



# LATIN AMERICA AND THE CARIBBEAN NEWSLETTER



Societies in Action

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Vice-President of the Latin  
American and Caribbean  
Committee

Tips on Authors' Rights

Latin America bets on  
digital growth

# The Digital World as a Bet for Collective Management Societies

*“In Latin America, the significant growth of digital is failing to counteract the impact of the pandemic”.*

*- CISAC Collections Report 2021*

When we talk about collecting societies around the world, we are referring to organizations that seek to dignify the lives of creators. These creators are not necessarily well-known, and they do not only have to be dedicated to music, although this is one of the most visible areas in the current panorama. The pandemic, that period of time that has been going on for two years now and of which we are just beginning to see the results of its first months, has affected the normal course as we knew it and has led composers, authors, painters, sculptors, film directors, photographers and any other artist, part of the cultural and creative industries, to reinvent themselves. But the reality is that not everyone can do it easily: while digital consumption is on the rise, the dramatic, at least, registers decreasing percentages.

“In Latin America, the significant growth of digital is failing to offset the impact of the pandemic. So says CISAC’s Global Collections Report, which analyses the economic reality of societies by region for 2020. During that year, CISAC’s total worldwide collections amounted to €9.32 billion, which was 9.9% less than in 2020, in its different categories:

Music, Audiovisual, Visual Arts, Literature and Dramatic. The report shows how, in percentage terms, this money is being allocated, with Europe and North America having the greatest weight in revenue, with 52.8% and 26.3% respectively, followed by Asia, with 16.2%; Latin America, with 4.1%; and Africa, with 0.7% of the world’s total revenue.

In the different sources of income for creators, television is the predominant area, with 39.7%, despite the incessant digital consumption of these times, which is in second place with 26.2%. If we look at the categories, it is interesting to look at the evolution of collections by repertoire in 2020: although music is the first area, with 8,187 million euros in collections, it decreased 10.7% during that first year of pandemic, contrary to visual arts and literature, which, despite being the third and fourth categories on the list, increased their annual evolution by 19.6% and 5.1% respectively.

In Latin America, the reality is that the 378 million euros raised represent a decrease of -25.4%

in 2020 compared to the previous year. Digital consumption offset part of the losses, thanks to licensing agreements reached by management entities with platforms such as Spotify, Netflix, Google, Disney and Youtube, among other platforms, for different mass consumption productions through screens.

In our region, revenues from live shows are the biggest loss, since in 2020 there were almost no live shows due to the widespread quarantines in all parts of the world. Paraguay is the South American country with the biggest drop in revenues, with a drop in revenues of 81.8%; followed by Peru, with 73.8%; and Colombia, with 55.8%.

Additionally, Brazil, Argentina and Mexico are the three countries that generate 80% of the region’s revenues. These territories are geographically the largest, have a very strong local music and audiovisual production activity (Brazil is the most different from the other countries, due to the language), even though their economies are not the strongest. “In Mexico, almost

three quarters of its revenues are generated by the digital sector, which recorded an increase of 65.2%,” the report notes. In Argentina, total collections rose by 16.3%, but the country’s annual inflation rate of over 40% does not allow this progress to be seen, and the music society SADAIC reported an 89% plunge in revenues related to ambient music, which represents 45% of total collections.

The general reading of the relationship is that digital revenues have increased rapidly. At least in Brazil, they grew by 68.5% in 2020, representing more than a quarter of total collections in that country. However, the digital push does not diminish the impact of the decline of live shows, which has caused the worldwide collection to decrease.

Think of all the activities that are pandemic: listening to music on platforms, attending online concerts, streaming, radio and television. In all of these, royalty collections saw a remarkable growth that allowed revenues from this repertoire in the region to triple and become the main source of collections by type of use, with 42.9% for TV and radio and 30.6% for digital, leaving behind the Live and Ambient category with 24.3% and other categories with 2.9%.

If most of the decline is in music, are other categories likely to grow? The answer will de-

pend on local consumption in each country and the reinvention capacity of authors and performers to include their creations in these new business models in the midst of a pandemic that seems to have taken hold in the world for quite some time and has no intention of leaving for good. Latin American collecting societies are betting on digital, because they need to reactivate and support their members who have not been able to collect the equivalent of other years during the last two years. For this to be reflected in the regional percentages, local societies need to continue helping with stimuli that allow their members to take advantage of their creations in a creative way to generate income and dignify their work above and beyond other trades they may have to engage in to make a living.

The challenge lies in the economic particularities of each country, which influence the general momentum of the region: inflation in Argentina and the restrictions represented by the exchange control -and with it the lack of access to global banking-; the pricing per stream according to the platform, the fees they apply and the figures charged by each management company for public execution to prevent users from decreasing public executions or licences to save those amounts.

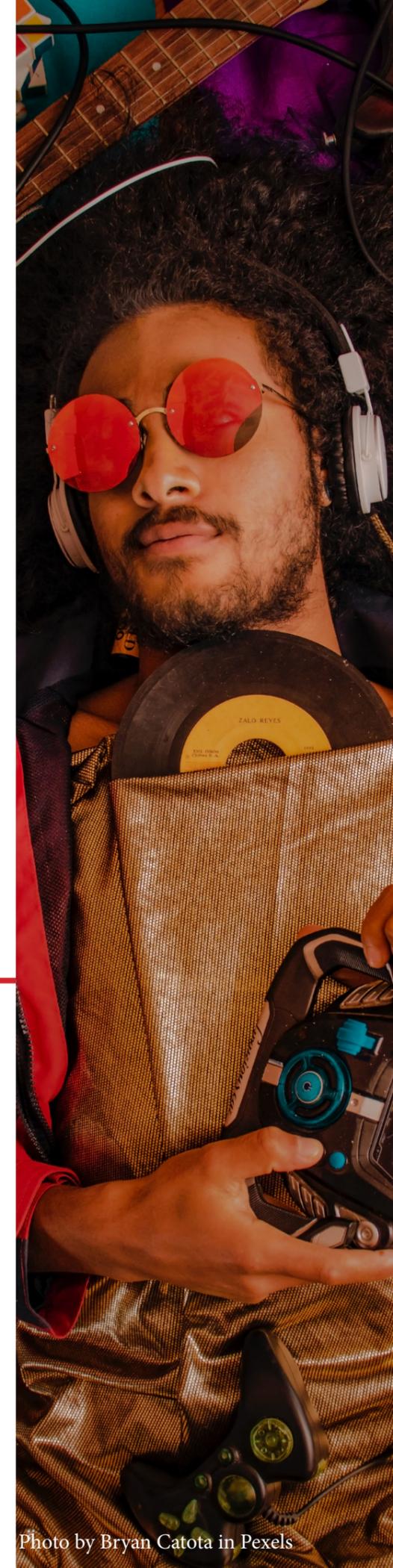
While the world is trying to understand what happened in 2020 at the copyright level, the in-

ternet is one step ahead with web 3.0, NFTs and the so-called metaverse that will take the discussion to a higher level on technical issues of licensing and assignment of rights. Collecting societies must fully understand this whole new world and be prepared to deal with it as soon as possible because that is where the future lies. At least the immediate one.

Article by Marcy Alejandra Rangel

Translation by Macarena Silva

*“In Mexico, almost three quarters of its revenues are generated by the digital sector, which is growing by 65.2%”.*



# Activities of the Regional Office

In Latin America, there are often intellectual property diffusion events; public consultations on draft legislation; administrative decisions of particular interest to collecting societies; as well as court rulings that in many cases call into question the fundamental principles of the creators' rights system.

In this context, CISAC's regional office has participated during this second part of the year in the organisation of events to disseminate author's rights and collective management; has presented observations in regional debates on author's rights; has carried out training activities; and has provided assistance to entities in the region that have requested it, especially those at a lower level of development.

In December 2021, meetings of the CLC Executive Committee and the Regional Legal Commission were held. In November, the CISAC regional office coordinated a meeting with WIPO officials and representatives of the English-speaking Caribbean societies COSCAP, COTT, JACAP, BSCAP, ECCO. The purpose was to provide an update on collective management in the English Caribbean islands, and to facilitate the societies' relationship with intellectual property offices.

In September and October, presentations on collective management were given at the Congress on Intellectual Property, organised by the Austral University of Argentina and ELAPI, at the WIPO Academy in the Dominican Republic, and at the Regional Forum on Authors' Rights organised by the Spanish Ministry of Culture. A round table discussion on collective management promoted by the Regional Centre for Book Promotion (CERLALC) was also coordinated, the conclusions of which will be presented to the governments of the region. SAYCO, SAYCE, APDAYC,

AGADU, SCD, SGACEDOM, SPAC, UBC, ARGENTORES, AUTVIS, SOBODAYCOM, ABRAMUS, and DASC participated in this activity. Two consultation and discussion sessions on the CIS-NET system update were coordinated in September, led by Sylvain Piat, CISAC Business Director, with the participation of systems managers from UBC, SACM, SADAIC, APDAYC, SCD, SAYCO, AGADU and SAYCE. The study on remuneration rights of audiovisual creators was also launched and will be published in the first quarter of 2022.

*Upcoming Activities*

- Workshop on Audiovisual Authors' and Producers' Rights / February 2022
- Publication of the regional study on remuneration rights of audiovisual creators / March 2022
- Digital Update Programme. First module / April 2022
- Latin American and Caribbean Committee Assembly / May 2022
- Seminar on buy-out / June 2022
- CISAC General Assembly / June 2022
- International Conference on Collective Management / November 2022

# Legally Speaking

## AUTHOR'S RIGHTS TIPS IN LATIN AMERICA AND THE CARIBBEAN

Brazil: The law enshrining the profession of composer is published in the Official Journal.

Chile: Constitutional Court declares inadmissible the unconstitutionality appeal filed by the TV channel MEGA against the power of collecting societies to set tariffs.

Colombia: DNDA publishes resolution with guidelines for public consultation on limitations and exceptions to copyright. REDES and DASC sign agreement with the company Tigo-UNE.

Guatemala: The Constitutional Court issues judgment annulling the legal provision that establishes the presumption of legitimacy of collecting societies.

Honduras: Administrative Court of the Supreme Court of Justice rules in favour of the AACIMH regarding a resolution issued by the Administrative Copyright Office (Oficina Administrativa del Derecho de Autor).

Mexico: Supreme Court of Justice rules that in hotel rooms with cable and satellite systems, acts of communication to the public of works are carried out and therefore require a prior licence from the right holders.

Panama: The DNDA authorises the operation of the audiovisual creators' entity EDAP.

Dominican Republic: The Supreme Court of Justice establishes that the retransmission of signals in clinic rooms does not give rise to the payment of royalties.

Venezuela: National Assembly discusses Author's Rights Law reform bill.

# Societies in Action

CHILE

## SCD CLEARS UP DOUBTS ABOUT IMPACT OF LIVE MUSIC DURING PANDEMIC

After a year and a half with the live music scene at a complete standstill in Chile, the Sociedad Chilena de Autores e Intérpretes Musicales (SCD) decided to take a step back from a situation that ended up becoming one of the worst crises in the world of culture, and promoted a series of clinical trials with the aim of scientifically determining the impact of live concerts on the spread of the Coronavirus.

Thus was born the project “La Música Ensayo”, which has the scientific and technical support of the prestigious Universidad de Chile, and which to date has already held two events. The first of these, which was also the first show with full capacity since the pandemic was declared in that country, took place on 26 August 2021 in one of the two halls of the SCD, and generated wide repercussions not only in Chile, but also in other countries.

The experience was followed from Peru, Argentina, Bolivia, Bolivia, Panama, Uruguay, Spain, United States, Mexico, Brazil, Germany

*“The problem of **music in pandemic**; something universal and that in every latitude generated the same yearning: **that of a prompt reactivation**”.*

and France, giving an account of the problem of music in pandemic; something universal and that in every latitude generated the same yearning: that of a prompt reactivation.

The group in charge of that first evening was Chanco en Piedra, a band with more than 25 years of experience, and the mechanics decreed by the specialists of the Universidad de Chile, both for the public and for the workers, included the permanent use of a mask, always staying in the respective seat, a complete vaccination schedule, temperature taking, sanitation with alcohol, gel and a negative PCR test. Eight days later, a second test determined a resounding result: 0% infection.

The experience had a second episode on 18 November, this time starring Santaferia, one of the most popular groups of the so-called new Chilean cumbia. There, some variables were incorporated, such as the replacement of the PCR test by the antigen test, the possibility for the public to move and interact, and the implementation of additional ventilation systems with permanent air injection and extraction, while the constant use of masks and the complete vaccination schedule remained unchanged.

The analysis of both experiences will be made available to the authorities, in the hope that the background information will be taken into account in order to tend to an increasing reopening

of the venues, to establish permanent parameters for long-term event planning, and to authorise full capacity concerts in the near future. For now, everything points to the fact that, if protective measures are taken to minimise any risk of contagion, the desire to see the venues full again and an active schedule of shows is perfectly possible.

Article by Sebastián Cerda, SCD

# Societies in Action

COLOMBIA

## REDES AND DASC SIGN AGREEMENT WITH TIGO-UNE TELECOMMUNICATIONS COMPANY IN COLOMBIA

After an important negotiation, Colombian audiovisual entities REDES, SGC and DASC signed at the end of December 2021 a contract with the company Tigo-UNE, one of the three largest cable operators and telecommunications company covering the Colombian territory.

The negotiation makes Tigo-UNE the first communications company and cable operator with national reach to comply with the #LeyPepeSánchez by recognising and paying writers and audiovisual directors the right they are entitled to for the public communi-

cation of their works.

In 2021, REDES, SGC and DASC signed contracts with the television channels Canal 13 and Canal 1, who join Caracol Televisión, RCN Televisión, pioneers in the recognition and payment of the right that corresponds to audiovisual creators.

Article by REDES and DASC.

## SAYCO AT THE FOREFRONT OF NEW MUSICAL TALENT

Colombia is once again a protagonist on the music scene with the holding of Music Land Colombia 1.0 in the city of Medellín, a unique event that seeks to discover, stimulate and promote new creative and composing talents in the country, opening the doors to the musical seedbed that already has outstanding figures at international level.

Young emerging artists, who are making their way in a highly competitive music industry, gathered at the promising platform, supported by the Society of Authors and Composers of Colombia -Sayco-, with the accompaniment of renowned artists such as Arelys Henao, Checo Acosta and Kevin Flórez, exponents of popular music in the country, as well as experts from the entertainment sector.



Article by Milenys López and Diana Soto SAYCO

ENGLISH CARIBBEAN

## ENGLISH CARIBBEAN SOCIETIES OFFER A PAN-REGIONAL LICENCE FOR DIGITAL MUSIC USE

The Caribbean collective management organisations (CMOs) offer a pan-regional licence for digital music use to facilitate music users in the region which, comprises many small territories, through the Association of Caribbean Copyright Societies (ACCS). The licensing of online music is further complicated because of the withdrawal of rights for direct licensing by rights holders. To advance licensing and to strengthen relationships, the members of the ACCS; BSCAP (Belize), COSCAP (Barbados), COTT (Trinidad and Tobago), ECCO (Organisation of Eastern Caribbean Collective Organisation (ECCO) and JACAP (Jamaica), joined Latinautor. Due to the situation of the Caribbean territories, Latinautor had to shape specific licensing solutions for the region with successes achieved with licences granted to Spotify and Facebook and negotiations ongoing with other platforms. These developments are very important to the Caribbean ensuring the presence of the members of ACCS and regional creators in the digital music environment and the ability to effectively monetise their copyright.

Article by COSCAP

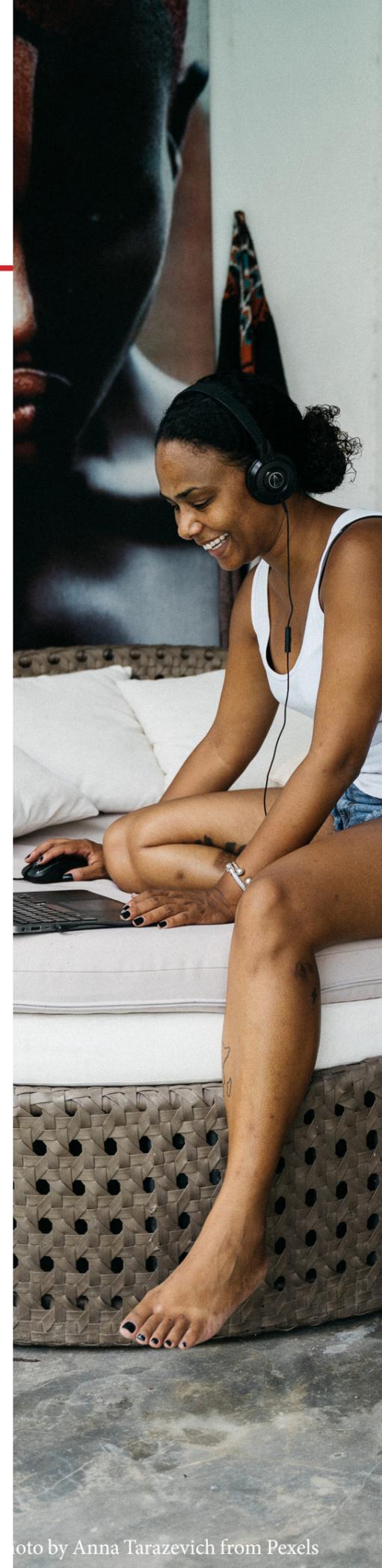


Photo by Anna Tarazevich from Pexels

# Societies in Action

BRAZIL

## OCCUPATION: COMPOSER THE 4308/2012 BILL WAS FINALLY APPROVED AT THE CONSTITUTION AND JUSTICE COMMISSION

Excellent News to the music composers: On October 7th the 4308/12 bill was approved, recognizing the composer's activity as an artistic occupation. The bill, which had already been approved by the Federal Senate, was then approved at the Constitution and Justice Commission of the Chamber of Deputies, right on the date we celebrate the Day of the Brazilian Composers. As the bill would not cause any financial impact on the national budget, it will do directly for the presidential approval.

According to the bill:

Art. 1º: The composer's artistic activity is now recognized as an artistic occupation.

Art. 2º: Composer is the author of musical works, with or without lyrics, expressed in any way or settled in any support, tangible or intangible, known or that can be invented in the future, according to the art. 7º of the Author's Law – 9610/98 of February 1998.

ABRAMUS has worked hard not even to be able to put the bill on the agenda of the Constitution and Justice Commission for vote, but also worked hard for its approval, making all efforts to mobilise all its members to discuss the subject and join the Campaign.

This is a very important achievement for



all the Brazilian composers because, despite of the remarkable and deserved recognition of their occupation, that law will bring other benefits like their inclusion on the Social Security Law for the purposes of retirement, regulation of the occupation for tax purposes; qualification for their business and civil lives and professional presentations.

*“While we are celebrating here, we know that, from heaven, Dorival Caymmi, Ari Barroso, Radamés Gnattali, Pixinguinha, Nelson Cavaquinho, Tom Jobim, Noel Rosa among other Brazilian stars, are celebrating as well”,* added Mr. Roberto Mello, Abramus Executive Director.

Congratulations to all Brazilian composers for that so important achievement.

Article by ABRAMUS.

URUGUAY

## AGADU CARRIES OUT ACTIVITIES TO SUPPORT ITS MEMBERS DURING THE PANDEMIC

During the past year, AGADU continued to assist its members, especially those at risk, both in Montevideo and in the interior of the country, with deliveries of non-perishable food baskets and other items.

Also, given the need to provide more information to its members in relation to the new digital modalities of use of works, it coordinated and gave workshops for members on authors' rights and digital platforms, as well as on the presentation of projects to apply for public and private economic assistance funds for cultural undertakings.

The reactivation of artistic activities from September onwards and the relaxation of health protocols allowed the reopening of cultural spaces, resulting in an increase of artistic activities in the country, with a consequent increase in the collection of royalties in favour of creators.

Article by AGADU.

# Societies in Action

BRAZIL

## MODERN ART WEEK

The Modern Art Week of 1922 was the framework of the modernist movement in Brazil. More than that, it was a revolutionary event for Brazilian artistic production that transformed Brazil's view of aesthetics and artistic processes and became a symbol and inspiration for artists all over the country who sought a transformation of the old ways of expressing art.

With the support of part of São Paulo's coffee-growing elite, names such as Anita Malfatti, Oswald de Andrade, Mário de Andrade, Di Cavalcanti, Oswald de Andrade, Victor Brecheret, Manuel Bandeira, Menotti del Picchia, Zina Aita, Ronald de Carvalho, Guiomar Novaes, Heitor Villa-Lobos, Graça Aranha, among others, organised the Semana de Arte Moderno, held from 13 to 18 February, where lectures, exhibitions, poetry readings and musical performances at the São Paulo Municipal Theatre transformed the way of making and thinking about art.

Inspired by European movements, Modernism rediscovered and valorised marginalised popular culture, going on to develop an originally Brazilian art form that reverberates and permanently influences national culture and imaginary to this day.

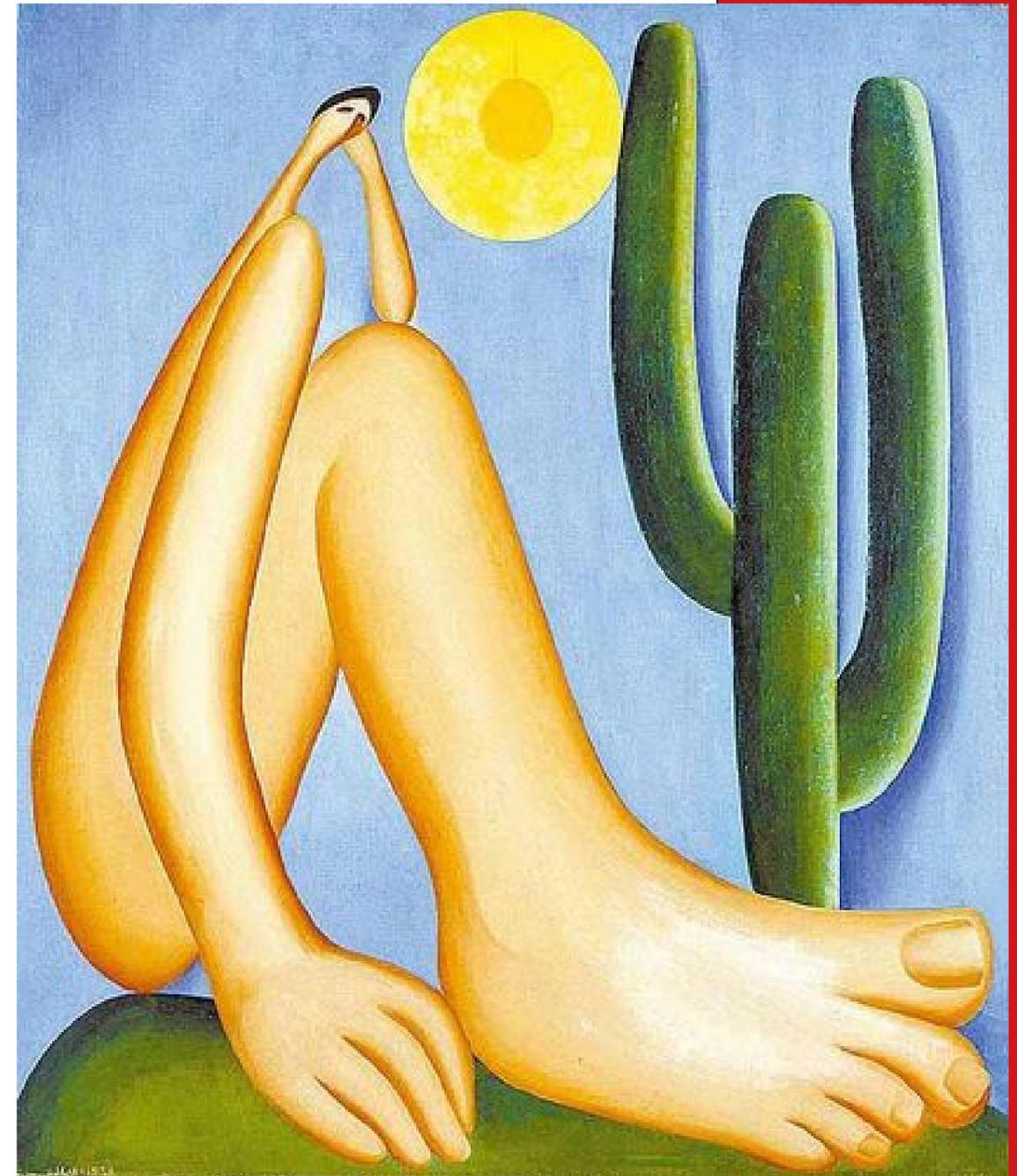
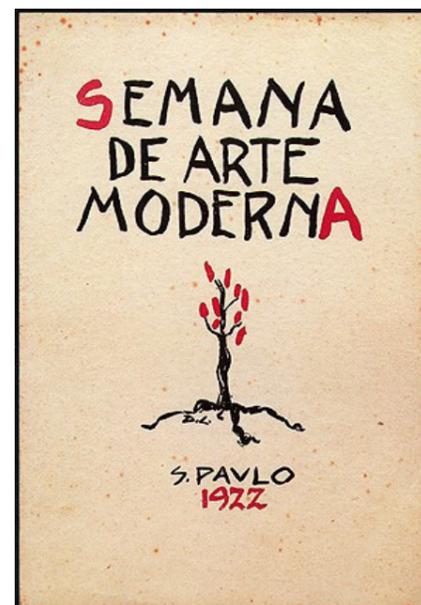
The event generated a shock in part of the population. The public did not understand the non-traditional forms and colours of Anitta Malfatti and Di Cavalcanti, or the verses of Manuel Bandeira and Mario de Andrade. And they found it extremely offensive that Heitor Villa-Lobos should lead an orchestra wearing sandals.

Tarsila do Amaral, one of the leading names of Modernism in Brazil, did not take part in the

Week as she was out of the country. However, after her return and meetings with the modernist artists who spearheaded the event, Tarsila joined the movement and went on to produce "modern art". In 1928, the painting *Abaporu* was painted and became the expression of this new way of making art, prioritising the national to the detriment of foreign influences. The painting is one of the most valuable works of Brazilian art.

Since then, the valorisation of nationalism is more present in our art and society. Without the valorisation of baroque, caipira, northeastern, sertaneja, black and indigenous culture promoted by the movement, it is difficult to imagine the emergence, for example, of the Brasília project of Lúcio Costa and Oscar Niemeyer, of bossa nova, tropicalismo, cinema novo and so many movements and cultural frameworks of our recent history.

Article by AUTVIS.



Artist: ABAPORU - Courtesy of ABRAMUS

# Societies in Action

PERU

## CAPEMUSICA MEMBERS PRESENT PLAN OF ACTIVITIES

The Peruvian Chamber of Music CAPEMÚSICA, made up of the collective management societies of authors (APDAYC), SONIEM (artists), and UNIMPRO (phonographic producers), presented at the beginning of October 2021 the plan of activities that will be carried out to promote respect for Intellectual Property in Peru.

The presentations were made by Walter Humala, renowned Andean singer-songwriter and President of CAPEMÚSICA, as well as Maritza Rojas, General Director of SONIEM, Guillermo Bracamonte, General Director of UNIMPRO, and Armando Massé, Executive President of APDAYC.

Among the actions to be undertaken by CAPEMUSICA are: lobbying on behalf of authors' rights and related rights holders; initiatives for the preservation of the Peruvian musical heritage; strengthening of the collective management system; and the awarding of the annual Música Perú prize to recognise the outstanding work of creators, artists and producers of phonograms.

More details on the website: <https://elperuano.pe/noticia/130612-capemusica-buscara-mayor-difusion-de-la-musica-hecha-en-el-peru>

Article by APDAYC.



BRAZIL

## UBC LAUNCHES THE SECOND EDITION OF THE IMPULSO PROJECT

The Impulse Project was created by UBC in 2019 with the aim of bringing training, mentoring and networking to musicians as a way to promote cultural development. Two years later, the programme resurfaces with new challenges and addressing the needs of the current scenario. In collaboration with the initiative's advisor Luri Freiburger and cultural fintech Noodle, Impulse 2.0 offers a gamified experience in digital format and the five winners will receive individual mentoring with big names in the music industry.

This new version consists of three phases: a selection by interest, a selection by qualification, and a final competition for a place in the programme.

In the first phase, up to 10,000 UBC members will be able to register and participate in a virtual environment with access to educational content on authors' rights, the music industry and finance, as well as quizzes to test their acquired knowledge. For two months, participants will receive points as they consume these media and answer the quizzes. At the end of this period, the UBC team will select 100 participants, taking into account score, commitment and potential to enjoy the next stage.

During the second phase, which lasts two months, the 100 selected artists will have access to more in-depth and exclusive training, with collective workshops - recorded and live - based on ten themes linked to the main challenges posed

by the winners of the last Impulse Project: partnership and networking, planning, feelings, female participation, discourse, concept and quality, brand, product, values and resources, and regionalism. In addition, participants in this phase will have access to a public announcement with information to register their projects and compete for a place in the third phase.

"The pandemic made it impossible to continue the project immediately in 2020, but we found in Noodle the ideal partnership to explore this idea of a digital accelerator of talents and potential future careers, without privative purposes, with the ambition to be an incubator for so many people who are looking for solutions to get ahead," says Marcelo Castello Branco, executive director of UBC.

Article by UBC.

# Societies in Action

ARGENTINA

Buenos Aires / Cultura / Promoción del Libro, las Bibliotecas y la Cultura / Concursos y Premios

## Concursos y Premios

Conocé los concursos de literatura, teatro y música de la Ciudad de Buenos Aires.

El Programa Concursos y Premios **estimula la producción artística** a través de la organización de concursos de literatura, teatro y música de la Ciudad de Buenos Aires.



ARGENTORES and the ARGENTINE ASSOCIATION OF ACTORS strongly reject the hasty and unconsulted decision of the Executive Power of the Autonomous City of Buenos Aires to present for its treatment the Bill PD-LEY 2021-30GCABA-AJG, with Reference: S/EX2021-36597557-GCABA-DGDCC on Annual Competitions and Awards to the Artistic Activity of CABA, Municipal Awards, Trinidad Guevara Award, promoted by the Minister of Culture, Enrique Avogadro, understanding that the changes proposed in its articles flagrantly violate rights acquired by artists for decades and injure the constitutional principles that include dialogue and agreements with the different sectors and institutions. For this reason, both entities ask the legislators to refrain from dealing with the bill in the chamber and invite the Government of the City to generate a real dialogue with all sectors of culture involved in this issue, in order to achieve a fair and dignified legislation.

Article by ARGENTORES.



## Meet KOBRA

From the outskirts of São Paulo to the world. Born in 1975 in Jardim Martinica, a poor neighbourhood in the south of São Paulo, the artist Eduardo Kobra has become one of today's most renowned muralists, with works on five continents.

Since the Rio 2016 Olympic Games, he holds the record for the largest graffiti mural in the world: first with 'Ethnicities', painted to celebrate the event, covering 2,500 square metres; a record he himself surpassed in 2017, with a work in honour of chocolate that occupies a 5,742 square metre wall along the Castello Branco Highway, in the Metropolitan Region of São Paulo.

Kobra began drawing on walls on the sly, as a tagger, when he was still a teenager. The taste for spontaneous street art was already noticeable in the boy, who collected warnings for unauthorised interventions at school and was arrested three times for environmental crime - precisely for the irre-

gular use of sprays on nearby walls.

His urban art began to gain visibility in the following decade. In 2007, he appeared prominently in the media for the first time due to the Muro das Memórias project, in which he immersed himself in the universe of old photos of São Paulo and began to reproduce them on the streets in sepia or black and white tones, presenting a different style of graffiti than the one that spread throughout the city.

Kobra became a stubborn researcher of historical images and there were many occasions when this predilection, stamped on gigantic walls, ended up serving to rescue the importance of places and strengthen the sense of belonging of their inhabitants.

To find out more about this artist and his works, you can visit Kobra's website: <https://www.eduardokobra.com/>

## Entertainers - The Forgotten Workers

### BARBADOS

The views about the past are as varied as they are countless which oftentimes leads to good, healthy debates. Naturally, some will contend that we should leave the past behind while we focus on improving the present and the future. This, they say, is the way forward for mankind.

Another school of thought, to which I unashamedly subscribe, is that we use the past to better inform the future. This, no doubt, is more in line with the thinking of Spanish philosopher George Santayana, who said: “Those who cannot remember the past are condemned to repeat it.”

For Barbadians, what is most challenging is how we square off the thinking of George Santayana, with the thinking of the father of our independence and former prime minister, the late Errol Walton Barrow, who boldly asserted that Bajans have short memories. Roll the dice how many times you wish, there’s hardly any chance of a win here because one trend of thought does not lend support to the other.

Here, I want to go back a few decades into our past to pack some meat onto the frame that I have outlined above. This is especially important for the younger ge-

*“... an industry of hope had developed for many artistic people, who wanted such a medium to express their souls”.*

neration who know nothing or extraordinarily little about the entertainment history of this nation. It will also serve, I hope, to enlighten those who persist in propagating a faux belief about the contribution of culture to our well-being, and our economy.

In the mid 60’s through to the mid 80’s, history shows there was a cultural explosion in Barbados. Well, at least from a musical perspective. During that period, the nation was waking up to something overly exciting – something never before experienced here.

And because it was such a forceful, inspiring period, there were many spin-offs, which rebounded to the benefit of the country. What emerged from that experience was far more than national pride. It was evident that an industry of hope had developed for many artistic people, who wanted such a medium to express their souls.

As that industry permeated the entire island, it bolstered the tourism industry, and created an

enviable night-time economy. In fact, during that period Barbados was touted as the entertainment hub of the Caribbean.

From an entertainment perspective, that was the era of big bands and small bands, singing groups and solo performers, belly dancers and limbo dances, fire-eaters and magicians, comedians and story-tellers, and though weekends provided the big show-downs across this 166 square miles landscape, you could wager that there was an abundance of entertainment happening seven days a week – it could have been eight days.

It was a time when aspiring musicians and entertainers turned their backs on promising future careers in other fields, and headed for the bright lights of entertainment, because that is where their hearts were, that is where they saw their future. Equally important, that was the era during which many kids from varying social, ethnic and economic backgrounds were hoping to one day etch a living out of entertainment.



Well, for a plethora of reasons, many of which I will address in upcoming articles, that good thing started to disappear in the 80's, shattering many dreams in the process. Naturally, as that wave of cultural activity was drifting out to sea, the vibrant night-time economy that was attached to it could not resist the strength of the current – it too went for a ride into the infinite expanse of the deep blue.

There can be no refuting the fact that many things led to the demise of the entertainment industry in Barbados. Nevertheless, I see two major contributing factors – the close-to- complete disappearance of performing venues islandwide, and the continuous failure of successive governments, and local hotel operators to recognise and appreciate the value that culture, especially live music, lends to the development of tourism on the one part, and to the sustainment of a viable night economy on the other.

Today, in the midst of a raging coronavirus pandemic, the music scene in Barbados is dire, and you can deduce from that that those who have been involved with it over the years are currently in dire straits.

No doubt, the industry, save only by the staging of the annual Crop-Over Festival, has been shrinking for the past three and a half decades. Then the Covid-19 pandemic came calling with the grim look of death on its face, forcing everybody into lockdown and social distancing. Now, for the first time the true fragility, the precarious nature of being an

entertainment worker in modern Barbados, has been rendered stark naked – totally exposed.

With Covid-19 still on the loose 18 months and counting, guess what? Entertainment workers have no gigs, no deep pockets, no financial support from government, no financial benefit from the National Insurance Scheme (NIS) – for one reason or another, many of them never contributed to this scheme - worst yet, there's no telling when the dust is going to settle.

Indeed, I am inclined to believe that the local tourism industry will bounce back in a relatively short time; that is to say, once governments everywhere find a way to get more citizens vaccinated. I will wager too that the government here will do all that is necessary to get tourism back on track, but little will be done for the entertainment industry. And there's a simple reason why – seemingly, successive governments have long recognised cold hard cash investments, as opposed to investments by way of time, creativity, artistic talent, and ingenuity which is what entertainment workers bring to the table. Indeed, there may be a mere handful of local entertainers who have amassed a small fortune in the business over the years through the employment of their business acumen, but

everything considered, the scarcity of work/gigs and the pittance paid to entertainment workers these days do not result in the making of millionaires – not in Barbados.

That being said, I feel compelled to say that I don't share any level of optimism about the future of entertainment workers in Barbados. You see, recognition of the industry has to come first, then there must be the building of the infrastructure that will enable the growth and sustainability of the industry through the creation of a viable night-time economy.

Going forward into the future, we will see how much we have learned from the past, considering that at present we are on the threshold of a complete cultural collapse.

End

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*“...the true fragility, the **precarious nature of being an entertainment worker** in modern Barbados, has been rendered stark naked - totally exposed”.*

## INTERVIEW

# Rodrigo Osorio: “Nobody understands a country better than its local artists”.



Rodrigo Osorio is known in the Chilean art scene as “Don Rorro”, a character from the underground scene who became known with his band Sinergia thanks to a project of the Sociedad Chilena de Autores e Intérpretes Musicales (SCD) of which he is President 30 years later. His testimony, that of a band with several national hits and concerts in other countries, serves to inspire more artists to learn about the dynamics of collecting societies so that they can access their rights and, finally, make a living from their work.

**-How does an artist decide to join an authors’ and composers’ society if they are always the ones who are most critical of the system of collections and royalties?**

-I have a band that became known thanks to the SCD. Sinergia had just recorded a phonographic production that was doing very well in the underground, but we were not massively known. After 10 years of an underground existence, it managed to become a national phenomenon thanks to “Sello Azul”, an SCD project that sought to establish a bridge between the industry and emerging artists. Albums were released and then passed on to a record label and became known.

This same exercise of joining SCD allowed us to learn about the dynamics of authors’ rights. As an engineer, I began to value the experience of the musician being

able to live from his work, to have moral rights and access to his rights.

After 2002, when the band became known for “Mujer Robusta”, it was nominated for Best Group on MTV and began a dizzying career. We were invited to Viña del Mar and won the Silver Seagull. That was the peak, in 2008. We had three hits associated with three albums. Our style is alternative rock, but the lyrics were so everyday and Latin American that they attracted a lot of attention. From Colombia we started to get a lot of feedback and when we released “Hágalo Bien”, we were invited to play in 2010 and then in 2016 we toured again and played at Rock al Parque.

Our band was very supportive of collective management. The SCD has not just been about collecting and distributing but has also encouraged the development of laws such as the 20 Chilean music quota, where radio must have a minimum of 20% local music, works performed or performed by Chilean musicians, or Chilean music performed by international artists; and the Telonero Law, which establishes a tax exemption for international events that include a national artist. With the whole corporate world of music, it is very difficult for local artists to make themselves known.

**-How has your career been within the SCD?**

-From the moment we were accepted by Sello Azul we were enrolled in the society. We always saw how the institution worked, getting to know the artists and it was for that very reason and considering the experience that I was contacted by those same musicians who proposed me to be on the boards of the institution. In 2017 I decided to run for the board of directors. I became vice-president that year and for the last 6 months I have been president. It is a tremendous satisfaction, but also a great challenge to promote authors’ rights and collective management. It is very important to keep it alive and active.

**-How has the pandemic affected the exercise of authors’ and performers’ rights?**

-It has been very hard for musicians during this period because the main source of income for an artist is live performances, authors’ rights royalties and then platforms. This is a chain that is linked, and when you take away the first thing, it is very difficult to

keep the chain going.

We gave important aid to the most affected musicians. We were in talks with the authorities to continue holding live performances for 200 and 400 people, in which we demonstrated that these concerts were not a source of contagion if they were tested beforehand, tested after a week and masked. This was discussed both nationally and internationally and we hope it will be maintained. We have to understand that the authorities of the different countries have to understand the impact of not being able to carry out their activity. The impossibility of performing live makes it very difficult to sustain an artistic career. We will continue in permanent dialogue to promote the return of the shows and the sustainability of the sector, because the pandemic makes the defence of live music and the defence of rights doubly necessary.

**-How could you describe the experience of the SCD's clinical trial with the University of Chile?**

-One of the most significant achievements. A wake-up call that we wanted to make to public opinion and the best way to do it was with trials that said that if there was prevention we could

go back to concerts. In conjunction with the area of Immunology at the University of Chile, tests and protocols were carried out. What we wanted to demonstrate was a press point that showed that music could come back safely. It had the biggest media coverage in the history of the SCD in 35 years. It had never happened with so much interest, even internationally. It was something organised and financed by us, validated by the University of Chile. It is with great joy that we have seen how new events have been held and authorities have become more open to holding events in a safe way.

Beyond establishing a health rule, we want to establish that, if it is done safely, the possibility of contagion is minimal, whatever the variant. The point we want to make is that music cannot stop. We have to encourage vaccination: in order to attend clinical trials, the attendees had to be vaccinated. We as SCD are on the side of science and we are committed to vaccination. A concert can be a way to encourage people to get vaccinated. The results are totally valid, even if the health measures are changing according to the evolution of the pandemic. The highest infections occur at social events where people do not take care of themselves.

**-What are the challenges and actions**

**you would like to achieve before the end of your term as SCD President?**

-The defence of authors' rights in Chile's new constitution. There is hope that culture will be present and that authors' rights will be considered and understood as a driving force for the creativity of the musician and not as an obstacle to access to culture, the artist who adds and does not subtract. We want to continue to recover users who had left SCD because of the pandemic, to help them recover their income.

At the end of my presidency, I would like to see a country with a greater diffusion of local music and also with a cultural change associated with a greater appreciation of the work of the musician. What would the pandemic have been without our local music? People connected with the local reality, which also led them to listen to their own artists, because no one understands a country better than local artists.

Article and interview by Marcy Alejandra Rangel. Translation by Macarena Silva.



Photo Radio.UChile.cl

# Tribute to the Creators

The year 2021 had an encouraging end to the year. We experienced more openness and flexibility after long periods of confinement in our region. With greater sociability and more “normality”, which has been accommodated to our routines and in the midst of this pandemic, the region experienced the death of great creators. We want to pay tribute to them, those who are not with us today and who gave us immense joy, who delighted us with their creativity, their music, their words, their beauty and their humour.

In Brazil, at the age of 83, the prominent architect and urban planner Ruy Ohtake passed away. His most important projects were in São Paulo and Japan: the Parque Ecológico do Tietê, Brazilian Embassy in Tokyo, Hotel Unique, Conjunto Habitacional Heliópolis, Expresso Tiradentes, and the Tomie Ohtake Institute.

Also in Brazil, more than 100,000 people paid tribute to a young star of Brazilian popular music, singer-songwriter Marília Mendonça, who died in a plane crash in November 2021 at the age of 26. Her short but successful career led her to become the most popular woman in the “sertanejo” genre, which was always led by male artists and groups, creating the sub-genre “feminejo”. Marília empowered women with her sentimental songs about love and heart-

break. Her popularity reached more than 8 million monthly listeners on Spotify, almost 40 million followers on Instagram and more than 24 million subscribers on YouTube. This is one of his most popular concerts: <https://www.youtube.com/watch?v=ILADw1aretk&list=PLz-5qkjG8i6lO2R9G0LlKXuzITPaHEdFts>

In Mexico, Mexican filmmaker Felipe Cazals died. He was a renowned director, who directed films such as “Canoa” and “Las Vueltas del Citrillo”.

Miguel Palmer was a well-known Mexican soap opera and film actor. He died in October 2021, at the age of 78. Miguel was on screens and theatre since he was 17 years old, he was the first actor of great telenovelas such as “Los Ricos También Lloran” and “Mr. Avila”, a series aired by HBO in 2018.

Vicente Fernández, one of the most influential and beloved singers of Mexican ranchera music, died at the age of 81, with more than 300 songs recorded, 3 Grammys and 8 Latin Grammys. He was known for his songs “Volver”, “Por Tu Maldito Amor” and “Mujeres Divinas” among others.

In Argentina, after more than 50 years of career, Diego Verdaguer passed away at the age of 71 due to complications associated with CO-

VID19. During his successful career, he developed hit songs such as “Chiquilla”, “Pájaro que comió, voló”, among others. We also mourn the passing of Roberto Bracone, also known as Elio Roca, at the age of 87. The Argentinean singer and actor left us a great musical legacy with his songs “Deseo ser tu amor”, “Te Necesito” and “Yo quiero dibujarte”. In the cinema he participated in Argentinean films such as “La colombina no es la guerra” (1972) and “Te necesito tanto amor” (1976). Finally, on the small screen in his country he presented “El Show de Elio Roca”. He also ventured into politics where he was a candidate for vice-governor of Chaco and was a provincial deputy of the same locality.

In Chile, Luis Dimas, known as the “King of Twist” died at the age of 78. The star of the “New Wave” in the 60s in Chile, he was known for great songs that accompanied that decade such as “Caprichito”, “Me Extrañarás” or “Let’s Twist Again”. The great and beloved singer-songwriter Patricio Manns, left us at the age of 84. Manns was one of the most outstanding and influential Chilean singer-songwriters and writers. He leaves a great literary legacy as his first work called “De noche sobre el rastro” with which he won the Alerce Prize of the Society of Writers of Chile. In his later years, his artistic works were highly praised, such as his albums “La Tierra Entera” (2010) and “La emoción de vivir” (2016).

In this space, which celebrates the work of masters who are no longer with us, we also bid farewell to Enrique Rocha, Oscar Cadena, Octavio Ocaña, Henny Trayles, Enrique “Quique” Matavóz, Pepe Miranda Quiñones, Manuel Miranda Matienzo, Ismael Contreras Aliaga, José Zelada Gómez and Carmen Salinas.





## About this newsletter

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CISAC is the global network of creators. In Latin America and the Caribbean, forty-seven societies representing musical, audiovisual, dramatic, literary and visual arts repertoires are members. In this newsletter we disseminate the activities and projects of collecting societies in the region and the most relevant issues related to authors' rights and in particular to the collective management of authors' rights. In short, our aim is to contribute to the development of a narrative appropriate to the new times, from the perspective of the creators themselves.

The newsletter is published quarterly, with special contributors from all societies in Latin America and the Caribbean. In this edition, the bulletin brings contributions by: Rafael Fariñas and Macarena Silva (CISAC); Milenys López and Diana Soto (SAYCO); Patricia Pineda (SACM); Sebastián Cerda (SCD); Agustín Pérez (APDAYC), Andrea Franco and Laura Seijo (AGADU); Peter Strauss (UBC); Roseany Fagundes (ABRAMUS); Fabiana Nascimento (AUTVIS); Erica Smith (COSCAP) and Marcy Rangel (Cultural Journalist).