers including • Le Monde, which featured an interview with CISAC's Director General.



All around the world, events organised or supported by CISAC also generated strong media coverage. In Africa, CISAC's African Committee meeting in Angola, along with CISAC's private copying training, jointly organised with the International Organisation of La Francophonie (OIF) in Ivory Coast, were. covered by many newspapers. In Europe, the

SPAUTORES conference on "Culture, Lusophony, and the Rights of the Author in the Digital Era", as well as SPAUTORES' annual gala where CISAC received the International Award, were widely covered by Portuguese media.









Leading trade publications including Billboard, Music Week and Music & Copyright also covered the report.

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• • • **MNGO** Angola: Une responsable appelle les créateurs à poter pour la qualité des œuvres Entrolis Main ++++++++++ n collective du droit d'auteur



In Russia, invited by society RAO, CISAC's Director General and **Regional Director for** Europe met government agency ROSPATENT, garnering wide press coverage. On the occasion of the European Committee in Sofia, Bulgaria's media also extensively reported on the meeting between the Bulgarian Minister of Culture and CISAC's delegation. In Asia, Writers & Directors Worldwide's 2015 congress, held in Beijing, was attended by high-level government officials from the National **Copyright Administration** of China (NCAC) and top Chinese film industry executives, attracting major media attention, including China's

• national network CCTV6.

successive successive managements

# May 2015

2015

# 06

06

#### The Business Technical Committee (BTC) met in

Highlights

Barcelona. A new chairperson was elected, new internal rules were adopted, and a working group was formed to start discussing online processing and distribution issues.

#### The Information Services Committee (ISC) met alongside the BTC for the first time.

Over 140 representatives from 60 societies attended the two meetings aimed at streamlining cooperation between business and IT experts. The new structure of the ISC's four expert groups was launched.

06

#### Supporting its long-standing member UACRR, CISAC sent letters to the Ukrainian Prime Minister and Minister of Economy to help improve the collective management situation in Ukraine.

In Moldova, CISAC Regional Director for Europe met with the deputy director of state supervisory body AGEPI to discuss achieving a better collective management environment.

**The Global Policy Committee** (GPC) met in Paris to define a global strategy for issues of ISP liability, transfer of value, and safe harbour provisions in light of recent EU developments.



In Peru, CISAC Regional Director for Latin America & Caribbean participated in a WIPO/SGAE training seminar attended by over 40 government copyright officials and technical experts from societies.



In the Philippines, the Asia-Pacific Committee (CAP) held its biannual meeting in conjunction with member FILSCAP's 50th anniversary. Topics included broadcasting tariffs ; fair remuneration for creators ; licensing by Music Copyright Thailand (MCT) in Myanmar, Laos, and Cambodia ; as well as how to assist Mongolian society, MOSCAP.

In Mongolia, CISAC Regional Director for Asia-Pacific met with new Provisional member MOSCAP and the copyright office to discuss how to assist the society.

## In Buenos Aires.

the International Council of Authors of the Graphic and Plastic Arts and of Photographers (CIAGP) held its annual meeting. Chaired by visual artist Hervé di Rosa the meeting was hosted by local visual arts member SAVA. It was opened by Argentinean State Senator Norma Morandini, who expressed her commitment to the resale right bill in the Argentinean Senate. Marcelo Piñeyro, film director and CISAC Vice President, supported the initiative. A cooperation group was created to strengthen collective management of visual arts in Argentina, Brazil, Cuba, Chile, Mexico, and Uruguay.



In Romania, CISAC Regional 27 Director for Europe presented CISAC's governance model and Professional Rules at a WIPO/ Romanian Copyright Office (ORDA) collective management conference.



In Spain, CISAC Regional Director for Latin America & Caribbean took part in a panel on copyright in Latin America at the invitation of EU's Mercosur Helpdesk. The Regional Director also spoke at a Spanish Music Publishers organisation (AEEDI) event on relations between Latin American publishers and authors' societies.

**CISAC's Facebook** page passed 400 likes. Twitter followers 80 increased tenfold since its launch.

#### **June 2015**



The Board of Directors met in Brussels.

In Beijing, CISAC participated in the plenary meeting of ISO TC46/SC9 on identification and description of works.



03

In Brussels, the CISAC and FastTrack Boards approved a new cross-industry governance framework overseeing projects of common interest to communities of creators, publishers, and societies.

**CISAC Regional Director for** 02 Asia-Pacific met with DG Trade of the European Commission to discuss priorities in Asia-Pacific, seeking the EC's support for extension of the copyright term in Japan and the introduction of the resale right for visual artists in China, Japan, and Korea.

> The CISAC/BIEM Online Working Group met in Brussels.

The CIAM Executive Committee 03 met in Brussels.

WOMEN@CISAC held its second meeting calling for better 03 representation of women in senior management positions within the CISAC community.

*Over 200 participants from 47 member societies attended CISAC's 2015 General Assembly. CISAC's President Jean-Michel* 

Assembly. CISAC's President Jean-Michel Jarre addressed the pressing need to promote authors' rights across the globe. He led a panel in which a group of creators called for heightened mobilisation for fairer remuneration for authors in the digital market.



**June 201**5

**CISAC published its 2015 Activity Report** in a new, magazine-style format.

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()4. In Chile, following the campaign by ATN-Chile, CISAC, and Writers & Directors Worldwide, a bill granting audiovisual authors the inalienable right of remuneration for public communication of their works was approved.

11 Moldova, CISAC addressed the Prime Minister in support of local member AsDAC regarding the situation of collective management in the country. 04 In Poland, with the support of Polish Ministry of Culture, CISAC entered in preliminary membership contact with visual arts organisation ZPAP with the goal to boost resale right protection.

> The CISAC/ICMP Liaison Group met in Cannes.

07







At MIDEM, at a well-attended session, **OS CISAC Board Vice Chair and UBC** CEO Marisa Gandelman. CISAC Board Member and SAMRO CEO Sipho Dlamini. and Universal Music Publishing **Managing Director for India Achille** Forler highlighted the untapped potential of creative industries in BRICS countries.

In Oslo, CISAC presented its Professional Rules at a training course on collective management organised by NORCODE and WIPO.



In Berlin, CISAC presented its new Standards and Rules Implementation Project at the Societies/Publishers Forum.



In Shanghai, CISAC Regional Director for Asia-Pacific spoke at a roundtable on the copyright protection of film at the International Film Festival. He welcomed the new proposed provision of the Chinese Copyright Amendment Bill granting creators authorship in audiovisual works.

IN GERMANY, SONGWRITER, 18 **CO-CHAIR OF MUSIC CREATORS** NORTH AMERICA, AND PRESIDENT **OF THE SONGWRITERS ASSOCIATION OF CANADA, EDDIE SCHWARTZ, SPOKE AT THE 2015 ALAI INTERNATIONAL CONGRESS. CALLING ON DECISION MAKERS** TO SUPPORT CREATORS AND THE FAIR TRADE MUSIC CAMPAIGN.





In Budapest, the Legal Committee addressed ISPs and transfer of value issues in light of EU developments, remuneration for private copying, the current practice of "one-stop shops", and publisher participation in statutory remuneration revenues.

29

In Brussels, CISAC took part in an event to mark the 10<sup>th</sup> anniversary of the EU-China IP Dialogue Mechanism.

30

## In Geneva, CISAC organised a visual artists' resale right event at WIPO's 30<sup>th</sup> Standing Committee on Copyright and Related Rights (SCCR). Professor

Sam Ricketson presented his academic study, commissioned by CISAC. Visual artists Hervé Di Rosa and José de Guimarães gave their perspective as creators. Yu Cike, Director General of the Copyright Department of NCAC, expressed China's support for international discussions on the resale right.





José De Guimarães Visual artist



Yu Cike Director General of the Copyright Department of NCAC



of Melbourne



Visual artist

# Julu/August 2015

**CISAC's President and Vice Presidents addressed** 

and several MEPs expressing concerns about

proposals to allow commercial use of artwork

a letter to the President of the European Parliament

in public places without rights holders' authorisation



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The African **Committee (CAF)** and its Executive Committee (CE-CAF) met in Luanda. Hosted by Angola's National Union of Artists and Composers (UNAC) and at the invitation

of the Angolan

("Panorama Exception").



Ministry of Culture, meetings were held with representatives of 22 African societies. The agenda included discussions on private copying, CISAC's governance reform, the African common database project, and PACSA activities. A delegation including CISAC Director General and the President of local society UNAC met with the Minister of Culture.

 $\mathbf{10}$ 

At CISAC's headquarters in Paris, CISAC and the organisation dedicated to EU-China IP cooperation, IPKey, hosted a delegation from the National Copyright Administration of China (NCAC) and Music Copyright Society of China (MCSC). Meeting topics included extended licensing, ISPs and the transfer of value, good governance, and the visual artists' resale right.



# Highlights 2015

# 🗰 July/August 2015



# In Barbados,

CISAC Regional Director for Latin America & Caribbean joined societies ECCO (Saint Lucia), COSCAP (Barbados), JACAP (Jamaica), and COTT (Trinidad & Tobago) in a meeting with the CARICOM Office for Trade Negotiations to discuss open and paid TV licensing.



#### In Burkina Faso, CISAC participated in a workshop organised by the West African Economic and Monetary Union (UEMOA) to promote anti-piracy actions in Africa.

# **15**

#### In Paris, CISAC signed a landmark cooperation agreement with the International Organisation of La Francophonie (OIF).

The agreement set the framework for training and educational activities to support and promote societies and creators in French-speaking African countries.



In Paris, the Visual Art Working Group met to develop next steps in the joint CISAC/EVA/GESAC campaign for the visual artists' resale right with participants from ADAGP, DACS, EVA, GESAC, PROLITTERIS, SAVA, and VEGAP.

In Xuzhou, China, CISAC Regional Director for Asia-Pacific spoke on collective management at a seminar on music copyright protection attended by 160 participants from academia, copyright courts, the music industry, and consumer organisations.

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23 In Argentina, CISAC Regional Director for Latin America & Caribbean organised a seminar on collective management at the University of Buenos Aires. The event was attended by judges, state agency officials, postgraduate students, CMO representatives, and cultural industry professionals.

27 In Ukraine, meetings were held with the Ministry of Economy to address the country's challenging collective management situation.

28 29 Altended the Latin American Alliance of Authors & Composers of Music (ALCAM) annual congress.



IN BOGOTA, CISAC REGIONAL DIRECTOR FOR LATIN AMERICA & CARIBBEAN MET WITH MINISTRY OF INTERIOR OFFICIALS AND LOCAL MEMBER SAYCO TO IMPROVE THE CURRENT SITUATION OF COLLECTIVE MANAGEMENT IN COLOMBIA.



(12) In South Africa, CISAC submitted comments on pending amendments to the copyright law in support of its member society SAMRO.

102 In Japan, CISAC took part in a meeting organised by local visual art society JASPAR with the Japanese Copyright Office to promote the introduction of the visual artists' resale right.

102 In Buenos Aires, CISAC Regional Director for Latin America & Caribbean spoke on international collective management of rights to an audience from 14 Latin American countries at the Universidad Austral of Buenos Aires.

In Turkey, CISAC participated in ICMP's Central and Eastern European (CEE) Congress. CISAC representatives spoke about ongoing governance reform, new creators' initiatives, cross-industry projects for publishers and societies and regional developments in Central and Eastern Europe.

In Istanbul, a meeting was held with Turkish CMOs and IFPI. CISAC Regional Director for Europe discussed common lobbying actions to improve the copyright framework in Turkey.

### In Brussels, CISAC participated 18 in an EU workshop on collective management for Chinese officials.

The event, organised by IPKey and hosted by GESAC, featured discussions on the Draft Chinese Copyright Act. CISAC addressed issues related to ISPs, extended collective licensing, rights of audiovisual authors, and visual artists' resale right.

18

In Macedonia, CISAC addressed a letter to local authorities expressing its concerns on the alarming collective management situation.



In Brazil, CISAC took part in launch events of the new audiovisual society DBCA.



#### **CISAC** sent a joint letter addressing the escalating collective management situation in Ukraine. Co-signed by CISAC, GESAC, ICMP, and

IFPI, the letter was addressed to the EU Commission, to bring the situation to the attention of European authorities.

#### **English-speaking Caribbean** societies COSCAP, COTT, ECCO, and JACAP participated

in a training session organised by CISAC's regional office on the distribution process within the COSIS system.

## In Bucharest.

**30 CISAC members attended** the Dramatic, Literary, and Audiovisual Works (DLV) Technical **Committee. They discussed** development of technical tools related to DLV rights, licensing of private video recording internet services (NetPVR), and online mass digitisation projects of cultural heritage institutions.



CISAC Legal Committee set up the LEX group, a new working group on technology contracts.

In Macao, a CISAC delegation 30 met with the government and expressed its appreciation for its support of local music creators.

# **October 2015**



The CISAC/ICMP Liaison Group met in Paris.



The Executive Governance Committee (EGC) met in Paris.



**Cross-Industry Mapping Taskforce and Steering** Committee met in Paris.



The Information Services Committee (ISC) met in Paris.



In Geneva, CISAC took part in WIPO's 55<sup>th</sup> General Assembly with two side events. Jointly organised by Writers & Directors Worldwide and FIAPF, the first was titled "Framing Dreams: Creative Cooperation in the Film-Making Process", presenting the complexity of the film-making process and the importance of strong copyright framework to WIPO international delegates. A delegation comprised of CISAC VP Ousmane Sow, CISAC Director General and visual arts societies' CEOs met with WIPO's Director General to promote discussions on the resale right.



# The second event was a visual artists' resale right workshop

organised by CISAC for diplomats and Member State representatives, to support the campaign for an international treaty on resale right. Panelists included celebrated Senegalese sculptor and CISAC Vice President Ousmane Sow as well as the Directors-General of ADAGP, VEGAP, and CISAC.





In Jamaica, CISAC assisted JACAP in addressing new amendments on the regulation of collective management organisations.

In Indonesia, CISAC Regional  $\mathbf{08}$ Director met with government officials to formulate a policy to ensure greater transparency and effectiveness in royalty collection and distribution.

In the U.S.A., CISAC responded the U.S. Copyright Office's inquiry on visual art mass digitisation and extended collective licensing.

> **The Global Policy Committee** (GPC) met in Amsterdam.

In Costa Rica, CISAC assisted 13 in the negotiations between local broadcasters and member ACAM.

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In Dubrovnik, 50 participants from BIEM and CISAC societies attended the first BIEM/CISAC Online Conference on digital licensing and data processing.





# **1** In Siena, the International Council 15 of Creators of Music (CIAM) held its annual

congress. Over 60 composers and songwriters from more than 30 societies, regional partner alliances, and prestigious guests discussed the Fair Trade Music initiative and the future creation of a FTM certification body. Lorenzo Ferrero was re-elected CIAM President for a final two-year term. The CIAM Executive Committee was renewed.



In Panama, CISAC and the Mexico MoU representatives led negotiations with cable operators with the goal of reaching a licensing agreement on musical repertoire.



In Ivory Coast, CISAC provided support to BURIDA's corporate reform process, facilitating discussions with local authorities.

In Dubrovnik, over 60 licensing experts from all regions attended the Media **Technical Committee** (MTC) meeting to discuss the future of



traditional broadcast and online licensing.

In Nigeria, CISAC co-signed a letter with IFRRO, ICMP, and BIEM calling the government to implement private copying remuneration.

2



# October 2015



In Moscow, CISAC and resale right society UPRAVIS held a roundtable to highlight the importance of the visual artists' resale right. Experts from ADAGP and DACS presented at the conference.



In Singapore, CISAC met with the IP Policy Division at the Ministry of Law to promote the implementation of resale right and seek government support for the establishment of a visual arts society in the country.

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In Macedonia, CISAC, GESAC, and IFPI sent a joint letter addressing new Copyright Act amendments.



CISAC published its 2015 Global Collections Report for 2014 data, attracting major media coverage.



# November 2015

In Beijing, Writers & Directors Worldwide held a seminar on audiovisual creators' rights attended  $\mathbf{04}$ by Chinese authors and government officials. The seminar focused on developments in Asia and shared experiences on AV rights protection. The event received wide media coverage including CCTV and China Daily.







In Beijing, over 80 creators, CMO representatives and senior Chinese government officials attended Writers & Directors Worldwide's annual congress. A new international campaign for the inalienable right to remuneration of audiovisual authors was launched.





**CISAC** became a permanent observer at UNESCO's 16 Intergovernmental Committee for the Protection and Promotion of the Diversity of Cultural Expressions.




A Memorandum of Understanding was signed between Writers & Directors Worldwide and the China Film Copyright Association.



16

**CISAC responded to the EU Consultation on the** Satellite and Cable Directive. CISAC's position paper, coordinated with and based on GESAC, SAA, and EVA positions, objected to an extension of the "country of origin" principle to online services. It also underlined the need to maintain the territoriality principle and promote the collective management scheme for licensing of broadcasting activities and online services.



In Budapest, the CISAC/BIEM Regional Office

organised a training session on Binding Resolutions for music societies.





The CISAC Regional Canada/USA Committee met in New York City. Discussions focused on recent 18 developments related to the Copyright Board of Canada and ongoing review of consent decrees by the U.S. Department of Justice.

	CISAC submitted comments on the U.S. Department
20	of Justice's proposal for licensing of jointly owned
	works in support of local music societies.

25

In Warsaw, CISAC and EVA organised a joint mission to promote collective management of the visual artists' resale right in Poland. The delegation met with the Polish Ministry of Culture and local collective management organisation ZPAP.

In Lisbon, CISAC Director General spoke at the 25 3<sup>rd</sup> international conference on "Culture, Lusophony, and the Rights of Author in the Digital Era," organised by member society SPAUTORES.



In Sydney, 40 society representatives participated in the CISAC Asia-Pacific Committee meeting to discuss ways to strengthen copyright legislation and collective management in Asia. Topics included: broadcast, satellite, and online music licensing; a survey on private copying remuneration; the Trans-Pacific Partnership agreement; legislative developments on copyright; and support of CIAM's Asia-Pacific alliance initiative.

# CISAC at UNESCO

## CISAC unveils first global map of cultural and creative industries

On 3 December, CISAC introduced a unique study that quantifies the economic and social contributions of cultural and creative industries (CCI) around the world for the first time. Prepared by EY over a period of one year, the study demonstrates that CCI are massive contributors to the global economy in terms of revenue and employment, and a key driver of the digital economy.

It was unveiled in Paris at a joint press conference hosted by UNESCO.

In her opening remarks, UNESCO Director General Irina Bokova described the findings as "very good news." "For many years, UNESCO has been calling for a better recognition of the role of CCI in fostering sustainable development and sustainable economic growth," said Bokova. "Time has come to take culture seriously in economic terms."

CISAC President Jean-Michel Jarre said that the report was "a landmark study" that paints an "impressive picture" of the creative industries globally. It provides governments and policymakers with the "evidence that they should support their creative community." Jarre expressed the creative community's concern about the transfer of value that is currently taking place in the market when internet intermediaries capture value to build multi-billion businesses on the back of creative content, but do not fairly remunerate creators".

EY Partner Marc Lhermitte detailed key figures of the study. Television, visual arts, and newspapers/ magazines are the top three CCI in terms of revenue. The largest markets for CCI are Asia-Pacific followed by Europe and North America. In terms of employment, visual arts provide the most jobs, followed by music and books.



CISAC President Jean-Michel Jarre interviewed by Chira's NTDTV



CISAC Director General Gadi Oron



CISAC Director General Gadi Oron (left) and CISAC President Jean-Michel Jarre (right)

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Marc Lhermitte, Partner EY





The United Nations Educational, Scientific, and Cultural Organisation (UNESCO) welcomed CISAC to present "Cultural Times – The First Global Map of Cultural and Creative Industries."



CISAC Director General Gadi Oron (left) and UNESCO Director General Irina Bokova (right)



SACEM Director General and CISAC Board Member Jean-Noël Tronc

→ To ensure that CCI continue to prosper, CISAC Director General Gadi Oron stressed the need to establish a strong legal framework to protect creators and creative industries, to address the issue of transfer of value in the digital market to set up a system that nurtures creative talent and incentivises creators to continue creating. "The economic figures we discussed are impressive, but creative industries are fragile," said Oron. "What we are talking about here is a constellation of creators who are vulnerable. They are individuals with limited leverage when facing major players in the digital economy."

## The press conference and study were extensively covered by press, generating around 300 articles across the globe (See p. 24).

The study is available in English, French, Spanish and Portuguese. It can be downloaded at **www.worldcreative.org**, together with an executive summary and regional highlights.



## December 2015

**01 02**  The CISAC Board of Directors met in Paris.

02

In Ivory Coast, CISAC held a technical training session on the management of private copying for French-speaking African societies. Organised in partnership with the International Organisation of La Francophonie (OIF), the training focused on collection and distribution of remuneration for private copying. Hosted by local member BURIDA, the seminar received considerable media attention in Ivory Coast.



03
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CISAC published "Cultural Times – The First Global Map of Cultural and Creative Industries." See p. 36.



In Chile, representatives from 15 member societies attended a workshop organised by CISAC on the Professional Rules and Binding Resolutions' documentation and distribution processes.



**In Brussels,** CISAC and CIAM took part in the Creative Europe working group at the invitation of the DG Education and Culture to help revitalise the European music industry.



In Bogota, CISAC and Colombian member SAYCO signed a cooperation agreement with the Ministry of Interior of Colombia to enhance SAYCO's legal, administrative, and accounting operations.

Singer-songwriter and CISAC Vice President Angélique Kidjo contributed a foreword to a new UNESCO report titled "Shaping Cultural Policies."



**In Tokyo,** at the invitation of the International Federation of Musicians (FIM) and the Musicians Union of Japan (MUJ), songwriter, CIAM ExCo member and MCNA co-chair **Eddie Schwartz** spoke about Fair Trade Music at the FIM-MUJ International Conference on online music.



In Macedonia, CISAC, alongside GESAC and IFPI, called upon the EU Commission to take decisive steps to redress the legislative situation in the country.

In Ukraine, CISAC pursued a dialogue with Ukrainian authorities regarding the pending Draft Law on Collective Management and related transformation of UACRR from a state agency into an organisation controlled by authors and rights holders.

#### CISAC contributed to the EU Consultation on the Regulatory Environment for Online Platforms and

**Intermediaries,** raising concerns about the application of the e-commerce directive, specifically the safe harbour regime and the transfer of value.

### January 2016

06 In Ecuador, CISAC attended a meeting with high level officials to promote favourable updates to the copyright law and discuss good examples from the region.

45

In Paris, CIAM Executive Committee met along with Alex Ebert of the band Edward Sharpe and the Magnetic Zeros and members of the International Artist Coalition (IAO), French LaGAM (La Guilde des Artistes), and Spanish COARTIS (Coalición de Artistas). The ExCo discussions included online remuneration for music creators, the Fair Trade Music initiative and advances in the creation of the new Asia-Pacific Alliance.



In Rwanda, the Pan-African Composers and Songwriters Alliance (PACSA), CIAM, and member RSAU held an "author-to-author" training programme for Rwandan composers and songwriters. Approximately 60 authors attended a collective management workshop followed by a seminar on the future of music.



2 2 **PACSA, CIAM, and RSAU representatives** met with the Rwandan Minister of Culture and Sport and Head of the IP department of the Rwanda Development Board in an effort to promote fair remuneration and resale right for creators in Rwanda and Africa.







**The Executive Governance Committee** met in Paris.

In Paris, the CISAC/ICMP Liaison Group shared views on the ongoing CISAC governance reform, reviewed the progress of cross-industry projects, and discussed joint lobbying activities.



**In Paris,** the CISAC/BIEM Online Working Group discussed educational and other initiatives in the fields of online licensing and data processing that could benefit members of both organisations.





### 📕 February 2016



#### In Paris, the Executive Committee of the African Committee (CE-CAF) gathered

to review strategic orientations for the region including the development of private copying remuneration, AV rights, joint activities with PACSA, and the partnership with the International Organisation of La Francophonie (OIF).



#### In Paris, the Executive ()4. Committee of the CT-DLV

(Dramatic, Literary, and Audiovisual Committee) met to review progress of the campaign on the remuneration right of audiovisual creators launched by Writers & Directors Worldwide and ways to widely promote it.

**()9 In Honduras,** in response to CISAC's lobbying efforts, the government commissioned a study on music licensing. The study follows a request from the Regional Office to the President demanding immediate action against the unauthorised use of musical works in the country and the threat to the continued existence of local member AACIMH.

- In New York, more than
   50 representatives from publishers and societies participated in the Society/
   Publisher Forum hosted by BMI.
- In Macedonia, international pressure yielded positive results. The government amended the Copyright Act by abolishing the detrimental provisions introduced in 2015. CISAC and GESAC informed the EU Commission of the positive developments.
- In Brussels, the first meeting of the Management Committee responsible for the development of a new fingerprinting tool for visual arts societies reviewed a three-year development plan. CISAC oversees the development of this tool. ADAGP, BILD-KUNST, PICTORIGHT, SOFAM, and VEGAP are members of the Management Committee.





In Kazakhstan, CISAC wrote to the Prime Minister to alert him about the difficult collective management situation where an increasing number of rogue CMOs undermine the legitimacy of the collective management system and the ability of CISAC's local member to operate. IN RUSSIA, CISAC held a series of meetings with its members RAO, RUR (private copying society), and UPRAVIS (resale right society). The CISAC delegation also met with the head of the Russian Federal Service of Intellectual Property, ROSPATENT, to assess the situation of copyright protection and collective management of rights.



24

In Colombia, the Interior Minister appointed an Executive Committee to assist SAYCO in the implementation of the agreement signed by CISAC and the Government of Colombia. CISAC Regional Director for Latin America & Caribbean was appointed as Technical Secretary and spokesman of the committee.

In Nigeria, CISAC submitted comments to the Copyright Commission on a pending Copyright Bill.



29

CISAC launched a new online version of its Directory of Member Societies. The improved tool provides detailed information about authors' societies and their members to the general public.



## 



**In Russia,** CISAC sent a letter to the government expressing support for the current state accreditation mechanism to counter attacks on the system.

## 04

**CISAC and Japanese visual art society JASPAR met with the Commissioner of the Agency for Cultural Affairs** from the Ministry of Education, Culture, Sports, Science, and Technology to promote the visual artists' resale right in Japan.



05

**In Tokyo,** CISAC and the Research Centre for the Legal System of Intellectual Property (RCLIP) of Waseda University, co-hosted a symposium on the potential for the resale right. CISAC Director General spoke on visual arts collective rights management and developments of the global campaign for the resale right by CISAC, GESAC, and EVA.



**In London,** the W&DW Executive Committee defined a two year strategic plan and discussed implementation of the campaign for the AV remuneration right.



## March 2016

In Cameroon, CISAC Regional Director for Africa met government officials to encourage reform to the collective management system.

Director General of the African Intellectual Property Organisation (OAPI) and CISAC Regional Director for Africa agreed on establishing a cooperation agreement between the two organisations.

**15** 

**CISAC sent a letter to the Hellenic Ministry of Culture,** reacting to Greece's pending law to implement the EU Directive on Collective Rights Management.

The Board of Directors met in Toronto.

**CISAC Regional Director for Europe** spoke on one-stop shop

licensing in Central and Eastern Europe, at a conference on Extended Collective Management organised by the Polish government and WIPO.

**16** 

**16** 17

#### CISAC, EVA, and GESAC

addressed the European Commission's DG Connect to seek support for the campaign for worldwide recognition of the visual artists' resale right.



22 In Lisbon, at the SPAUTORES gala, CISAC's Director General received the International Award. CISAC was selected for its role in promoting copyright protection and the interests of creators.

In Mongolia, Regional Director for Asia-Pacific spoke at a broadcast licensing seminar featuring participants from local and international broadcasting entities and government officials.

26 31

**In Burkina Faso,** Regional Director for Africa participated in National Culture Week events in Bobo-Dioulasso.



**In Rome,** the IDA Technical Committee met to review progress of current activities. 3 CISAC, in collaboration with GESAC, notified the Romanian Ministry of Culture of deficiencies

in the draft law aimed at implementing the Collective Rights Management EU Directive upon request by member UCMR-ADA.

31 CISAC reached social media milestones. On Twitter, followers passed 1,500, a 50% increase in 10 months. On Facebook, likes passed 900. On LinkedIn, over 1,000 people followed CISAC. On YouTube, CISAC videos were viewed 420 times.



## April 2016

Prior to the European Committee meeting, a joint CISAC/GESAC delegation met with Bulgarian Minister of Culture Vezhdi Rashidov. CISAC DG emphasised the role of creators in the economy, calling for Bulgarian institutions to support authors and their societies.





## In Sofia, 105 representatives from 42 authors' societies attended the European Committee

**meeting** hosted by Bulgarian members MUSICAUTOR and FILMAUTOR. Topics included CISAC global projects and priorities ; EU legislative initiatives and ECJ jurisprudence ; U.S. developments ; Spotify, Armonia and ICE business presentations ; and relations between authors and related rights CMOs in Europe. The EC adopted two support resolutions regarding private copying issues in Bulgaria and Lithuania.



- **18 In Paris**, the Executive Governance Committee met continuing work on the proposed Governance Reform.
- **()9 In China,** CISAC Regional Director for Asia-Pacific spoke at a seminar for screenwriters and directors organised by the Film Association of Zhejiang Province. He highlighted the fair remuneration campaign promoted by CISAC and W&DW, calling on Chinese AV creators to actively take part.
- **In Lisbon,** the IDA Management Committee agreed on automating the process to match ISAN numbers.

13

In Chile, CISAC Regional Office for Latin America & Caribbean organised a meeting for heads of Copyright Offices of Latin America. Twelve copyright office leaders and nine authors' society CEOs discussed cooperating on the promotion of good governance and best practices in collective management, and advancing policy priorities on author remuneration.





## 🗰 April 2016



**13 14**  **The Business Technical Committee (BTC)** met in Lisbon alongside ISC Experts Groups. Topics included further activities on the Retransmitted Channels index, agreement on the new template for sharing societies' distribution rules and methods, a path forward on handling undistributed shares, and next steps for the online working group.



#### The Information Services

14.

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**Committee,** met after the four Experts Groups (MWX, IPX, AVX, and BEX) convened. The meeting provided updates on key projects as well as the opportunity to strengthen relationships with business experts also attending the BTC.

In Paris, the Communications Experts Group met to discuss CISAC's communications strategy and key campaigns. Topics included the transfer of value in the digital market, proposed governance reform, and international policy campaigns. Individual societies shared best practices and case studies.

18

In Bogota, CISAC along with members SAYCO and DASC organised the International Conference of Authors' Rights and Collective Management in Colombia, which attracted over 150 participants from Latin America, the United States, and Europe, joining government officials and representatives from the creative industries.



#### **CISAC REGIONAL OFFICE FOR LATIN AMERICA &**

**CARIBBEAN,** in partnership with the University of Chile, organised a major international conference on law and innovative businesses with support from the Ministry of Education of Chile and leading law firms. The event drew around 200 attendees from 14 countries. Forty-five speakers covered themes on intellectual property in music, publishing, advertising, visual arts, design, video games, audiovisual, and more. CISAC DG delivered a keynote called "Transfer of Value in the Digital Economy."





CISAC's Regional Officefor Latin America & Caribbean

organised a meeting with over 70 representatives of dramatic and audiovisual rights societies in Latin America. Topics included national issues and regional initiative updates, a presentation on AV creators in Colombia by DASC and REDES, a panel on the situation of AV creators in Colombia, positive developments of the "Law Pepe Sanchez" bill, and initiatives in AV rights management in Latin America.

#### A delegation of MoU of Mexico

members met to discuss progress and establish future priorities. CISAC Regional Director for Latin America & Caribbean highlighted the group's 2015 achievements, including a recent agreement reached with broadcasters in Panama.



19

In Bogota, CISAC Regional Office for Latin America & Caribbean organised the 2016 CLC meeting. Discussions included the Regional Director Report, the state of collective management in the region, a 2015 legislative activity review, and country updates. Results from the region's two MoUs were also highlighted. The Committee adopted two resolutions regarding Honduras and Trinidad and Tobago.

#### .....

**CISAC participated in WIPO's Conference on the Global Digital Content Market.** CISAC President Jean-Michel Jarre introduced the "Digital Architecture – The Soft Infrastructure of the Global Market" panel in a video address. Elton Yeung, CEO of CASH (Hong Kong) took part in the panel on behalf of CISAC.





#### The LEX, a Legal Committee working group dedicated to

technology-related agreements discussed legal matters concerning ISWC dissemination to publishers, issues related to CIS-Net access for rights holders, and AVI translated titles.



## In the framework of its cooperation with UNESCO,

CISAC submitted a project proposal for consideration by UNESCO's International Fund for Cultural Diversity. The project aims to develop copyright protection and collective management in Georgia and Hungary.

# Building partnerships

OVER THE PAST TWO YEARS, CISAC HAS SIGNIFICANTLY STRENGTHENED ITS COOPERATION WITH INTERNATIONAL ORGANISATIONS AND ACADEMIA, IN AN EFFORT TO FOSTER POLICIES THAT PROMOTE AUTHORS' RIGHTS AND CULTURAL DIVERSITY.

#### COOPERATION WITH INTERNATIONAL ORGANISATIONS

#### WIPO

CISAC has raised its visibility at the UN's specialised agency for IP, the World Intellectual Property Organisation. In October 2015, CISAC organised two events during WIPO's General Assembly, including a panel discussion titled "Framing Dreams: Creative Cooperation in the Film-Making Process." Jointly organised with the International Federation of Film Producers Associations (FIAPF), it fostered discussion on audiovisual rights between screenwriters, directors, and WIPO delegates. The second event, a technical session titled "Resale Right: Making it Work for Visual Artists," explained why this right is crucial for visual artists.

CISAC continued to actively participate in WIPO's official meetings. Taking the floor at WIPO's 31<sup>st</sup> Standing Committee on Copyright and Related Rights (SCCR), CISAC made a statement in favour of the inclusion of the visual artists' resale right as an item on the agenda of future sessions of the committee. The statement also mentioned current challenges in the digital market and the need to address the transfer of value.

In April 2016, CISAC President Jean-Michel Jarre addressed participants at WIPO's Global Digital Content Market conference in a video statement, calling upon the UN to ensure a better future for creators in the digital age. Later that month, he shared his views on technology and creation on the 2016 World IP Day.

#### **UNESCO**

The successful launch of the study "Cultural Times - The First Global Map of Creative and Cultural Industries," jointly organised by CISAC and UNESCO in December 2015, opened the door to closer cooperation between the two organisations. CISAC has become an official observer of the Intergovernmental Committee who implement and monitor the 2005 Convention on the Diversity of Cultural Expressions. CISAC also submitted a list of proposed projects to foster a dynamic cultural sector in developing countries to the International Fund for Cultural Diversity (IFCD). Also, CISAC Vice President Angélique Kidjo contributed a foreword to the first monitoring report on the implementation of the 2005 Convention, stressing its importance in supporting women as creators.

#### OIF

In July 2015, CISAC signed the first cooperation agreement with the International Organisation of La Francophonie (OIF). Under this agreement, the OIF has agreed to fund activities to enhance the operating capabilities of CISAC member societies in French-speaking Africa. In December 2015, CISAC, in partnership with OIF, organised a major training seminar on the management of private copying remuneration. Twelve societies from 11 French-speaking African countries attended the event held in Abidjan, Ivory Coast, which marked the first step in a wider four-year cooperation plan.

#### Norcode

Over the past year, CISAC and the Norwegian Copyright Development Association (Norcode) met to discuss projects to promote collective management in a number of developing countries.



#### - 1886

The Berne Convention for the Protection of Literary and Artistic Works was signed, recognising – for the first time under international law – the public performance rights of authors and composers as a key feature of authors' protection.

#### SISTER ORGANISATIONS

BIEM and CISAC have resumed discussions to explore areas of common interest to both organisations. In October 2015, the CISAC/BIEM working group organised the first online conference in Dubrovnik, Croatia, in conjunction with CISAC's Media Technical Committee and BIEM's Mechanical Right Day, to share experiences in online licensing and data processing.

The CISAC/ICMP liaison group, which operates at global and regional levels, held productive meetings throughout the year on database access, joint lobbying, communications, and research initiatives.

In Europe, CISAC continues to work closely with GESAC, EVA, and SAA on all matters related to the ongoing review of copyright rules by the EU Commission, ISP liability, and transfer of value issues. CISAC, GESAC and EVA, are leading the global campaign for the visual artists' resale right.

#### EDUCATION AND AWARENESS

#### **CISAC University**

In 2015, CISAC launched its new website which includes a new "CISAC University" section featuring educational materials on copyright/authors' rights and collective management. Articles, opinions, and briefs posted to CISAC University are prepared by CISAC, outside experts, and member societies. CISAC plans to keep increasing the scope of information provided online.

#### Academia

CISAC is stepping up its cooperation with academia to promote procreator policies. For example, in April 2016, a major three-day event was organised by CISAC and the University of Chile. Titled "Conference on Law & Creative and Innovative Companies," the event brought together academics, IP professionals, government officials, society representatives, and creators from 15 Latin American countries. The keynote speech on the transfer of value in the digital economy was delivered by CISAC's Director General.

#### MOOC

In December 2015, CISAC's Board of Directors approved the idea of establishing a Massive Open Online Course (MOOC). A programme for a course on copyright/authors' rights and collective management has been created, and CISAC identified several online platforms as well as academic institutions/IP research centres as potential partners for its course. Discussions are ongoing with research institutions and universities in Europe, Africa, and the U.S. •



TO ADVOCATE FOR AUTHORS' RIGHTS, CISAC TAKES PART IN INTERNATIONAL FORUMS, REGIONAL CONSULTATIONS, AND NATIONAL DISCUSSIONS ON COPYRIGHT. THE ORGANISATION ALSO SUPPORTS ITS MEMBERS BY COMMENTING ON PENDING LEGISLATION, COORDINATING GLOBAL POSITIONS, ADVISING ON LEGAL PROCEEDINGS, AND DEVELOPING CONTRACTS ON TECHNOLOGY MATTERS.

#### THE TRANSFER OF VALUE IN THE DIGITAL ECONOMY

The transfer of value from creators to digital intermediaries and the liability of service providers are at the top of CISAC's agenda. An international copyright expert was commissioned to prepare a legal opinion on the correct interpretation of the "communication to the public" right, which unfortunately has been misinterpreted in recent court decisions to the detriment of rights holders. The opinion will discuss the role of user generated content (UGC) and service provider platforms in the communication of creative works and the resulting liability that they bear, which requires them to license their activities. CISAC's Global Policy Committee is also developing a position paper to support a new global lobbying campaign for amendments to safe harbour legislation, to prevent their abuse by online intermediaries.

#### **EU COPYRIGHT REVIEW**

CISAC continues to closely follow the ongoing European copyright review. As part of the Digital Agenda for Europe strategy, the European Commission launched the Single Market for Intellectual Property Rights initiative aimed at modernising the EU copyright framework. This process continued into last year and CISAC, together with European organisations GESAC, SAA, and EVA, took an active role in responding to key public consultations for the overhaul of copyright-related directives (InfoSoc Directive 2001/29/CE, Satellite and Cable Directive 1993/83/CE and Audiovisual Media Services Directive 2010/13/UE).

CISAC also addressed European institutions, including the EU Commission and Parliament, on a number of priority issues including the panorama exception, resale right, and collective management challenges in non-EU countries.

#### **VISUAL ARTISTS' RESALE RIGHT**

Together with GESAC and EVA, CISAC is moving ahead with the resale right campaign by calling for discussions at WIPO. CISAC commissioned Melbourne University Law Professor and copyright expert Sam Ricketson to conduct an academic study on the right, supporting its global implementation. Unveiled at WIPO's 30<sup>th</sup> Standing Committee on Copyright (SCCR), the study was released in the July edition of the leading authors' rights publication, *Revue Internationale du Droit d'Auteur* (RIDA), and proposed a new international treaty on the resale right.

CISAC held two resale right panels in 2015, at WIPO's SCCR in June and General Assembly in October. On both occasions, a CISAC delegation met with WIPO's Director General Francis Gurry to further the campaign. In December, CISAC returned to WIPO to urge member states to formally adopt the resale right as an agenda item during SCCR discussions.

#### AUDIOVISUAL AUTHORS' REMUNERATION RIGHT

An unwaivable and unassignable right of remuneration for audiovisual creators is a key policy priority for CISAC. An academic study on the importance of this right for directors and screenwriters has been commissioned and is being prepared. It will examine the legal framework in countries that grant the right and develop arguments for the right's



implementation in countries that do not have it yet.

#### **PRIVATE COPYING**

CISAC undertook a comprehensive private copying legislation analysis to identify countries where societies may be able to collect remuneration under existing laws and to urge countries to amend laws to allow private copying systems where they do not exist. Also, in partnership with the International Organisation of La Francophonie (OIF), CISAC organised a training session on private copying management for French-speaking African member societies. Held in Ivory Coast, the training aimed to improve operational capabilities of collective management organisations to collect and distribute royalties. Societies were encouraged to implement findings in their respective business environments.

#### **LEX GROUP**

A new, dedicated working group (LEX) of the Legal Committee has been established to address legal issues pertaining to operational and IT matters, with the goal of improving processes related to data exchanges among societies and third parties. LEX will work on issues ranging from data protection, quality, and responsibilities to legal protection of trade secrets, personality rights, software protection and licensing, and identifiers and categories of rights.

#### FOCUS COUNTRIES: CHINA AND U.S.

CISAC has strengthened its working relationship with the Chinese government, reaching milestones to support creators' interests including introducing the visual artists' resale right and audiovisual creators' right of remuneration in a draft bill. CISAC also promoted the signing of a declaration by which all major online Chinese music service providers committed to obtaining licences for the use of music on digital platforms.

In the United States, where the review of the collective licensing framework is ongoing, CISAC supported its members by submitting comments on the review of the ASCAP and BMI consent decrees as well as on the consultation of the Antitrust Division on the licensing of jointly-owned works.

# Governance

CISAC'S GOVERNANCE WORK HELPS DRIVE THE HIGHEST STANDARDS OF OPERATIONAL EXCELLENCE ACROSS ITS INTERNATIONAL NETWORK OF MEMBER SOCIETIES.

#### **A NEW APPROACH**

CISAC is undertaking a major review of its approach to promoting best practices and good governance among member societies. This review focuses on three main areas: compliance reviews, membership criteria and governance tools. Proposed reforms should represent the consensus view of CISAC's membership. All societies have the opportunity to provide input and, in 2016 and 2017, CISAC's members will be asked to endorse the proposed changes across a range of governance issues.

#### **COMPLIANCE REVIEWS**

Since the Professional Rules and Compliance Reviews were first introduced eight years ago, CISAC has acquired significant experience in adapting its processes for the benefit of its members. In June 2015, the General Assembly (GA) approved a new two-tiered approach to these reviews: Compliance Reviews for established societies and Developmental/ Evaluation Reviews for societies less likely to be able to comply with the Professional Rules and Binding Resolutions, for objective reasons.

Going forward, each year at the GA, two societies will be selected per region (eight in total) for Developmental Reviews, and six societies will be drawn at random for Compliance Reviews. Societies qualify for Developmental Review if their domestic revenues fall below a defined compliance threshold and qualify for Compliance Review if domestic revenues are above this same threshold. The primary objective of Developmental Reviews is to identify areas of improvement and define a plan for supporting the society in meeting the standards set out in the Professional Rules and Binding Resolutions. The goal of the current process is to validate whether a society complies with the Rules and Resolutions and, if it does not, define an action plan to resolve deficiencies.

#### **MEMBERSHIP CRITERIA**

Over the last few years, the music market has seen the emergence of new business models for rights management, including private, forprofit entities and shared service providers. A number of creators and publishers have chosen to have their rights managed outside the "traditional" collective management model, which poses questions on how CISAC continues to define its membership criteria while maintaining its commitment to a fair, transparent, and efficient management model. One key question is whether CISAC's mission is to defend the interests of creators, regardless of their choice in the rights management field. Access to CISAC's tools and societies' data by new entities is raising a number of challenges but would also ensure global adoption of our standards and reinforce the central role of CISAC and its members. However, the private, for-profit nature of some new business models does not always fit within the key principles of CISAC's Professional Rules, notably in terms of governance and transparency.

To address these changes, CISAC is considering the admittance of new business models for the management of music repertoire as Music Associates, a new membership category with its own rights and obligations. The organisations currently admitted as Associates will be categorised as Affiliated Organisations and limited to organisations that act in the interests of creators. In addition, compliance with CISAC's Professional Rules will be strengthened but will offer a greater degree of flexibility based on the level of development of the societies and membership categories. Full Members and Provisional Members will have to comply with CISAC's key obligations, which include

Great

#### **1934**

Professional Rules The Committee on Codification and Interpretation of Professional Rules was created. Members were invited to sign up to mandatory regulations.

#### 1966

New statutes CISAC launched a major reform of its organisation at its Prague landmark Congress. New statutes were adopted.

financial and transparency obligations under the Professional Rules. Music Associate members will have to comply with the Rules and Resolutions related to the use of CISAC Tools.

#### **GOVERNANCE TOOLS**

Another key component of the ongoing reform is the review of tools for monitoring compliance with CISAC's statutory requirements and Professional Rules. These include the Professional Rules and Binding Resolutions compliance questionnaires, which are under review to improve comprehension. The Income and Expenditure (I&E) tool will be revised to improve data collection related to societies' income and to enable greater transparency, with more accurate representation of societies' costs and distribution figures. Finally, a new Governance portal is under development. It will enable members to upload documents and present a consolidated view of each CISAC member to all other members.

#### **TIME FRAME**

CISAC's members will be able to provide comments on the proposed governance reform until October 2016. The Board will then finalise recommendations to be included in revised statutes submitted for approval at the 2017 General Assembly.



# Business & Technical Infrastructure

CISAC IS A GLOBAL LEADER IN EFFORTS TO STREAMLINE RIGHTS DATA MANAGEMENT THROUGH STANDARD IDENTIFIERS, SMART METADATA, AND CROSS-INDUSTRY COLLABORATION. THE ORGANISATION IS FACILITATING EXCHANGES OF DATA REQUIRED FOR EFFICIENT ADMINISTRATION OF ROYALTIES TO RIGHTS HOLDERS.

#### INFORMATION SERVICES COMMITTEE (ISC)

The ISC analyses the Common Information System (CIS) landscape and shapes its future through the delivery of strategic proposals to the CISAC Board. The ISC develops the roadmap for CIS-Net applications and services, and monitors CIS operations while acting as the programme management office. In cooperation with other bodies, it helps define service level agreements, administrative contracts, pricing models, standards, and other related policy items.

In 2015, the ISC underwent drastic reform when it consolidated over 20 former working groups and committees into four key committees or Experts Groups:

• Musical Works Experts Group (MWX): works on topics related to the ISWC and the Dissemination Project and the implementation of recommendations arising from the Identifiers Landscape study.

#### • Audiovisual Experts Group (AVX):

fosters the harmonisation of cuesheet information registration from both society and publisher perspectives, aiming to improve registration practices.

• Interested Parties Experts Group (IPX): implements changes required in the IPI to satisfy the requirements of the European CRM Directive, specifically, the need to increase granularity in IPI rights.

• Business Exchange Experts Group (BEX): develops the standards for all exchanges between societies (and other parties), including new versions of the Common Royalty Distribution (CRD) and the Common Works Registration (CWR).

#### **CROSS-INDUSTRY INITIATIVE**

The cross-industry initiative is a joint CISAC/FastTrack project. It is driven by the Steering Committee, comprising more than 60 industry representatives. The project was created to leverage the investments made by CISAC societies in the development of successful standards, rules, and identifiers, and to further improve data processing, identification, and distribution in data exchanges between creators, publishers, and societies.

Two areas of activity were launched. The first includes projects that could rapidly address the needs of stakeholders:

- 1. The CIS-Net access for rights holders will enable creators and publishers to access musical works information in various territories from a single access point.
- 2. The ISWC resolution service will enable publishers to retrieve ISWCs missing in their databases and facilitate works registration by publishers to societies.
- **3. The Single Work Dashboard** will provide a comprehensive view of each work across multiple territories, making the data easier to understand.



#### 2000

CIS common tool CISAC launched the Common Information System (CIS), a tool for rights management developed since the mid-90s, together with ISO universal identifiers for creative works, such as ISWC.

#### **2015**

Database A new version of CIS-Net was launched, with enhanced functionalities.

The second area consists of the Standards and Rules project, organised around task forces with representatives from the creator, publisher, and society communities. They are currently working to improve the efficiency of data exchanges related to Interested Party Information (IPI), work registration, and publishing agreements. A first recommendation was made for a manual online IPI lookup service that will be made available to rights holders.

#### MEDIA TECHNICAL COMMITTEE (MTC)

With the licensing of broadcastrelated online services, such as on-demand TV, simulcasting, and mobile, there is increasing overlap between online uses and media broadcast. The MTC allows societies to share experiences of licensing such services to identify best practices and streamline the process. The 2015 MTC gave the floor to representatives of different initiatives worldwide, created by societies and rights holders to facilitate the licensing of online services for multiterritory exploitation, such as ICE and Armonia in Europe, Back-Office in Latin America, and CAPASSO in Africa.

On traditional broadcast-related issues, cable operator licensing remains the most sensitive topic due to the legal interpretation of the right of communication to the public. The MTC also provides a global forum to share information on EC consultations and their impact on foreign repertoires and practices worldwide, in particular the revision of the Satellite and Cable Directive.

#### BUSINESS TECHNICAL COMMITTEE (BTC)

The BTC specialises in documentation and distribution processes. One focus of the BTC is the development of a comprehensive Binding Resolutions and Best Practices manual to help societies understand the different rules while filling gaps where they exist, such as the new best practice related to 'undistributed shares' proposed at the April 2016 meeting.

A second key topic is the implementation of the 2010 recommendation for distribution of revenues from retransmitted TV channels. The working group has gathered feedback from societies and is proposing recommendations to the BTC, notably in relation to the development of a retransmitted channel index.

In 2015, a survey was circulated to societies to identify key areas of interest and potential initiatives related to distribution and licensing issues in the context of online uses. The results were presented to the April 2016 BTC meeting.

#### DRAMATIC, LITERARY, AND AUDIOVISUAL TECHNICAL COMMITTEE (DLV)

The DLV provides Dramatic, Literary, and Audiovisual societies an opportunity to review activities such as the CISAC governance reform and its implications on the DLV repertoires, and the deployment of various tools for documentation and distribution. At its September 2015 meeting, DLV societies shared views on licensing and processing experience of the YouTube platform. The DLV Technical Committee also liaised with Writers & Directors Worldwide to develop the audiovisual campaign. ◆

# **Communications**

CISAC HAS BEEN BOLSTERING ITS COMMUNICATIONS ACTIVITY TO ESTABLISH ITSELF AS A DEFINITIVE NEWS HUB AND AN AUTHORITATIVE RESOURCE CENTRE ON AUTHORS' RIGHTS AND COLLECTIVE MANAGEMENT. CISAC COMMUNICATIONS PROVIDE STRATEGIC SUPPORT TO ITS MEMBERS AND CREATORS, USING MULTIPLE CHANNELS AND TOOLS TO REACH AN EVER-INCREASING AUDIENCE.



#### PUBLICATIONS

Publications are the cornerstone of CISAC's communications strategy, providing impactful information.

#### 1

#### **2015 ACTIVITY REPORT**

In June 2015, in conjunction with the General Assembly, CISAC published its annual Activity Report in a vibrant magazine-style format.

#### 2

#### GLOBAL COLLECTIONS REPORT: TWO EDITIONS IN 2015

CISAC's Global Collections Report has become the reference publication on royalty collections. In October 2015, CISAC unveiled a second edition of the report, with 2014 data, in a collaborative effort to bring more information to the public faster. This edition introduced significant data improvements.

## 3

#### EY STUDY ON CCI -A WORLD PREMIERE

In December 2015, CISAC published a unique 120-page study titled "Cultural Times – The First Global Map of Cultural and Creative Industries" that, for the first time, quantified the massive economic and social contribution of authors to the world economy. A dedicated website, www.worldcreative.org, supported the launch of the study, which is available in English, French, Spanish, and

Portuguese.







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#### ONLINE COMMUNICATIONS

CISAC's website and social media channels are at the core of the organisation's communications strategy, amplifying the reach of the confederation's activities, events, and publications.

#### 4

#### **CISAC HIGHLIGHTS**

CISAC's e-newsletter, CISAC Highlights, distributed in English, Spanish, and French, now reaches 1,100 society executives every month.

#### 5

#### NEW DIRECTORY OF MEMBER SOCIETIES

In 2015, CISAC undertook a major update of its directory of member societies. Now available in both print and online, the new directory offers a comprehensive list of all CISAC members with indices by country, repertoire, and region-a major step forward in facilitating international cooperation.

#### 6

#### **MEDIA RELATIONS**

The most important media relations event of 2015-2016 was the unveiling of the EY study "Cultural Times" (See p. 36). CISAC led an extensive media campaign before, during, and after the event. As a result, the world's leading news wires covered the study, resulting in nearly 300 articles across 200 news outlets.

JU news outlets.

#### 7 WEBSITE

The CISAC website and its dedicated CISAC University section have become an authoritative source of information on copyright/authors' rights and collective management.

#### 8 SOCIAL MEDIA

CISAC further expanded its reach on social media in 2015 with continued growth on Facebook, YouTube, Twitter, and LinkedIn.



#### 2007-2013

Creators First! CISAC organised Creators first!, the first World Copyright Summit held in Brussels. Three other Summits followed, in Brussels (2011) and in Washington (2009 and 2013), under the new brand World Creators Summit.









"Authors' rights represent the recognition of creativity and the reward for something intangible yet fundamental: thought in motion!"

**JEANNE CHERHAL** SINGER-SONGWRITER SACEM / FRANCE

#### INTERNATIONAL COUNCILS OF CREATORS



Music: CIAM The International Council of Music Authors (CIAM) was created in 1966 to protect the rights and assert the cultural aspirations of music creators.

#### 2013

At its Congress in Costa-Rica, CIAM launched the Fair Trade Music inititiave.

## CIAM

#### FAIR TRADE MUSIC (FTM)

The Fair Trade Music initiative aims to build a fair, transparent, sustainable, and ethical music value chain for all rights holders. A Fair Trade Music International (FTMI) certification body was created to ensure that digital platforms that comply with FTM criteria receive appropriate certification. Several events were organised to promote the initiative, including a creators round table in New York City, hosted by the European Composers and Songwriters Alliance (ECSA) in cooperation with CIAM and other partners, to continue an open dialogue with Pandora and Spotify.

#### **CIAM CONGRESS (SIENA)**

In October 2015, over 60 participants attended CIAM's annual congress to discuss issues affecting music creators. FTM was high on the agenda along with reforms to collective management in Europe. An in-depth case study on Italian anti-piracy policy was delivered by Professor Paolo Marzano, President of the Italian Copyright Committee, who addressed the congress on behalf of Italian Culture Minister Dario Franceschini. The International Artist Organisation (IAO) and LaGAM discussed the definition of common goals between authors, composers, and performers,



"Fair Trade Music is working to create a transparent and equitable value chain within the music industry to correct the grossly inequitable distribution of revenues in digital markets."

> LORENZO FERRERO COMPOSER / PRESIDENT OF CIAM

which resulted in a joint CIAM-IAO working group for strategic cooperation.

#### **REGIONAL ALLIANCE ACTIVITY**

CIAM is establishing an Asia-Pacific Alliance. Australia, Japan and New Zealand have lent their support and are encouraging other countries to join. In August 2015, members of the Latin American alliance ALCAM met in Guatemala City to promote the development of music industries and discuss developments of the licensing hub Latinautor. In January 2016, PACSA, in collaboration with CIAM and the Rwandan Society of Authors (RSAU), held a successful author-to-author training in Kigali for Rwandan composers and songwriters. CIAM and PACSA representatives met the Rwandan Minister of Culture to push the agenda on fair remuneration and the resale right.

#### **COOPERATION WITH W&DW**

To consolidate the growing collaboration with Writers & Directors Worldwide, CIAM President Lorenzo Ferrero attended W&DW's 2015 congress in Beijing. He updated delegates on the FTM initiative and met with the WIPO delegation, British Embassy IP office, representatives of the China Federation of Literary and Art Circles, and the Music Copyright Society of China. ◆

#### INTERNATIONAL COUNCILS OF CREATORS

## Writers & Directors Worldwide



Audiovisual: CIADLY Creation of the International Councils of Dramatic Authors and Composers and of Literary Authors, which later became the CIADLV.

#### **2013**

The CIADLV rebranded under the name Writers & Directors Worldwide, raising the profile of audiovisual authors internationally.

#### THE AUDIOVISUAL CAMPAIGN

This new campaign aims to raise awareness of the absence of equitable remuneration for screenwriters and directors in most countries. It informs and educates while proposing a simple change in the law: by granting an unassignable, unwaivable right to remuneration for audiovisual creators, countries can bring the rights of screenwriters and directors to an equal level with other industry players. More details at www.theaudiovisualcampaign.org.

#### W&DW CONGRESS (BEIJING)

For the first time, China was the venue for the 2015 W&DW congress with President Yves Nilly welcoming more than 80 delegates to the twoday event. The audience included local creators, journalists, and officials from the National Copyright Administration of China including Tang Zhaozhi, Deputy Director General of the Copyright Department, and Wang Zigiang, Director General of the Department for Policy and Regulation. Also in attendance was Mao Xiaomao, Secretary General of the China Film Copyright Association, with whom Mr. Nilly signed a Memorandum of Cooperation to form



"The Audiovisual Campaign is a key objective. Without this legal requirement for payment, most authors receive no share in the financial success of their work."

YVES NILLY WRITER / PRESIDENT OF W&DW a collaborative partnership in support of audiovisual creators in the region. More details at www. writersanddirectorsworldwide.org.

#### SPEAKING OUT FOR AUTHORS AT WIPO

At WIPO's 55<sup>th</sup> General Assembly in October 2015, W&DW, the International Federation of Film Producers Associations (FIAPF), and CISAC held a special creators' panel titled "Framing Dreams: Creative Cooperation in the Filmmaking Process." The panel included British screenwriter Olivia Hetreed, British producer Andy Paterson, Indian producer Bobby Bedi, Senegalese director Angèle Diabang, and French screenwriter and novelist Benjamin Legrand with Yves Nilly and FIAFP's senior expert of international affairs Bertrand Moullier.

"We wanted to share experiences about the process of making a film," said Mr. Nilly. "It requires a long creative chain that can take years to complete and requires that creators and producers collaborate to succeed. The role of copyright is to protect this chain and these relationships." •

#### INTERNATIONAL COUNCILS OF CREATORS

## CIAGP

## Great

Visual arts: CIAGP At the Toronto Congress, the International Council of Creators of Graphic, Plastic and Photographic Arts (known under its French acronym CIAGP) became CISAC's third

CISAC's third international council of authors.

**2013** 

CISAC, together with GESAC and EVA, launched the international campaign for the resale right.

#### THE RESALE RIGHT

The international campaign for the resale right, which grants visual artists a small share of the price when their work is resold by an auction house or an art gallery, gained momentum as CISAC, GESAC, EVA, and visual arts societies continued to lobby for its universal adoption. In June 2015, at an event organised during WIPO's 30th SCCR, law professor Sam Ricketson of Melbourne University presented the key findings of an academic study calling for a new international treaty. Following intensive lobbying, the resale right was officially added to WIPO's SCCR agenda. In October 2015, campaign proponents including celebrated sculptor and CISAC Vice President Ousmane Sow held a technical session titled "Resale Right: Making It Work for Visual Artists" to explain how the right works to WIPO delegates. The delegation met with WIPO's Director General Francis Gurry to advance the campaign.

#### **CIAGP CONGRESS (BUENOS AIRES)**

The resale right also topped the agenda of the CIAGP annual congress in Buenos Aires, Argentina. The congress attracted distinguished



"As artists, we have a duty to fight for the resale right, which is a just and necessary cause."

> HERVÉ DI ROSA VISUAL ARTIST / PRESIDENT OF CIAGP

guests including Argentinean State Senator Norma Morandini, who expressed her commitment to the resale right bill currently pending before the Argentinean Senate. At the invitation of CISAC's Latin American regional office and AGP societies (ADAGP, VEGAP, BILD-KUNST, and EVA), a cooperation group was created to strengthen collective management of visual arts in six countries: Argentina, Brazil, Cuba, Chile, Mexico, and Uruguay.

#### MONITORING NEW TECHNOLOGIES

CIAGP closely monitors how technological developments impact visual arts. At its 2015 congress, ADAGP presented the Fingerprinting Project. The tool will enable visual arts societies to monitor the use of their repertoires online. Discussions are ongoing to define the best legal, technical, governance, and financial frameworks for the development of this promising tool. CIAGP attendees also discussed a new model to collect revenues for the use of copyrighted material on social media platforms. ◆

#### **GLOBAL REACH**

18 societies in 2 countries CANA<u>DA/U.S.A.</u>

16.7% of collections €1.3 bn

> 49 societies in 25 countries

LATIN AMERICA & CARIBBEAN

6.7% of collections €530 m

230 societies in 120 countries

S 2

#### **GLOBAL REACH**



CISAC's regional offices in Africa (Burkina Faso), Asia-Pacific (China), Europe (Hungary), and Latin America & Caribbean (Chile) enable the organisation to apply its international expertise to regional, national, and local issues, supporting each of its 230 members in 120 countries.



CISAC's priority is to continue increasing Africa's worldwide share of total royalties collected, which is now close to 1%. To reach this goal, CISAC is assisting and training its 33 member societies on private copying and audiovisual rights.

#### **PRIVATE COPYING**

In the three African countries where it has been implemented – Burkina Faso, Algeria, and Cameroon (for the literary repertoire) – private copying remuneration singlehandedly generates over 60% of total collective management revenue. It is the primary lever for the development of collective management in Africa.

The regional office organises training for societies in countries where the legal framework for private copying exists but remuneration is not effective. Training sessions have been organised for directors in Angola, in July 2015; for twelve Francophone societies in partnership with the International Organisation of La Francophonie (OIF) in Ivory Coast in December 2015; and for the technical

**BALAMINE OUATTARA** REGIONAL DIRECTOR AFRICA

#### Voice of the Creators

**PROVERB** Singer-Songwriter SAMRO / South Africa

"Music copyright is one of the most important aspects of our industry. We must learn how to create sustainable income through music composition and copyright, passing this understanding down to future composers."

staff of Anglophone societies in 2016. CISAC is providing Morocco and Ivory Coast support through raising awareness and lobbying public authorities. The two were pilot countries for implementing private copying remuneration.

In Nigeria, CISAC signed a joint letter with IFRRO, ICMP, and BIEM to the government requesting the introduction of a private copying system. CISAC submitted comments on a pending copyright law to the Nigerian government.

#### **AUDIOVISUAL RIGHTS**

In order to develop proficiency in managing audiovisual rights, the Regional Office for Africa has organised several training sessions. The first will be conducted in May 2016 in Algiers with Algerian society ONDA for the technical staff of approximately ten member societies with a second in July 2016 in Namibia for CEOs.

#### **CAPACITY BUILDING**

The technical partnership programme launched in 2013, which aimed to develop effective royalty collection by societies with methods for documentation, collection and distribution continues. BUMDA (Mali), BCDA (Congo), ZAMCOPS (Zambia), NASCAM (Namibia), and UPRS (Uganda) have already benefitted. To support the programme, a technical document is being drafted to serve as a common base for these sessions.

With the support of OIF, CISAC has published a technical manual on the

role of magistrates and law officers in enforcing authors' rights for its Francophone members. This manual, written by University of Nantes Law Professor André Lucas, will be translated into English.

In January 2016, CISAC and the International Council of Music Creators (CIAM) partnered with the Pan-African Composers' and Songwriters' Alliance (PACSA) for four days of seminars in Kigali, Rwanda, to enhance collective management and authors' awareness of their rights.

#### **LOBBYING**

CISAC sent comments on the proposal to modernise the legislative framework to the Nigerian Copyright Commission in February 2016. CISAC reiterated its support of two key provisions for authors in the future law: resale right and private copying. CISAC also supported member society SAMRO in a similar initiative in South Africa.

#### **BUSINESS STANDARDS**

Led by SAMRO in South Africa, the African repertoire database project, which will facilitate this repertoire's circulation and royalty collection beyond Africa, was approved by the Executive Committee of CISAC's African Committee in February 2016. The principle of the pilot test with COSON (Nigeria) was adopted at the end of 2015. A status report on this project will be presented at the African Committee's next meeting in July 2016. ◆ asia pagia

BENJAMIN NG REGIONAL DIRECTOR ASIA-PACIFIC CISAC's key priorities in the region are supporting the growth of developing authors' societies, promoting CISAC's flagship campaigns such as the resale right and fair remuneration for audiovisual creators, and lobbying for changes in copyright legislation and policies.

#### NATIONAL ACTIONS

The Asia-Pacific Committee met in Manila and Sydney in 2015 to discuss cooperation on improving the operating capacities of authors' societies and reinforcing advocacy work in the region. Key topics included fair remuneration for creators and music licensing for online, broadcast, and satellite.

The main priority of the Asia-Pacific regional office is supporting operations of developing societies such as WAMI (Indonesia), JASPAR (Japan), MACA (Macau), MOSCAP (Mongolia), and MCT (Thailand). In 2015, MACA became a full member of CISAC reflecting significant improvements in its licensing operations, especially in casinos. WAMI also greatly increased its royalty collections, enabling it to

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Voice of the Creators CHAN SIU KEI Composer-Lyricist CASH / Hong Kong

"What writers are most concerned with is copyright protection, to avoid exploitation of our works and secure the remuneration we deserve."

distribute royalties to foreign societies for the first time.

CISAC engaged with national authorities, boosting its advocacy work in many countries, including China, Brunei Darussalam, India, Indonesia, Japan, South Korea, Macau, Mongolia, Philippines, Singapore, Taiwan, and Thailand. In China, CISAC is focusing on copyright reform and lobbying for the resale right and for changes to the law on authorship of audiovisual works. The regional office is working with Chinese member MCSC to achieve better broadcasting tariffs. In Indonesia, CISAC is collaborating with member WAMI to foster greater transparency, accuracy, and effectiveness in the country's policy on collection and distribution rules. In India, CISAC is supporting the establishment of a new AV society that was recently accepted as a company by the Ministry of Corporate Affairs. In Japan, CISAC is bolstering JASPAR's campaign for the visual artists' resale right. In South Korea, CISAC is helping to resolve broadcasting and distribution conflicts between KOMCA and the new music society, and is advocating for private copying.

#### **RESALE RIGHT**

CISAC is lobbying across the region for the visual artists' resale right. The resale right is currently included in a bill to amend the Chinese copyright act. CISAC is actively lobbying Chinese authorities to ensure that the bill is passed with the resale right intact. A booklet in Chinese on "Copyright Protection of Artistic Works" will be distributed to visual artists in 2016. In Japan, CISAC held a seminar on the adoption of resale right in copyright legislation. The regional office is also engaged in efforts to introduce the right in India, Singapore, and the Philippines.

#### FAIR REMUNERATION FOR AV CREATORS

In 2015, Writers & Directors Worldwide kicked-off the audiovisual campaign for fair remuneration of screenwriters and directors at its congress in Beijing. CISAC is working closely with an existing Chinese CMO to foster the creation of an AV society. A commissioned academic study on secondary remuneration for AV creators is also being prepared and will be widely circulated to audiovisual creators in 2016. ◆

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ΜΙΤΚΟ CHATALBASHEV **REGIONAL DIRECTOR** EUROPE

**Promoting** effective collective management of rights in light of recent EU and national initiatives on copyright has been central to CISAC's European agenda. In Central and Eastern Europe, the regional office has been particularly focussed on strengthening authors' rights protection and promoting best international practices.

#### RESPONDING **TO EU INITIATIVES**

CISAC has been actively lobbying to ensure that forthcoming copyright reform proposed by the EU Commission will take into account the interests of authors. CISAC in coordination with GESAC, SAA, and EVA, submitted responses to the Satellite and Cable Directive, the Online Platforms reviews (Read more on page 48) and EU consultations.

#### **LOBBYING AND** LEGAL WORK

CISAC has been in constant contact with local authorities on legislative reforms and collective management. In Ukraine, CISAC helped initiate legislative reform and promote a new draft law to improve collective management in a country where roughly 20 CMOs operate. Similarly, the lack of proper one-stop shops Voice of the Creators MICHELLE LEONARD Singer-Songwriter GEMA / Germany

"In a world where stock markets rule many decisions, let's not forget creators: songs can only exist if songwriters are supported."

\* \* \* \* \* \* \*

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and collective management system inefficiencies were raised before government officials in Moldova and Kazakhstan. In Macedonia, CISAC successfully lobbied to remove detrimental amendments to the Copyright Act introduced in September 2015.

In Turkey, CISAC, together with IFPI and Turkish CMOs, discussed common lobbying actions to increase copyright framework efficiencies. In Russia, CISAC has been observing planned legislative initiatives. In February, CISAC met with the Russian Federal Service of Intellectual Property, ROSPATENT, to review these initiatives.

In March 2016, the Regional Director spoke on one-stop-shop licensing solutions in Eastern Europe at the Extended Collective Licensing conference organised by WIPO and the Polish Ministry of Culture in Warsaw.

CISAC's European office has been active promoting the visual artists' resale right. In October 2015, CISAC and Russian member UPRAVIS co-hosted the first ever international event promoting the resale right in Russia as part of the 39<sup>th</sup> Autumn Russian Antique Salon. In Poland, CISAC met with the Ministry of Culture and began work with Polish visual arts organisation ZPAP to reinforce this right.

#### GOVERNANCE AND BEST PRACTICES

The European regional office invests significant resources in compliance reviews and promoting best international practices to ensure members adhere to CISAC's Professional Rules and Binding Resolutions. CISAC's governance model was presented by the Regional Director for Europe at the WIPO/ORDA (the Romanian supervisory body) conference on collective management in Romania in May 2015 and by the Director of Business Standards and Rules at the ICMP CEE Congress in Turkey in September 2015. In November 2015, 19 CMOs, primarily from Central and Eastern Europe, attended the annual CISAC/BIEM Budapest training seminar that focused on Binding Resolutions for music societies.

#### EUROPEAN COMMITTEE

In April 2016, Sofia, Bulgaria welcomed around 100 representatives invited by Bulgarian members MUSICAUTOR and FILMAUTOR from all around Europe to attend CISAC's annual European Committee meeting. Topics included: latest EU initiatives and ECJ decisions in the field of copyright, a U.S. update, cross-border online licensing of musical works, and CISAC'S governance reform proposal.  $\blacklozenge$ 

In Latin America, CISAC's advocacy work has yielded significant legal developments for creators' rights. Training and technical support for members remain top priorities.

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#### LOBBYING AND PROMOTING RIGHTS

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CISAC promotes authors' rights through lobbying with legislators and governments, as well as advocating its work in favour of creators at international forums. This year, CISAC's Regional Director for Latin America & Caribbean participated in the WIPO/ SGAE training seminar in Peru and in the "Copyright in Latin America: Issues, Challenges and Trends for Authors" seminar in Spain. He also spoke on authors' rights at Copyright Days for Brazilian Film Directors in Rio de Janeiro and Sao Paulo.

In a significant move in the fight for audiovisual rights and fair remuneration, the ad-hoc Committee of the Chamber of Deputies of Chile unanimously approved a bill in June 2015 that grants audiovisual authors

SANTIAGO SCHUSTER REGIONAL DIRECTOR LATIN AMERICA & CARIBBEAN \*"To use any 
art without 
authorisation is
more than a crime,
it's a lack 
of respect for 
the artist."

Voice of the Creators

**EDUARDO KOBRA** Visual artist AUTVIS / Brazil

an inalienable right to remuneration for the public communication of their works. The bill is currently pending approval by the Senate. In Argentina, there is a pending law for the visual artists' resale right in the Chamber of Deputies. CISAC is actively involved in both campaigns.

In Ecuador, the Regional Director met with high-level officials, including the President of the National Assembly, to promote favourable updates to copyright law and discuss good examples from the region.

#### COOPERATION PROGRAMMES

In Colombia, a cooperation agreement was signed in December 2015 between CISAC, Colombian member SAYCO, the Minister of the Interior, and the Director General of the Copyright Office. The agreement aims to improve SAYCO's operating capabilities and implement best practices in transparency, efficiency, and good governance. Other governments in the region are expressing interest in this cooperation model.

In October 2015, CISAC's Central American Cooperation Programme, as part of the MoU of Mexico, assisted negotiations between Costa Rican and Panamanian TV and radio broadcasters and local member ACAM. The goal was to reach a licensing agreement for music repertoires.

#### BUSINESS SUPPORT, TRAINING, AND EDUCATION

CISAC has also been active in providing business support and training to its members.

In August 2015, CISAC participated in a meeting of Caribbean societies organised by the regional association ACCS, which included discussions on licensing with the CARICOM Office for Trade Negotiations.

The regional office additionally assisted Jamaican member JACAP to address new amendments to the regulation of CMOs. In Peru and the Dominican Republic, CISAC provided guidance on governance and best practices to its members APDAYC and SGADECOM. Consequently, these societies amended their governance structure to allow publishers to participate on their Board of Directors.

In Chile, CISAC organised a training workshop on Professionals Rules and Binding Resolutions, and documentation and distribution, which was attended by 15 Latin American countries.

CISAC continues to support four new audiovisual societies: DASC (film directors) and REDES (screenwriters) in Colombia as well as DBCA (film directors) and AR (screenwriters) in Brazil.

CISAC is also collaborating closely with educational institutions in Latin America to become the central authority on authors' rights, collective management, and related issues. The organisation has built close relationships with a network of 10 universities throughout the region.  $\blacklozenge$ 

#### **CISAC MEMBER SOCIETIES**

## ··· AFRICA ···

Society	Status	Main repertoire	Country
ONDA	М	MU	ALGERIA
SADIA	М	MU	ANGOLA
UNAC-SA	P	MU, AV, D	ANGOLA
BUBEDRA	М	MU	BENIN
BBDA	М	MU	BURKINA FASO
SOCILADRA	М	D	CAMEROON
СМС	М	MU	CAMEROON
BCDA	М	MU	CONGO
SACERAU	М	MU	EGYPT
BGDA	М	MU	GUINEA
BURIDA	М	MU	IVORY COAST
MCSK	М	MU	KENYA
OMDA	М	MU	MADAGASCAR
COSOMA	М	MU	MALAWI
BUMDA	М	MU	MALI
BMDA	М	MU	MOROCCO
MASA	М	MU	MAURITIUS
SOMAS	М	MU	MOZAMBIQUE
NASCAM	М	MU	NAMIBIA
BNDA	М	MU	NIGER
COSON	М	MU	NIGERIA
MCSN	М	MU	NIGERIA
RSAU	Р	MU, AV, L, AGP, D	RWANDA
BSDA	М	MU	SENEGAL
SACS	М	MU	SEYCHELLES
DALRO	М	L	SOUTH AFRICA
SAMRO	М	MU	SOUTH AFRICA
COSOTA	М	MU	TANZANIA
BUTODRA	М	MU	TOGO
OTPDA	М	MU	TUNISIA
UPRS	М	MU	UGANDA
ZAMCOPS	М	MU	ZAMBIA
ZIMURA	Μ	MU	ZIMBABWE

### ··· CANADA-USA ···

Society	Status	Main repertoire	Country
CARCC	М	AGP	CANADA
cscs	М	AV	CANADA
DRCC	М	AV	CANADA
SARTEC	A	AV	CANADA
CMRRA	М	MU	CANADA
SOCAN	М	MU	CANADA
SODRAC	М	MU	CANADA
SPACQ	A	MU	CANADA
ARS	М	AGP	UNITED STATES
VAGA	М	AGP	UNITED STATES
DGA	A	AV	UNITED STATES
WGA	A	AV	UNITED STATES
The Author's Registry Inc.	A	L	UNITED STATES
AMRA	М	MU	UNITED STATES
ASCAP	М	MU	UNITED STATES
BMI	М	MU	UNITED STATES
SESAC Inc.	М	MU	UNITED STATES

## **••• EUROPE •••**

Society	Status	Main repertoire	Country
SDADV	Р	MU, AGP, AV, D, L	ANDORRA
ARMAUTHOR	М	D	ARMENIA
BILDRECHT	М	AGP	AUSTRIA
VDFS	М	AV	AUSTRIA
LITERAR- MECHANA	М	L	AUSTRIA
АКМ	М	MU	AUSTRIA
AUSTRO- MECHANA	М	MU	AUSTRIA
AAS	М	MU	AZERBAIJAN
NCIP	М	MU	BELARUS
SOFAM	М	AGP	BELGIUM
SABAM	М	MU	BELGIUM
GESAC	А	NA	BELGIUM
AMUS	Р	MU	BOSNIA AND HERZEGOVINA
SQN	М	MU	BOSNIA AND HERZEGOVINA
FILMAUTOR	М	AV	BULGARIA
MUSICAUTOR	М	MU	BULGARIA
DHFR	Р	AV	CROATIA
HDS-ZAMP	М	MU	CROATIA
GESTOR	М	AGP	CZECH REPUBLIC
DILIA	М	AV	CZECH REPUBLIC
OSA	М	MU	CZECH REPUBLIC
COPY-DAN BILLEDER	М	AGP	DENMARK
KODA	М	MU	DENMARK
EAU	М	MU	ESTONIA
KUVASTO	М	AGP	FINLAND
KOPIOSTO	М	AV	FINLAND
SANASTO	Р	L	FINLAND
UFW	А	L	FINLAND
TEOSTO	М	MU	FINLAND
ADAGP	М	AGP	FRANCE
SAIF	М	AGP	FRANCE
SACD	М	AV	FRANCE
SCAM	М	AV	FRANCE
SGDL	A	L	FRANCE
SACEM	М	MU	FRANCE
SACENC	М	MU	FRANCE
GCA	М	MU	GEORGIA
BILD-KUNST	М	AGP	GERMANY
GEMA	М	MU	GERMANY
ATHINA-SADA	Р	AV, D	GREECE

## **···· ASIA PACIFIC ····**

Society	Status	Main repertoire	Country
VISCOPY	М	AGP	AUSTRALIA
ASDACS	М	AV	AUSTRALIA
AWGACS	М	AV	AUSTRALIA
CAL	Р	L	AUSTRALIA
AMCOS	А	MU	AUSTRALIA
APRA	М	MU	AUSTRALIA
BEAT	Р	MU	BRUNEI DARUSSALAM
MCSC	М	MU	CHINA
CASH	М	MU	HONG KONG
IPRS	М	MU	INDIA
PAPPRI	А	MU	INDONESIA
WAMI	Р	MU	INDONESIA
APG-Japan	А	AGP	JAPAN
JASPAR	Р	AGP	JAPAN
JASRAC	М	MU	JAPAN
MACA	М	MU	MACAU
MACP	М	MU	MALAYSIA
MOSCAP	Р	MU	MONGOLIA
CPSN	A	MU	NEPAL
MRCSN	Р	MU	NEPAL
FILSCAP	М	MU	PHILIPPINES
SACK	М	AGP	REPUBLIC OF KOREA
KOSA	Μ	L	REPUBLIC OF KOREA
КОМСА	М	MU	REPUBLIC OF KOREA
COMPASS	М	MU	SINGAPORE
MÜST	М	MU	TAIWAN, CHINESE TAIPEI
мст	М	MU	THAILAND
VCPMC	М	MU	VIETNAM

#### 230 AUTHORS' SOCIETIES IN 120 COUNTRIES

### **••• EUROPE •••**

Society	Status	Main repertoire	Country
AEPI	м	MU	GREECE
AUTODIAHIRISI	P	MU	GREECE
UFFICIO LEGALE	А	NA	HOLY SEE (VATICAN CITY STATE)
HUNGART	М	AGP	HUNGARY
FILMJUS	М	AV	HUNGARY
ARTISJUS	М	MU	HUNGARY
STEF	М	MU	ICELAND
IVARO	M	AGP	IRELAND
SDCSI	P	AV	IRELAND
IMRO TALI	M	MU AV	IRELAND
ACUM	M	MU	ISRAEL
SIAE	M	MU	ITALY
KazAK	M	MU	KAZAKHSTAN
Kyrgyzpatent	М	MU	KYRGYZSTAN
AKKA-LAA	М	MU	LATVIA
LATGA	М	MU	LITHUANIA
SACEM LUXEMBOURG	М	MU	LUXEMBOURG
ZAMP - Macédoine	Μ	MU	MACEDONIA (FYROM)
AsDAC	М	MU	MOLDOVA
PAM CG	М	MU	MONTENEGRO
PICTORIGHT	М	AGP	NETHERLANDS
VEVAM	M	AV	NETHERLANDS
LIRA BUMA	M	L	NETHERLANDS
STEMRA	M	MU	NETHERLANDS
BONO	M	AGP	NORWAY
TONO	M	MU	NORWAY
ZAPA	M	AV	POLAND
ZAIKS	М	MU	POLAND
SPA	М	MU	PORTUGAL
UCMR-ADA	М	MU	ROMANIA
UPRAVIS	Ρ	AGP	RUSSIAN FEDERATION
RAO	Μ	MU	RUSSIAN FEDERATION
RUR	P	MU, AV	RUSSIAN FEDERATION
SOKOJ	M	MU	SERBIA
LITA SOZA	M	AV MU	SLOVAKIA SLOVAKIA
ZAMP Association			
of Slovenia	М	L	SLOVENIA
SAZAS	М	MU	SLOVENIA
VEGAP	М	AGP	SPAIN
DAMA	М	AV	SPAIN
SGAE	M	MU	SPAIN
BUS	M M	AGP MU	SWEDEN
SSA	M	AV	SWEDEN SWITZERLAND
SUISSIMAGE	M	AV	SWITZERLAND
PROLITTERIS	M	L	SWITZERLAND
SUISA	M	MU	SWITZERLAND
SETEM	M	AV	TURKEY
MESAM	М	MU	TURKEY
MSG	М	MU	TURKEY
Aupo CINEMA	Ρ	AV	UKRAINE
UACRR	М	D	UKRAINE
ACS	М	AGP	UNITED KINGDOM
DACS	Μ	AGP	UNITED KINGDOM
DIRECTORS UK	M	AV	
ALCS	М	L	UNITED KINGDOM
The Society of Authors	A	L	
MCPS	M	MU	UNITED KINGDOM
PRS	M	MU	
GAI UZ	Μ	MU	UZBEKISTAN

### **... LATIN AMERICA ...** and Caribbean

Society	Status	Main repertoire	Country
SAVA	М	AGP	ARGENTINA
ARGENTORES	М	AV	ARGENTINA
DAC	М	AV	ARGENTINA
SADAIC	М	MU	ARGENTINA
COSCAP	М	MU	BARBADOS
BSCAP	М	MU	BELIZE
SOBODAYCOM	M	MU	BOLIVIA
AUTVIS	M	AGP	BRAZIL
ABRAMUS	M	MU	BRAZIL
ADDAF	М	MU	BRAZIL
AMAR	M	MU	BRAZIL
ASSIM	M	MU	BRAZIL
SADEMBRA	M	MU	BRAZIL
SBACEM	M	MU	BRAZIL
SICAM	M	MU	BRAZIL
SOCINPRO	M	MU	BRAZIL
UBC	M	MU	
CREAIMAGEN	M	AGP	BRAZIL CHILE
ATN	M	D	CHILE
SCD	M	MU	CHILE
DASC	P	AV	COLOMBIA
SAYCO	М	MU	COLOMBIA
ACAM	Μ	MU	COSTA RICA
ADAVIS	A	AGP	CUBA
ACDAM	М	MU	CUBA
SGACEDOM	М	MU	DOMINICAN REPUBLIC
ARTEGESTION	A	AGP	ECUADOR
SAYCE	М	MU	ECUADOR
SACIM, EGC	М	MU	EL SALVADOR
AEI	M	MU	GUATEMALA
AACIMH	M	MU	HONDURAS
JACAP	М	MU	JAMAICA
SOMAAP	Μ	AGP	MEXICO
DIRECTORES	Μ	AV	MEXICO
SOGEM	M	AV	MEXICO
SACM	M	MU	MEXICO
NICAUTOR	M	MU	NICARAGUA
SPAC	M	MU	PANAMA
APA	M	MU	PARAGUAY
APSAV	M	AGP	PERU
APDAYC	M	MU	PERU
			-
ECCO	M	MU MU	SAINT-LUCIA
SASUR			SURINAME
ACCS	A	MU	TRINIDAD AND TOBAGO
сотт	M	MU	TRINIDAD AND TOBAGO
AGADU	М	MU	URUGUAY
LATINAUTOR	A	NA	URUGUAY
AUTORARTE	А	AGP	VENEZUELA
SACVEN	М	MU	VENEZUELA

#### Status within CISAC

- M = Member A = Associate P = Provisional

#### **Repertoire:**

MU = Music AV = Audiovisual D = Drama L = Literature AGP = Visual Arts NA = Information not available, corresponding to associations and guilds member of CISAC that do not directly manage any repertoire.

N.B.: The information concerning each society's repertoire is based solely on the collection figures that the society supplied to CISAC.

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