

ANNUAL REPORT

2018



SERVING AUTHORS WORLDWIDE
AU SERVICE DES AUTEURS DANS LE MONDE
AL SERVICIO DE LOS AUTORES EN EL MUNDO



Content



President's foreword by Jean-Michel Jarre

CISAC is a unique
“united nations” of creators 02

Foreword by Eric Baptiste

Pushing for a creators-centric agenda 03

Introduction by Gadi Oron

Building a better future for creators
of all repertoires 04

CISAC Vice Presidents

Champions for creators' rights
internationally 06

Key data

The world of CISAC in numbers 08

Key figures

09

CISAC work programme in review

10

Special features

Pingyao International Film Festival 29

UNESCO & CISAC team up
on transfer of value 30

Algiers Creators Conference 31

CISAC key services

Transfer of value campaign 32
Bringing fairness to authors
in the digital world

Audiovisual campaign 34
Fair remuneration for film directors
and screenwriter

Resale right campaign 36
Fair royalties for visual artists

Private copying campaign 38
A key collections source for creators

Technology and innovation 40
Developing effective data
management tools

Governance 42
Strengthening collective
management worldwide

Publications 44
Authority, information, awareness

CISAC structure and committees

CISAC's structure and committees
at a glance 46

Education

Public education and raising awareness 48

Creators Councils

CIAM: Extending international influence 49

W&DW: New leadership, new frontiers 50

CIAGP: Action and transition at the top 51

Regional Reports

Asia Pacific 52

Africa 54

Latin America & the Caribbean 56

Canada/USA 58

Europe 60

CISAC Members 62

Management team and Board 64

Credits 65



CISAC is a unique “united nations” of **creators**

As the “United Nations” of creators, CISAC has a unique voice – one which speaks for the whole world, for five repertoires and for four million creators.

And it has been an amazing year of activity. Globally, we have raised our voice to a new level, engaging with governments, decision-makers and the media.

I am totally passionate about my work for CISAC, and I feel we are “moving the needle” for creators. In Brussels in March, I delivered a speech on the huge global impact of the copyright proposals shortly to be voted on by the European Parliament. I believe we are on the point of a historic moment in our fight for a fix to the transfer of value.

I have also joined with my fellow Vice Presidents of CISAC to lobby for fair remuneration for screenwriters and directors, for reforms to private copying legislation, and for the resale right for visual artists.

Cutting through the detail of these diverse campaigns, what is our fundamental call to action? Here are three ideas I would suggest.

First, we ask for the simple right to be able to live from our creative works. Authors’ rights and copyright rules are the only way to ensure our living and to be able to continue our artistic activities. They are our only leverage in negotiations with those who use our works.

Second, our rights today are not being properly protected. Inadequate legislation, poor implementation of copyright laws and the sheer dominance of the corporations are eroding our rights and our income. This is especially true in the digital world.

And finally, we fight not for the past but for the future. We need a 21st century copyright framework for a 21st century digital market – one that allows future generations of creators to make a living from their work.

I think these are strong, simple messages binding together our common campaign for a fair working environment for creators. And they are messages which come out loud and clear in the pages of this Annual Report.

***Globally, we have raised
our voice to a new level,
engaging with governments,
decision-makers and the media***



Pushing for a **creators-centric agenda**

Looking back at the past twelve months, there have been many positive outcomes for the international creative community. We have experienced record collections in 2016 and all the signs point out that 2017 will also be a record year, thanks in part to the improvement of the global economy and the relentless efforts of CISAC members.

The digital revolution has finally started to make a meaningful impact on CISAC members' bottom line, with digital revenues exceeding 10% of total collections. Based on what we are seeing in regions like Scandinavia, there is a huge margin for growth in this sector.

This new digital ecosystem has forced our members to adjust rapidly to changing consumption patterns. Many of us now routinely deal with hundreds of billions of lines of data corresponding to micro-revenues. Our systems, processes and infrastructures had to be overhauled to manage such an explosion of usage in our quest for ever more timely and accurate distributions.

At CISAC, we have put in place schemes to help societies in less developed regions to cope with the pace of change. We are also proud to have launched this year CIS-Net RightHolders Access (RHA) that will enable creators and publishers to access data related to their musical works and available from our network of society databases, CIS-Net. This is a major step forward in our pledge to improve efficiencies, especially in the field of data and transparency.

***We have put in place schemes
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What is also changing is our legal environment, with copyright reform taking place in many different parts of the world. Across the aisle, there are some very powerful and wealthy forces that would very much like dumbed down versions of copyright law. That's why we are monitoring the situation in each and every country.

These reviews of copyright law are for us the opportunity to push for our creators-centric agenda. CISAC has a handful of projects aimed at ameliorating the situation of creators around the world, in all repertoires.

As you have witnessed in the past few years, CISAC's affiliated creators, in particular our President Jean-Michel Jarre and our Vice Presidents, but also all our Councils of creators, have been the best and most efficient agents to promote our agenda. So expect us to continue to push the volume this year on all our priorities, as we did last year.



Building a **better future** for **creators of** **all repertoires**

This has been another extraordinary year of activity for CISAC.

We have engaged governments across the world in campaigns to improve creators' remuneration. We have supported many of our members with their business activities and helped improve their operations. We have strengthened our ability to promote good governance, launched important technology projects, reached out to more international partners and increased our influence across the world.

Governance

One key step forward in the last year has been in the area of societies' governance.

In the ever more regulated and scrutinised world of collective management, good governance is an indispensable part of what we do. CISAC membership is, and always must be, the hallmark of trust and legitimacy. A number of initiatives that we took in the past year were aimed at helping societies reach the good governance thresholds our community has adopted.


Through relationship-building, monitoring, reviewing and sheer tenacity, our work has already had significant success. We have not only strengthened rules and practices, but also took concrete steps to assist societies in meeting them.

In 2017, four societies, in Albania, Guatemala, Rwanda and Thailand, benefited from assistance measures specifically tailored to these developing societies.


Many others participated in training events, seminars and individual coaching and support.

Technology

In the technology field, CISAC has been asked by our Board to project manage a series of key projects, including right holder access to CIS-net and a project related to ISWCs. This reflects a more dynamic and responsive relationship with our members and with market players. Maintaining our central role in managing the industry's standards and identifiers will continue to be at the heart of our activities.



***CISAC membership is,
and always must be,
the hallmark of trust
and legitimacy***





Policy: three major studies

On the policy front, we are coordinating lobbying activities across four major campaigns. In recent months, CISAC has published three major studies – the Liebowitz economic study on safe harbours; the Xalabarder academic study on audiovisual creators’ remuneration; and the global study on private copying. These are comprehensive works that boost our policy campaigns with evidence to inform and persuade decision-makers.

CISAC has been at the forefront of the global effort to fix the transfer of value, supporting our European colleagues in their EU lobbying and shaping the agenda of international organisations. It certainly feels as if we are on the cusp of a momentous breakthrough on this campaign.

On private copying, the launch of our study last October has triggered a programme of lobbying activities, starting in Ivory Coast and Algeria, focused on promoting this huge potential collections stream.

For audiovisual creators, and thanks to the relentless advocacy of Writers & Directors Worldwide, the audiovisual campaign has already helped secure new legislation in Chile and Colombia. Today, we look at new opportunities for our lobbying, in Latin America, Europe and elsewhere.

For visual artists, CISAC continues to build on the progress of 2017, when it helped bring a powerful delegation of artists to a WIPO conference on the resale right. The push for a universally-adopted resale right has forged ahead in the last few years. It has put copyright centre stage in the global UN agency for intellectual property.

CISAC has also stepped up its engagement with governments alongside our member societies. Korea, Japan, Bulgaria, Algeria, China and Colombia feature in the long list of countries where we have held high-level government lobbying meetings in the past twelve months.

A glance through the “work programme in review” section of this report shows just how wide our engagement with governments has been in the last year.

CISAC has published three major studies. These are comprehensive works that boost our policy campaigns with evidence to inform and persuade decision-makers

A global authority

CISAC is also continuing to build its reputation as the global source of knowledge on authors’ rights and collective management. The Global Collections Report has expanded and saw unprecedented attention from the media. On the education front, the CISAC online course – the MOOC - has brought copyright to a global online audience in English and – thanks to our members UBC and SPAutores – now in Spanish and Portuguese.

All of our activities at CISAC converge on two overriding objectives: to sustain the work and the livelihoods of creators and to promote the future of collective management organisations. In both areas, we have a unique and vital asset: our direct relationship with the creators themselves. Our President and Vice Presidents have done a remarkable job helping us promote new legislation in all corners of the world. In the past year they have accompanied our lobbying missions on every continent. Our three creators’ councils – CIAGP, CIAM and W&DW – are also indispensable to our work and to the authority of our voice. It is only through that collaboration that we can continue to succeed in our mission as the unique voice of creators globally.

I believe CISAC is providing immense value to its members around the world. I hope you will find proof of this in the pages of this annual report.



Champions for **creators' rights** internationally

CISAC's President and Vice Presidents are highly successful creators with a passion to campaign for authors' rights on behalf of their peers. They bring to the Confederation a unique authority and global influence.

CISAC's President Jean-Michel Jarre and the four Vice Presidents – singer and songwriter Angélique Kidjo, filmmakers Marcelo Piñeyro and Jia Zhang-ke and visual artist Miquel Barceló – have spoken out repeatedly in support of authors' rights over the last year.

Speaking in one powerful joint letter in February 2018, the President and Vice Presidents chose their moment to highlight the global ramifications of the current discussions in Europe on the copyright package. "The proposed copyright reform puts Europe in a unique position of international leadership. As creators representing regions around the world – Africa, Asia, North and South America and Europe – we are watching events in Brussels with great hope."

They also addressed the specific issue of fairness for audiovisual authors in a letter to the Members of the European Parliament in which they urged European law-makers to support fair rights for screenwriters and directors in the forthcoming discussions on the EU Copyright Directive.

Miquel Barceló

In 2017, visual artist Miquel Barceló was unanimously elected Vice President at CISAC's General Assembly. He succeeded the late sculptor Ousmane Sow, who passed away in December 2016. In his acceptance speech, the Spanish artist vowed to continue Sow's involvement in favour of creators' rights. "One of the few things we cannot live without is creation. I think that an organisation that represents four million creators needs all our support," said Barceló. "CISAC ensures that all these artists around the world get their royalties and their rights are protected."



Barceló has been involved in the resale right campaign and came in support of Argentinian visual artists and their society SAVA, calling on the government to adopt a bill already approved by the Senate.

CISAC ensures that all these artists around the world get their royalties and their rights are protected



It is imperative that more African countries treat their creators with the respect they deserve and adopt measures to protect them and their rights

Angélique Kidjo

Vice President Angélique Kidjo is a champion for creators’ rights and gender equality, in particular in Africa. In March 2018, she helped CISAC and BURIDA at an unprecedented conference promoting private copying in Africa, at the MASA festival in Abidjan. In a well-publicised message to the conference, Kidjo appealed for African governments to enact effective systems for a supportive private copying environment: “It is imperative that more African countries treat their creators with the respect they deserve and adopt measures to protect them and their rights”.



Jia Zhang-ke

Leading Chinese film director Jia Zhang-ke has helped put copyright awareness front and centre in his work, in China in particular. At the very first edition of the Pingyao Crouching Tiger Hidden Dragon International Film Festival (PYIFF), in October 2017, he presented China’s leading film director Feng Xiaogang with the inaugural Award for Outstanding Contribution to the Protection of Audiovisual Copyright on behalf of the China Film Directors Guild.



Jia Zhang-ke has also helped CISAC forge ever closer links with UNESCO. In a statement published in UNESCO’s “2018 Global Report, Re-Shaping Cultural Policies” praising the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Jia Zhang-ke made a call to action on audiovisual creators’ rights. “I have seen how international agreements and trade rules can be used to the enormous benefit of creators and their working conditions. The 2005 Convention was a landmark for millions of creators across the world. We must work continuously to make it meaningful and effective for the next generation.”

I have seen how international agreements and trade rules can be used to the enormous benefit of creators and their working conditions



Marcelo Piñeyro

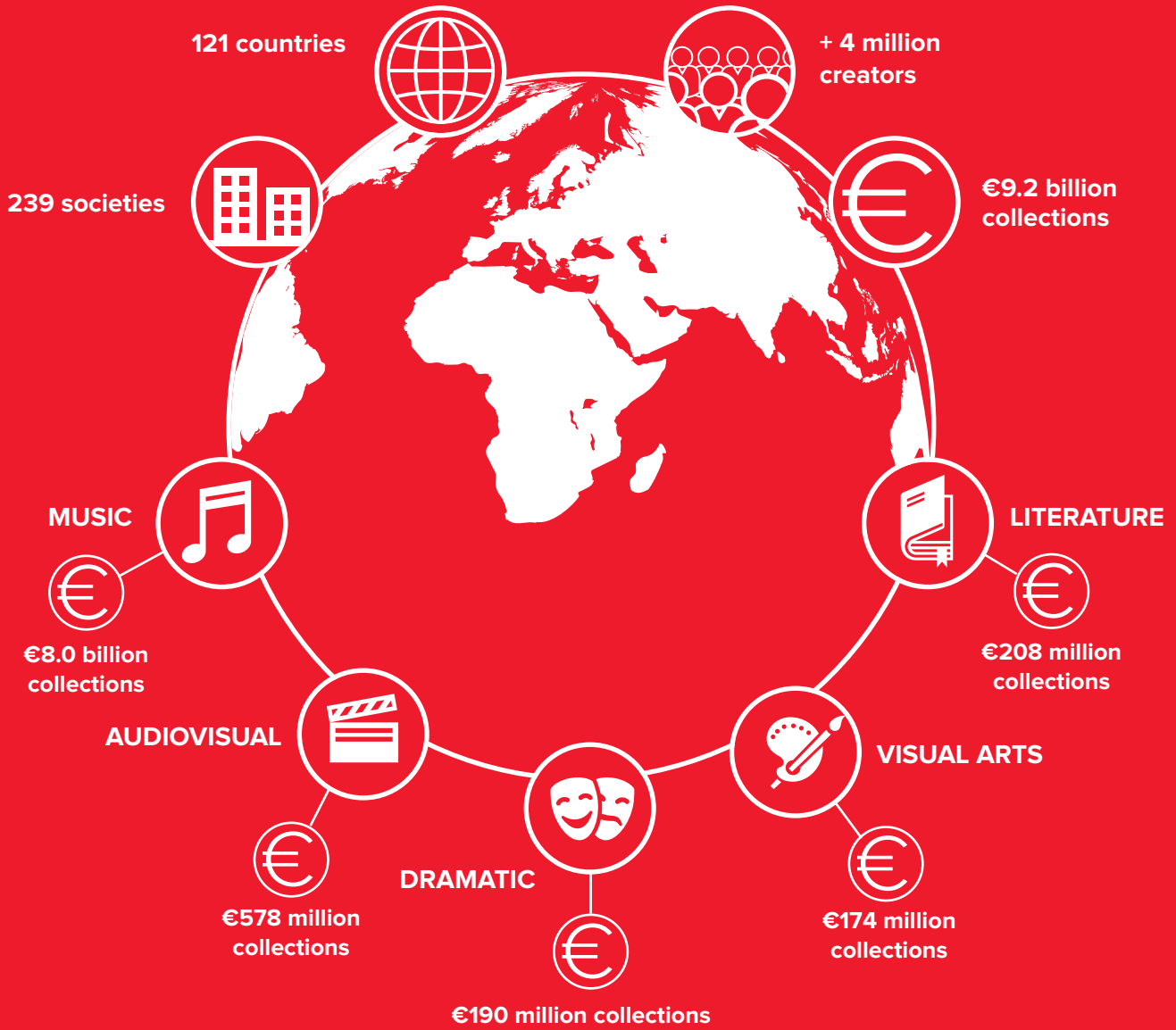
Award-winning Argentine film director, screenwriter and producer Marcelo Piñeyro has also helped champion audiovisual creators. Writing in CISAC’s Global Collections Report in November 2017, he said: “Directors and writers are indispensable to the success of audiovisual works and of a country’s film industry. Their work helps generate jobs, economic growth and international prestige. They must be fairly protected and remunerated if the audiovisual sector is to thrive in the future.”

Directors and writers are indispensable to the success of audiovisual works and of a country’s film industry

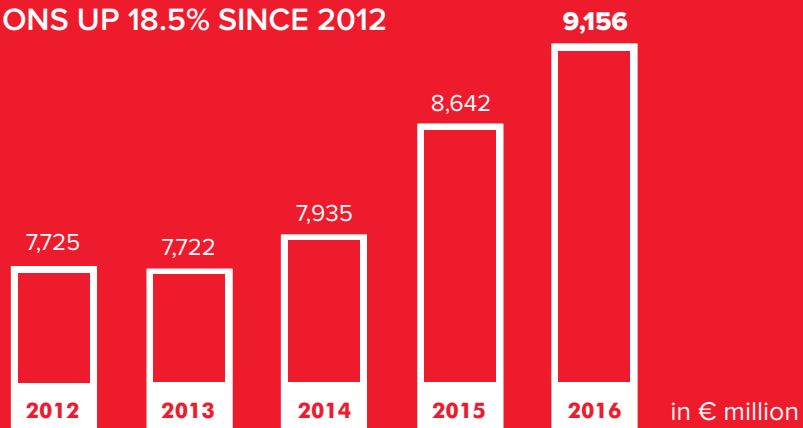


Key data

The world of CISAC in numbers



GLOBAL COLLECTIONS UP 18.5% SINCE 2012



Key figures



Global collections by CISAC member societies.



CISAC work Programme in review

POLICY ADVOCATE, BUSINESS FACILITATOR, GLOBAL AUTHORITY FOR CREATORS

CISAC works with 239 societies in 121 countries.
Here are key highlights of CISAC's work programme in the last year.

CISAC work programme in review May 2017

1 Resale Right puts copyright centre stage at WIPO SCCR

CISAC participates in WIPO's Standing Committee on Copyright, 34th session. A key resale right debate took place amid growing momentum following the International Conference on Artist's Resale Right. Professor Graddy, commissioned by WIPO, reported on the economic implications of the resale right. According to her study, there is no evidence that the right has a relevant impact on art market prices or sales volumes. The committee agreed to maintain the item on its agenda.

12 CISAC and SAYCE submit complaint on Ecuador

With CISAC Regional Office and Latin American Committee support, SAYCE-Ecuador submits a complaint to the Andean Community of Nations General Secretariat. This responded to a CISAC Regional Committee decision to appeal to international courts in cases of countries' non-compliance with international copyright law. The complaint addresses a breach of Ecuador's obligations under the Andina Community copyright regime.



12 CREATORS SEMINAR ORGANISED IN KOREA

The Creators Seminar in Seoul brings together authors, government officials, collective management representatives and professionals for a full day dedicated to the rights of creators in the region. The programme, organised by CISAC and KOMCA, included the Korea Copyright Commission Chairman Lim Won Seon, CISAC Director General Gadi Oron, IFRRO CEO and Secretary General Caroline Morgan and KOMCA Chairman Yoon Myung Sun. Topics included the transfer of value, the changing digital landscape and private copying.



11 ASIA-PACIFIC MUSIC CREATORS ALLIANCE ISSUES THE SEOUL DECLARATION

At its first Executive Committee meeting, CIAM's Asia-Pacific Music Creators Alliance (APMA) issues a declaration calling on governments, policy makers and legislators to address key issues facing music authors in the Asia-Pacific region. The Seoul Declaration identifies the transfer of value in the digital market, global alignment of "life plus 70 years" copyright term and the proliferation of copyright buyouts as the most pressing policy issues requiring government attention.

17 CISAC efforts in Ukraine lead to UACRR collecting Eurovision royalties

CISAC member UACRR succeeds for the first time in licensing live performances of Eurovision in Kiev. This breakthrough comes after years of work by CISAC to fix a broken collective management framework in Ukraine.

The system has been abused by TV and radio broadcasters not honouring copyright obligations.

17 First steps in Developmental Review of Albautor in Albania

CISAC's Regional Director for Europe and external consultant Michael Battiston meet Albautor for an initial Developmental Review assessment visit. Albautor is the first European society subject to a Developmental Review, which is the new approach aimed at improving lesser-developed societies through customised actions.

CISAC work programme in review May 2017

19 Lithuania accepts CISAC claims on private copying levies

The Ministry of Culture in Lithuania responds positively to a letter from CISAC's Director General addressing deficiencies in the private copying system. Authorities indicated that a draft law introducing private copying remuneration for the private use of visual and literary works will be submitted to the country's Parliament.

19 IDA Management Committee convenes in London

The IDA Management Committee presents the Technical Committee's recommendations for validation. An external company presented modern matching tools that could improve AV identification processes related to the IDA database.

The Management Committee agreed on a new funding model, to be endorsed in December for 2018 implementation.



23 PEPE SÁNCHEZ LAW CHANGES LANDSCAPE IN LATIN AMERICA

The Colombia Senate approves the Pepe Sánchez Law to establish an inalienable right for audiovisual authors. National and international organisations have supported DAC-Argentina's pioneering contributions, including CISAC's Regional Office, ARGENTORES and the Alliance of Latin American Audiovisual Directors (ADAL). The campaign led to the creation of two audiovisual societies, DASC and REDES, both of them accepted as CISAC Provisional members.

CISAC work programme in review June 2017



6 LATIN AMERICAN AND CARIBBEAN SOCIETY TRAINING IN LISBON

CISAC's Latin American and Caribbean Regional Office and SPAutores organise a training programme for 15 Latin American and Caribbean societies at SPAutores' headquarters. The programme focused on CISAC Declarations and Obligations as well as SPAutores' operations.

6 CISAC Board of Directors meets in Lisbon

SPAutores President welcomes the CISAC Board of Directors to Lisbon, opening with a speech on changes that will affect Europe, the necessity for CISAC creators' community to be united and lobbying activities to promote and defend authors' rights.



7 MAYOR OF LISBON WELCOMES CISAC DELEGATION

Lisbon Mayor Fernando Medina and Councillor for Culture Catarina Vaz Pinto receive a CISAC delegation including Board of Directors members. Facilitated by SPAutores President José Jorge Letria, the delegation held discussions on the city's rich history of culture and creation.



8 WORLD OF COLLECTIVE MANAGEMENT JOINS CISAC GENERAL ASSEMBLY IN LISBON

Hosted by SPAutores, the 2017 CISAC General Assembly draws over 200 creators and member society representatives. The Assembly approved amendments to CISAC Statutes, Professional Rules & Binding Resolutions. Creators' council Presidents joined CISAC President Jean-Michel Jarre in a panel on CISAC's main campaigns. Progress in partnership development with WIPO and ARIPO were highlighted, while Spanish visual artist Miquel Barceló was elected as CISAC Vice President. Author Fernando Pinto do Amaral, representing the Portuguese Minister of Culture Luís Filipe Castro Mendes, brought a message of Portuguese government support.

9 Music creators convene at CIAM Executive Committee

CIAM and its regional alliances, including creators, members and observers, join for its Executive Committee in Lisbon. The meeting focused on initiatives such as the transfer of value, Fair Trade Music, Blockchain and harmonising the copyright protection term to life + 70 years. The committee accepted the Asia-Pacific Music Creators Alliance (APMA) as the latest partner alliance.

9 Writers & Directors Worldwide Executive Committee

Audiovisual, literary and dramatic creators gather to review the audiovisual campaign strategies, particularly through partnering with the pan-African alliance FEPACI. The council planned an ambassador network and new campaign materials. A statement expressed regret after the European Parliament's Internal Market Committee dismissed amendments on fair remuneration for audiovisual authors.

13 CISAC calls on Polish government to amend copyright law

Writing to Poland's Ministry of Culture, CISAC requests Polish authorities to consider a resolution adopted by the CISAC European Committee, calling for amendments to the country's copyright law and to establish an unwaivable and inalienable remuneration right for creators for the online use of audiovisual content.

13 Urging stronger broadcast rights at China seminar

Invited by the United Kingdom Intellectual Property Office, CISAC's Regional Director for Asia-Pacific speaks on broadcasting organisations and copyright. The over 70 guests included Chinese and British officials, academics and broadcasters. He urged the Chinese government to strengthen broadcasting right protections for creators.

16 CISAC discusses copyright amendment with Singapore government

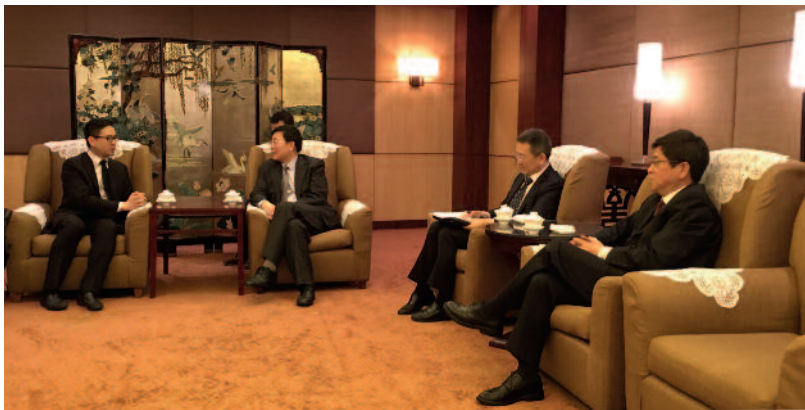
CISAC's Regional Director and Asia-Pacific Committee Vice-Chairman Scot Morris meet with the Ministry of Law of Singapore for copyright amendment proposal consultations. The confederation commented on the regulatory reform of collective management.



12 UNESCO AND CISAC JOINTLY HOST CONFERENCE ON TRANSFER OF VALUE IN PARIS

UNESCO and CISAC host a conference exploring the transfer of value and its challenges for creative industries. In a keynote speech, CISAC President Jean-Michel Jarre emphasised UNESCO's important role in protecting cultural heritage and the livelihood of creators. CISAC's Director General called for a "global solution" to the transfer of value problem requiring a legislative response at the international level. (see further details, page 30)

CISAC work programme in review June 2017



19 CISAC MEETS NEW CHINESE COPYRIGHT HEAD

CISAC meets with NCAC Vice Minister Zhou Huilin, Copyright Department Director General Yu Cike, Vice Director General Tang Zhaozhi and Deputy Director Ping Hu. The meeting addressed CISAC's collaboration with the Chinese government since relocating CISAC's office to Beijing in 2014. The NCAC's Vice Minister pledged to work closely with CISAC to strengthen creator protections in China.



19 PROMOTING AUDIOVISUAL RIGHTS AT WIPO EVENT DURING SHANGHAI FILM FESTIVAL

CISAC promotes the audiovisual campaign at the "International Forum on Copyright – Protecting the Rights of Creators and Promoting the Development of Culture and Film Industry". The event was hosted by WIPO and the National Copyright Administration of China. Drawing over 150 participants, including copyright officials from 23 countries, the seminar saw CISAC's Regional Director highlight campaign progress and international legislative developments.

22 CISAC intervenes for member GCA in Georgia

Supporting its member GCA, CISAC writes to concert and festival organisers to clarify the international context in which GCA operates, to assist the society in collecting live performance royalties.

26 CISAC trains 14 societies in Bangkok

42 representatives from 14 Asia-Pacific societies come together for a documentation, distribution and Binding Resolutions training seminar which was also attended by regional publishers.

27 ZAIKS hosts CISAC Legal Committee in Warsaw

CISAC's Legal Committee holds its annual meeting at ZAIKS headquarters. Priority issues included EU copyright reform, ECJ decisions on the communication to the public, the impact on CMO activities of the new General Data Protection Regulation, private copying and US Consent Decrees. Professor Raquel Xalabarder presented her study on the right of remuneration for audiovisual authors.

29 CISAC joins DASC on Pepe Sánchez Law implementation in Colombia

CISAC Regional Director meets Colombian Copyright Office Head Carolina Romero and her legal team to accompany DASC's Board of Directors in discussions on implementing the Pepe Sánchez Law.

30 CISAC and ICMP call on Ukraine over collective management draft law

CISAC and ICMP alert the Ukrainian Ministry of Economic Development and Trade about the lack of progress regarding the draft Law on collective management. The draft law would eliminate the chaos of numerous illegitimate CMOs being allowed to operate. It would transform UACRR from a state agency to a non-governmental association, managed by and accountable to authors, composers and music publishers.

CISAC work programme in review July 2017

4 CISAC promotes audiovisual rights in Slovenia

CISAC encourages Slovenia's adoption of stronger rights for audiovisual creators, including an inalienable right of remuneration.

A letter to the Slovenian authorities said pending proposal would support the audiovisual sector, encourage local production and benefit the Slovenian economy.

15 CISAC promotes intellectual property programme in Paraguay

CISAC's Regional Director promotes intellectual property and collective management rights at the Diploma on New Technologies and Intellectual Property graduation ceremony in Asunción. The academic programme, which included a day dedicated to collective management in the digital field, was organised by the CEDEP, Heidelberg Centre for Latin America, the University of Chile and CISAC.

CISAC work programme in review July 2017

18 Latin America cooperation plans put forward at WIPO

CISAC meets Central American copyright office heads and WIPO Director General Francis Gurry, promoting cooperation recommendations to improve collective management in the region. These included CISAC & WIPO-organised documentation and distribution training programmes; supporting public and private sectors based on CISAC Professional Rules; campaigning to contain unilateral repertoire and use by large users and promoting collective management benefits for users.

24 CISAC supports workshop by Rwanda Development Board in Kigali

The Rwanda Development Board organises a copyright and CMO workshop to raise awareness with support from CISAC and member RSAU. Rwanda's Permanent Secretary of the Ministry of Sport and Culture Patrice Rugambwa recognised the key role of CMOs in protecting creators and confirmed government support for RSAU. CISAC's Director General introduced CISAC to creators, government officials and CMO representatives to reinforce efforts to strengthen authors' rights and collections in the country.



Left to right: NORCODE Managing Director Inger Dirdal; NASCAM Chief executive officer and Director General Eino-John Max; COSON General Manager and Chief Executive officer Chinedu Angus Chukwuji.

> 25 CISAC-WIPO WORKSHOP ON RESALE RIGHT IN KIGALI

Participants at the CISAC African Committee join a resale right workshop, organised by CISAC and WIPO and attended by visual artists trained by renowned artist Epa Binamungu in his "Inganzo Art Gallery". Binamungu, who is chairman of the Rwanda Society of Authors (RSAU) has made the gallery a working and training hub for aspiring painters.



Seated, from left to right: Artist and RSAU Chairman Epa Binamungu, Rwanda Minister of Commerce and Industry François Kanimba, CISAC Director General Gadi Oron, BURIDA Director General Irène Vieira.

> 25 REGIONAL STRATEGIES IN FOCUS AT CISAC REGIONAL AFRICAN COMMITTEE IN KIGALI

African CMOs and observers, including SACEM, PRS for Music, SPAutores, WIPO, ARIPO and NORCODE, meet for the CISAC Regional African Committee in Rwanda. In focus: the state of collective management, common challenges and development support.

CISAC work programme in review August & September 2017

24 Comments on responsibilities of intermediaries to Council of Europe

CISAC expresses serious concerns on the Council of Europe's Draft Recommendation regarding legal responsibilities of internet intermediaries. CISAC noted that keeping fundamental rights of the internet are essential, though it is equally necessary to protect the fundamental right of intellectual property.

8 CISAC supports BMI in US Court of Appeal

Supporting BMI's position on the interpretation of Consent Decrees and licensing of jointly owned works, CISAC files an amicus brief before the U.S. Court of Appeal of the 2nd Circuit. The brief highlighted the potential ramifications of prohibiting fractional licensing by US performing rights organisations. It points out that full-work licensing would impinge upon the freedoms foreign creators enjoy in being able to choose among US PROs to manage and license rights.



> 8 CISAC PROMOTES COPYRIGHT LAW REFORM IN MOLDOVA

CISAC's Regional Director takes part in a collective management event staged by WIPO and AGEPI, the Moldovan intellectual property office. CISAC promoted reform of copyright legislation to eliminate the problem of multiple organisations managing the same rights in the country, and to implement international best practices.



>12 CISAC LOBBIES AT AUDIOVISUAL CONGRESS IN BUENOS AIRES

CISAC backs efforts by ARGENTORES, DAC and SADAIC to strengthen audiovisual repertoire protection in Argentina, which is facing a production crisis. CISAC Vice President Marcelo Piñeyro said the rights and strengths of audiovisual repertoire are inseparable axes of growth for Argentinian and Latin American culture.

ARGENTORES President Miguel Angel Diani called on authorities to focus efforts on promoting the creative work of audiovisual authors and to reject current initiatives to weaken collective management laws.



>13 AUTHORS' SOCIETIES CONFERENCE IN ALGIERS

ONDA, CISAC, CIAM, W&DW and PACSA organise a conference drawing creators and societies from 22 nationalities and regional IP organisations. Opened by the Algerian Minister of Culture, the events raised awareness and creative sector cooperation in African countries. (see report page 31)

13 Support for second edition of Paris Songwriting Camp

The second Paris Songwriting Camp brings together songwriters and producers from 13 nationalities to network, develop and share creative collaborations. Launched in Stockholm in 2015, the camp provides an international platform for CISAC, CIAM, CMOs, among others, to engage in dialogue and support songwriters and producers.



CISAC DG Gadi Oron and OAPI DG Denis Bohoussou sign MoU

>15 CISAC AND OAPI PARTNER TO BOOST GROWTH IN AFRICA

CISAC and the African Intellectual Property Organisation (OAPI) sign a cooperation agreement to promote and defend creators' rights in Francophone Africa. The MoU included training seminars to improve revenue collections, education and research. The MoU followed a similar agreement with ARIPO.

18 CISAC, GESAC and MUSICAUTOR highlight transfer of value in Bulgaria

In coordination with GESAC, CISAC's Regional Director and MUSICAUTOR meet Bulgarian European Parliament members in Sofia to lobby for action on transfer of value ahead of voting on the EU Copyright Package.

20 Call for remuneration right at Brasilia Film Festival

At the 50th Brasilia Film Festival, alongside DAC, DASC, DBCA and GEDAR, CISAC urges government representatives to recognise an unwaivable and equitable remuneration right for screenwriters and directors in Brazil. A panel concluded that the current copyright law grants these authors an unwaivable remuneration right and that the only obstacle for collection is a lack of an administrative resolution authorising the national CMO to proceed.

26 Audiovisual societies convene for IDA Technical Committee

Hosted by SACD, the CISAC IDA Technical Committee meets in Paris with 12 audiovisual societies coming together to discuss technical issues and improving visual design.

26 CISAC organises Chinese Government visit to Spain

Facilitated by CISAC and with CISAC and Spanish member representatives, the National Copyright Administration of China visits Spanish societies. Hosted by SGAE in conjunction with EVA and GESAC, the delegation learned about resale right regulation as well as CISAC's activities to promote adopting the right.

CISAC work programme in review September 2017



27 CISAC JOINS ICMP CENTRAL AND EASTERN EUROPEAN CONGRESS IN POLAND

CISAC's Regional Director for Europe presented collections and regional developments at the annual ICMP Central and Eastern European Congress in Warsaw.

Joint CISAC-ICMP initiatives, including lobbying in Ukraine for proper collective management legislation and collective management issues in Turkey, Russia and Greece were discussed.

27 Communications Experts Group meets on campaigns and best practices in Paris

Communication strategies around the key campaigns of CISAC and member societies are reviewed at the Communications Experts Group meeting, with 17 societies and organisations participating. PRS for Music, DACS, UBC and SACEM presented education, rebranding and image repositioning case studies.

28 CISAC and EVA meet Polish government on visual arts

A CISAC and EVA delegation meets with the Polish Ministry of Culture Head of Copyright Department Karol Kościński to promote visual arts protections. Legislative change will be needed to introduce a mandatory, or extended, collective management solution for resale right. The meeting was held in the context of local society ZPAP's Provisional Membership status, and of the implementation of the CRM Directive.

28 "Traceability of the Work of Art" conference in Paris

Visual artist, CIAGP Chair Hervé di Rosa joined academics, policy makers and art market professionals at the ADAGP-organised event to discuss traceability and the role of societies in remunerating and protecting visual artists. CISAC's Director of Business presented solutions to guarantee that works circulating online are identified to ensure fair remuneration for artists.

CISAC work programme in review October 2017



Left to right: Artist and former CIAGP President Hervé di Rosa, his successor American sculptor Joel Shapiro and VEGAP Director General Javier Gutiérrez.

2 NEW CIAGP PRESIDENT APPOINTED AT ANNUAL MEETING IN NEW YORK CITY

CISAC visual arts council CIAGP brings together some 50 experts. The meeting reviewed the resale right campaign and Automated Image Recognition (AIR) project progress and saw the signing of unilateral agreements between seven CIAGP members and Images Copyright Society of China. As a result of the agreements, Chinese photographic works could be represented by these societies. Renowned American sculptor Joel Shapiro was appointed as the new CIAGP President, succeeding French artist Hervé di Rosa, who stepped down as President at the end of his term.

4 CISAC meets US Trade and Patent Office in Washington DC

CISAC Asia-Pacific Regional Director meets with US Trademark and Patent Office (USPTO) officials to discuss cooperation in the region.

The USPTO sought CISAC's advice regarding organising training seminars in South and Southeast Asia. CISAC requested USPTO's support to address legal and licensing challenges in China, Korea and Southeast Asia.

10 Media Technical Committee advances licensing efforts in Budapest

Some 120 attendees from CISAC members discuss broadcast-related market changes, the impact of direct injection, "royalty-free" music services and a global performing rights collections analysis. Transfer of value and licensing music app panels included Audible Magic and OCL.

12 European Mechanical Right Day celebrates 10th anniversary in Budapest

The 10th edition of the European Mechanical Right Day is co-organised by BIEM and CISAC. Over 50 participants from European societies addressed mechanical rights management and private copying remuneration.

13 Global Policy Committee (GPC) reviews next campaign steps

The GPC works on the next steps for CISAC's global campaigns, reviewing the first draft of the transfer of value economic study by Professor Stan Liebowitz and CISAC's draft Private Copying Global Study. Progress on the resale right, the audiovisual campaign, CISAC University and international organisation cooperation was also mapped.

19 Executive Governance Committee (EGC) advances membership criteria reforms

The EGC resumes work on membership criteria and reviewed member compliance with CISAC obligations. The EGC discussed situations in specific countries, following expulsion decisions made at the 2017 General Assembly.

23 CISAC addresses WIPO Asia-Pacific copyright heads in Tokyo

WIPO works with CISAC to support copyright office heads to formulate intellectual property strategies in their countries. The WIPO Asia-Pacific regional meeting for heads of copyright offices included officials from 28 countries. CISAC presented on "The Role of Copyright Offices: How to improve to meet new challenges and needs".

24 CISAC trains audiovisual CMOs in Bogotá

30 Latin American audiovisual technicians from CMOs receive documentation and distribution of films and television series training at the DLVTC meeting. Many societies are starting to represent screenwriters and directors after the approval of laws in Colombia and Chile. CISAC presented on the different membership rules, audiovisual production documentation and data exchanges.

25 CISAC Private Copying Global Study shows untapped revenues for creators

This first ever global analysis of private copying systems examines laws of 191 countries on 5 continents. (see report, pages 38-39)



17 VISUAL ARTS CONFERENCE PAINTS PROMISING FUTURE FOR WESTERN BALKANS

One of the first large-scale gatherings in the Balkans promoting visual arts protections and rights takes place in Ljubljana. The event, organised by CISAC and EVA in cooperation with the Slovenian Association of Fine Arts Societies and the Slovenian Ministry of Culture, drew over 40 representatives from visual arts unions as well as government CMO representatives. The creation of the Slovenian Visual Artists (SVA) society was announced.

25 Dramatic, Literary and Audiovisual Technical Committee meets in Bogotá

The Dramatic, Literary and Audiovisual Technical Committee sees increased participation from Latin America members. CISAC outlined progress in Chile and Colombia following adoption of laws protecting audiovisual creators' rights. The committee commented on the draft CISAC audiovisual rights study. Two University of Chile professors presented research on economic fundamentals of audiovisual sector tariffs. Following two terms as Chairperson, LIRA's Hanneke Verschuur was thanked for her dedication and service. SACD's Geraldine Loulergue was elected as the new Chairperson.

25 Society Publisher Forum and Cross-Industry meetings in Nashville

Organised by CISAC, the Cross-Industry Initiative and Society Publisher Forum meet at SESAC's offices in Nashville where societies, publishers and creators were briefed on Steering Committee plenary projects. The Society Publisher Forum gathered approximately 70 participants to review CWR v3 format specifications. Co-Chairs Alex Batterbee of SONY/ATV, representing publishers, and Gustavo Gonzalez of ABRAMUS, representing societies, led the meeting.

25 CISAC supports MÜST in first songwriting camp in Taiwan

MÜST invites sister societies of CISAC, Europe and United States songwriting camp organisers, record companies and music copyright publishers to cooperate on the first international songwriting camp in Taiwan. 70 songwriters from Taiwan, Finland, Hong Kong, Japan, Korea, Macao, Malaysia, Philippines, Singapore, Sweden, Thailand, the United States and Vietnam gathered in Taipei to produce 67 music works.

26 Joining BBDA at author's rights workshop in Burkina Faso

CISAC and PACSA joined Rentrée du Droit d'Auteur, organised by BBDA in Bobo Dioulasso to present collective management to creators, decision-makers, users and the general public. CISAC focused on the importance of documentation in distribution, including the need for reciprocal representation agreements, the importance of usage reports for distribution and the prospects of a common African CMO database.

27 CISAC promotes authors' rights, lobbies government in Bolivia

The Bolivian government invites CISAC to be a keynote speaker at the "Culture as the fourth pillar of development" conference of the Culture Unit of Mercociudades, with over 200 people in attendance. CISAC spoke on the government's role in enforcing law and appropriate measures to enforce and contribute to a better framework for creators.

CISAC work programme in review October 2017



> 28 COPYRIGHT TAKES CENTRE STAGE AT PINGYAO CROUCHING TIGER HIDDEN DRAGON INTERNATIONAL FILM FESTIVAL

Thanks to CISAC Vice President and film director Jia Zhang-ke, copyright is exceptionally highlighted at the Pingyao Crouching Tiger Hidden Dragon International Film Festival. (see report page 29)



> 30 CISAC SUPPORTS SEMINAR FOR AUDIOVISUAL CREATORS IN CHINA

Over 150 young directors, screenwriters, producers and students attend an audiovisual copyright seminar organised by CISAC, PYIFF and W&DW. The panel included CISAC Vice President Jia Zhang-ke, W&DW President Yves Nilly, CISAC Regional Director for Asia-Pacific and Wang Ziqiang, former Director General of the Department of Policy and Regulation of the National Copyright Administration of China.

30 CISAC help leads to SGACEDOM private copying agreement in Dominican Republic

Supported by CISAC, SGACEDOM signs a three-year term private copying collection agreement that includes all CMOs in that country. The agreement was promoted by the Dominican Republic Copyright Office.

30 Highlighting global initiatives at WIPO seminar in Dominican Republic

CISAC presents its work at a public seminar organised by WIPO and the Copyright Office of the Dominican Republic. CISAC supported the strategic copyright development plan in that country, promoted by Office Director Dr Trajano Santana. Former Supreme Court of Justice President Dr Jorge Subero gave a masterclass on civil liability in violation of copyright and related rights. CISAC's Regional Director highlighted the confederation's work on identification standards for works and rights holders.

CISAC work programme in review November 2017



> 1 CISAC REGIONAL ASIA-PACIFIC COMMITTEE CONVENES IN TAIPEI

Hosted by MÜST, the CISAC Regional Asia-Pacific Committee addresses cinema and karaoke licensing, royalty-free background music services, multi-byte character data processing and multiple CMO arrangements. Joining 16 authors' societies, CISAC briefed on lobbying efforts to remove public performance right limitations in South Korea, as well as efforts to promote collections in India. The Committee also met with Taiwan Intellectual Property Office officials to discuss pending copyright law amendments.



> 3 CISAC DIRECTOR GENERAL IMPROVES TIES WITH INDIE MUSIC PUBLISHERS AT IMPF ANNUAL MEETING

The IMPF annual meeting brings together over 60 independent music publishers' representatives in New York. CISAC's Director General was invited to discuss the global collective management business, collections challenges and opportunities in emerging markets. He met with the IMPF Board to discuss royalty collections as well as areas for increased cooperation between the organisations.



APMA Chairman and JASRAC Executive Adviser Shunichi Tokura, former CIAM President Lorenzo Ferrero and music creators from Cambodia, Laos and Myanmar at a panel discussion titled "The Significance of APMA".

6 INAUGURAL APMA GENERAL ASSEMBLY MEETS IN TOKYO

The Asia-Pacific Music Creators Alliance (APMA) held its first general assembly with guest music creators from Cambodia, Laos and Myanmar in attendance. The assembly adopted the "Tokyo Declaration". KOMCA Chairman Yoon Myung Sun was elected as an additional APMA Vice Chairman at the Executive Committee meeting.



7 CIAM ANNUAL CONGRESS AND ELECTIONS IN TOKYO

Music creators council CIAM elects Canadian songwriter and producer Eddie Schwartz as President, as well as a new executive committee. Delegates also met Minister of Culture, Education, Sports, Science and Technology Yoshimasa Hayashi and Commissioner of the Agency for Cultural Affairs, Ryohei Miyata. (see page 49)



9 TOKYO PRESS CONFERENCE ON FILM TARIFFS

JASRAC President Michio Asaishi, JASRAC Chairman Haku Ide, APMA Chairman Shunichi Tokura, former CIAM President Lorenzo Ferrero, CIAM President Eddie Schwartz and CISAC Director General Gadi Oron hold a press conference organised by JASRAC to call for revision of vastly outdated film exhibition tariffs. Negotiations have been at a stalemate with staunch opposition from the Japanese film industry.



15 WRITERS & DIRECTORS WORLDWIDE ELECTS PRESIDENT AT ANNUAL CONGRESS IN VENICE

Creators from 23 countries convene at the W&DW congress where Argentinian film director and screen-writer Horacio Maldonado was elected President. W&DW President Yves Nilly was elected Vice President. (see page 50)

15 Albator receives training support from CISAC in Budapest

CISAC conducts documentation and distribution training for Albator in Hungary. The session was organised as part of its developmental review to improve operations in accordance with CISAC Professional Rules.

16 CISAC Secretariat builds relations with WTO

CISAC meets WTO Intellectual Property Division in Geneva, presenting CISAC's activities, priorities and the transfer of value campaign.

16 Societies talk innovation and efficiency in Budapest

Organised by CISAC and BIEM's regional office, over 30 European societies address how innovation can drive efficiencies despite society size and licensing challenges. ARTISJUS CEO András Szinger outlined evolutions in the digital world from territorial monopolies to a competitive environment, the emergence of hubs, changing content business models, the sharing economy and online licensing. TEOSTO Chief Digital Officer Roope Pajasmaa presented the TEOSTO Futures Lab.

21 IDA Management Committee reviews audiovisual works identification index

The IDA Management Committee puts forward recommendations by the IDA Technical Committee for validation and reviews the 2018 development plan, data quality reports and deployment status by society. Test results to improve audiovisual identification related to the IDA database were reviewed.

22 Promoting rights and CMOs at publishing conference in Cameroon

CISAC joins a conference on the African publishing industry and its role in education and economic growth. The event in Yaoundé was organised by WIPO in cooperation with the Ministry of Arts and Culture of the Republic of Cameroon. CISAC emphasised the need for robust copyright systems to enable the creation of, and legal access to education materials and the vital role of CMOs, especially for digital licensing.

22 CISAC works with Guatemala on royalties from TV and cable

Guatemala takes steps towards recognising and collecting royalties from TV and cable users on behalf of national and international repertoire owners, with a CISAC delegation visiting copyright authorities and users. The delegation met Guatemala's copyright office director and officials. It also met TV and cable representatives, who recognised that an international delegation could come to claim rights for the first time. The visits were held as part of the CISAC Member Support Program.

23 Lithuania responds to CISAC's calls on private copying and audiovisual rights

Lithuania's Ministry of Culture responds to calls by CISAC for private copying remuneration for visual and literary authors, and an unwaivable remuneration right for audiovisual creators. Plans were outlined to submit a law implementing private copying remuneration for all categories of creators in line with CISAC's recommendation. The government's consideration of audiovisual remuneration will await the outcome of EU copyright reform discussions.

27 CISAC joins collective management training in Madrid

CISAC joins a WIPO, SGAE and Instituto Autor-organised advanced training course on collective management of copyright and related rights for 25 government and private organisation representatives, including 7 Latin America societies.



28 CISAC CAMPAIGNS PROMOTED AT WIPO SEMINAR IN SOFIA

CISAC outlines the audiovisual campaign and transfer of value at a seminar on the audiovisual industry in the digital era. The event was co-organised by WIPO, the University for National and World Economy of Bulgaria and the Ministry of Culture of Bulgaria.

28 CISAC meets with Greek officials regarding AEPI

CISAC meets the state commissioner overseeing AEPI's distributions and collections, who was appointed following the society's financial crisis and management investigations. AEPI was expelled at the 2017 CISAC General Assembly for one year. Discussions were held with stakeholders on AEPI's future. AUTODIA updated on efforts to develop operations and increase reciprocal agreements with societies.

28 Copyright advances in Latin America as CMOs meet Montevideo Group

The Montevideo Group meets with societies on collective management and to set 2018 and 2019 priorities, with CISAC promoting its Private Copying Global Study. Forward planning for CISAC and the Montevideo Group included training copyright offices on collective management and copyright; curbing unilateral use of national and international repertoires in countries where public communication, broadcast and rebroadcast are not licensed; and a copyright seminar for judicial and administrative judges.



29 CISAC ORGANISES CHINESE DELEGATION VISIT IN CHILE

A National Copyright Administration of China delegation visits Chilean societies to improve collective management. The group met SCD, ATN and CREAMAGEN thanks to the CISAC Latin America & the Caribbean and Asia-Pacific regional offices. The delegation learned about the CMO application and approval process, competitive and monopolistic models, setting tariffs, extended collective management and the government's role in collective management. Officials were briefed on legislative developments, implementation and enforcement of the resale right and Chile's best-practice Ricardo Larrain Law.



> 1 CISAC ORGANISES EVENT ON LAW & CREATIVE AND INNOVATIVE ENTERPRISES IN BOGOTÁ

The second edition of the conference on creative industries draws 47 university panellists to speak to over 200 participants from CISAC member societies and academia. Sponsored by CISAC, the conference promotes copyright within academia and strengthens CISAC's role as an intellectual property authority. Panellists and moderators came from 17 Latin American and Spanish universities as well as copyright offices of 14 countries and 10 CISAC member societies.

6 Copyright training in Vietnam

Invited by WIPO and the Copyright Office of Vietnam, CISAC presents copyright's role in building culture and creative industries at a seminar. Over 100 guests including officials and industry stakeholders participated, along with CISAC being interviewed by national media.

6 CISAC Board of Directors convenes in Cape Town

The revised version for CISAC's membership criteria takes centre stage at the board meeting. The board was updated on the Rights Holders Access to CIS-Net project, ISWC, the transfer of value campaign and regional developments.

6 CISAC joins training for Asian copyright offices

Copyright officials from 15 Asian countries convene in Bangkok for a seminar on "Creative Economy and Copyright as Pathways to Sustainable Development". The workshop was organised by WIPO and the United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) in collaboration with the Thailand Ministry of Commerce Department of Intellectual Property.

11 Albania sets out copyright plans in meeting with CISAC in Tirana

Albanian Minister of Culture Mirela Kumbaro commits to ongoing copyright reforms despite resistance from some users. Within the context of Albautour's Developmental Review, CISAC's Regional Director presented "one-stop shop" licensing during a WIPO seminar in Tirana. This followed CISAC meetings on Albania with European Commission officials in Brussels.

14 CISAC and GESAC engage on copyright and digital market with Bulgaria's Prime Minister

CISAC and GESAC write to the Bulgarian Prime Minister offering expertise and assistance for drafting collective management legislation, implementing the CRM Directive and preventing imposition of sanctions on the country. The European Commission proposed imposing sanctions on those countries that have not implemented the Directive: Bulgaria, Luxembourg, Romania and Spain. CISAC and GESAC called on Bulgaria to use its Presidency to establish proper EU policy on copyright and the digital market.



> 15 VICE PRESIDENT MIQUEL BARCELÓ DRAWS ATTENTION TO RESALE RIGHT EFFECTS DUE TO UK'S EXIT TO EUROPEAN COMMISSION

Highlighting the United Kingdom's importance as a resale right income source, CISAC Vice President Miquel Barceló and Director General wrote to the European Commission's Copyright Unit DG Connect to voice concerns over the United Kingdom's exit from the EU and its potential effects on resale right. The United Kingdom is among the top 3 art markets in the world, accounting for one quarter of overall visual artist royalties globally.

3 Response on Cape Verde draft law

CISAC comments on Cape Verde Draft Law regulating collective management activities. Supporting member SCM, CISAC is assisting the government in implementing a collective management system that meets international standards.

9 CIAM Executive Committee elects Vice Presidents, establishes strategic direction

CIAM's Executive Committee establishes objectives including supporting partner alliances in Africa (PACSA), Asia-Pacific (APMA), Latin America (ALCAM) and North America (MCNA) and closer collaboration with European permanent observer ECSA. The Executive Committee launched new working groups (Metadata and IT, Governance, Women@CIAM, Training and Development) aimed at promoting rights in these areas. Jörg Evers and Iván García Pelayo were elected as new Vice Presidents.



The CISAC and GESAC teams meet with the European Commission in Brussels.

>10 CISAC AND GESAC MEET WITH EUROPEAN COMMISSION ON COPYRIGHT RELATIONS WITH THIRD COUNTRIES

CISAC and GESAC meet EC trade officials in charge of trade negotiations with non-European Commission regions. Received by the Director General of Trade, CISAC's DG, Regional Directors and Legal & Policy members joined GESAC to highlight copyright priorities outside the EU.

18 CISAC consults Romania on copyright reform

CISAC joins consultation on the draft EU Copyright Directive organised by the Romanian Ministry of Culture, joined by representatives from member UCMR-ADA, to urge proper legislative solutions for the benefit of European creators.

22 CISAC advises APA-Paraguay Director General selection

CISAC helps select the new APA-Paraguay Director General as part of the cooperation programme. Candidates were interviewed and evaluated by CISAC's Regional Director, before a decision by APA's Board of Directors.



>23 TURKISH OFFICIALS BRIEFED ON PRIVATE COPYING AND COLLECTIVE MANAGEMENT

CISAC and Artisjus meet with Turkish Ministry of Culture officials in Budapest for the ongoing EU-Turkey Twinning Project. Turkish representatives were familiarised with the success of the Hungarian collective management system, particularly on private copying remuneration schemes, CISAC Professional Rules and best "one-stop shop" licensing solutions.

23 Indonesia lobbied on collective management reforms

CISAC meets with DGIP's Director of Copyright, seeking support to appoint a WAMI representative as a commissioner for the national CMO of Indonesia. CISAC urged DGIP to amend regulations in order for actual usage to be the basis for distributions rather than splitting collections among 3 authors societies according to an arbitrary and unfair ratio.

24 CISAC Member Support Program at AEI-Guatemala advances

The CISAC Member Support Program at AEI-Guatemala advances with CISAC encouraging AEI to engage Central Law to support negotiations with large users. AEI will receive advice from negotiating experts in Guatemala. The negotiating team will include AGADU, SACM and UBC along with the CISAC Regional Office.

25 Writers & Directors Worldwide establishes new first aid funding for emerging authors' societies

Writers & Directors Worldwide decides to establish a support programme for emerging authors' societies at its Executive Committee meeting. The fundraising and first aid initiative programme included drafting a methodology manual and financial advances for developing societies. Eligible societies will be mentored by established partner societies that will also manage the expenditure. Three observers were appointed: REDES President Alexandra Restrepo, DBCA Secretary General Ricardo Pinto Da Silva and Bildkunst Executive Board Member Peter Carpentier.

CISAC work programme in review **January 2018**

30 CISAC joins 23 creative sector bodies urging Bulgarian EU Presidency on transfer of value

In a coordinated letter addressed to Bulgaria's Prime Minister Borissov, Minister Pavlova and Minister Banov, CISAC and 23 organisations representing the creative sector and its repertoires ask the Bulgarian Presidency of the European Union to seize the opportunity to bring fairness for creators in Europe.



31 CISAC MEETS SENEGAL'S CULTURE MINISTER ON RESALE RIGHT AND PRIVATE COPYING

CISAC's Regional Director for Africa receives support from Senegalese Minister of Culture Abdou Latif Coulibaly to fast track implementing private copying. The Minister called upon CISAC and RDA to organise a mission on private copying implementation mechanisms to Algeria with ONDA. Marie-Anne Ferry-Fall represented CIAGP at the meeting. The meeting also discussed Senegal's leading role in promoting the right at WIPO.

Left to right: SODAV Director General Aly Bathily, CISAC Regional Director for Africa Samuel Sangwa, ADAGP Director General Marie-Anne Ferry-Fall, Senegal Minister of Culture Abdou Latif Coulibaly, President of SODAV Administrative Council Ngoné Ndour, Senegal Minister of Culture Adviser Abdoul Aziz Dieng.

CISAC work programme in review **February 2018**



5 Executive Committee of Regional African Committee in Paris

Under Chairperson Irène Vieira, the Regional African Committee (CAF) Executive Committee establishes September 14th as Africa Copyright and Collective Management Day. CAF societies will organise activities to promote advocacy and raise awareness on copyright and collective management.

6 CISAC President/Vice Presidents urge EU on copyright

Members of the European Parliament and JURI members receive a letter from CISAC's President Jean-Michel Jarre and the Vice Presidents. It called for EU copyright laws to cover user-generated content services and highlights Europe's unique international leadership. "EU law should not be a shield to allow such platforms to make vast revenues from creative works while not fairly rewarding the creators".

7 Executive Governance Committee works on membership in Paris

The CISAC Executive Governance Committee (EGC) reviews revised membership criteria proposal after consulting with CISAC's broad membership.

1 PRIVATE COPYING GLOBAL STUDY PRESENTED TO SLOVENIA SEMINAR

CISAC presents its Private Copying Global Study at a workshop on "How to effectively shape authors' rights policy for the audiovisual sector at national and EU level" in Ljubljana. The seminar was hosted by the Directors' Guild of Slovenia (DRA) and AIPA in partnership with the Federation of European Film Directors (FERA), Federation of Screenwriters in Europe (FSE) and SAA.

2 CISAC helps CMO on authorisation in Colombia

Following the enactment of the Pepe Sánchez Act in May 2017, Colombian society DASC obtains authorisation to operate as a collective management organisation from the copyright office thanks to efforts of CISAC, W&DW, ADAL and DAC.

4 CISAC helps SGACEDOM in the Dominican Republic

Recommendations to change statutes and decision-making processes to improve its operations and transparency have led to SGACEDOM renewing its governing bodies. SGACEDOM has included representatives of authors and publishers on its board of directors, which is chaired by renowned Dominican composer Félix Mirabal and attended by CISAC Regional Director.

CISAC work programme in review February 2018

8 CISAC/ICMP Liaison Group gathers in Paris

The liaison group is attended by publishers and society representatives to discuss specific country situations. ICMP informed CISAC of their intention to issue a complaint calling for SGAE to be suspended from CISAC membership under CISAC Professional Rules.

12 Comments on draft law in Ukraine

CISAC responds to the Ukrainian Ministry of Economic Development on the latest collective management draft law. Despite some positives, CISAC highlighted important flaws to be corrected.



> 15 DELEGATION DISCUSSES REFORMS WITH BULGARIA

CISAC, Musicautor, Filmautor, GESAC and SAA come together in Bulgaria after the country's assumption of the rotating EU Presidency, overseeing EU Copyright Reform. The delegation met with the Bulgarian Ministry of Culture and National Parliament, drawing support from Minister of Culture Boil Banov.

CISAC President Jean-Michel Jarre and CISAC Director General were interviewed on Bulgarian National Television about EU copyright reform.



Jean-Michel Jarre, electronic music composer and performer
CISAC President

Angelique Kidjo, singer and songwriter
CISAC Vice President

Marcelo Piñeyro, film director
CISAC Vice President

Miquel Barceló, visual artist
CISAC Vice President

Jia Zhang-ke, film director
CISAC Vice President

> 19 CISAC PRESIDENCY URGES FAIR REMUNERATION FROM EU MEPS

CISAC joins SAA in a letter from CISAC President and Vice Presidents urging Members of the European Parliament to support screenwriters and directors in EU Copyright Directive discussions. The group said: "The vote of the Legal Affairs Committee of the European Parliament will be a decisive opportunity to provide audiovisual authors with remuneration schemes for the on-demand exploitation of their works across Europe, as the sector has long called for".



> 21 CISAC MEETS NATIONAL ASSEMBLY MEMBERS IN KOREA

CISAC's Director General is invited by KOMCA Chairman Yoon Myung-Sun for their General Assembly. During the event, CISAC presented five members of Congress with a plaque in recognition of their commitment to developing the music market. The Director General met with National Assembly members to promote copyright priorities, including changes to allow KOMCA to collect for public performance and private copying, and give the society more control and flexibility in setting tariffs.

CISAC work programme in review February 2018



> 22 CISAC AND KCOPA SIGN PARTNERSHIP IN KOREA

Korea Copyright Protection Agency (KCOPA), the government agency in charge of copyright protection, and CISAC sign a Memorandum of Understanding to cooperate on numerous activities, including protecting digital works online and addressing online piracy.



> 22 CISAC MEETS LARGEST MUSIC SERVICE IN KOREA

CISAC's Director General joins KOMCA to visit LOEN Entertainment, which owns and operates MelOn. In a meeting with CEO and President Sean Park and MelOn Company Executive Vice President Jewook Lee, CISAC and LOEN discussed cooperating to tackle transfer of value and promote a level playing field in the Korean online market.

22 CISAC and ASCAP support APDAYC over INDECOPI's decision

ASCAP and CISAC back APDAYC regarding the INDECOPI decision to not recognise the society's right to license musical content in audiovisual works. ASCAP is providing APDAYC with relevant available documentation and statements from the major United States film studios to support the society.

27 CISAC publishes Liebowitz Study on safe harbours

CISAC publishes "Economic Analysis of Safe Harbour Provisions" by Ashbel Smith Professor Stan Liebowitz of the University of Texas at Dallas. The study is the most detailed economic examination to date of how copyright owners have been damaged by so-called "safe harbour" rules in copyright law. (see page 33).

CISAC work programme in review March 2018



> 6 CISAC PRESIDENT LEADS A DELEGATION OF AUTHORS IN BRUSSELS TO LOBBY THE EUROPEAN PARLIAMENT

CISAC President Jean-Michel Jarre leads a delegation of authors from 5 Member States in Brussels to rally support from members of the European Parliament to bring fairness for authors in the digital world. Jarre and the delegation presented a petition calling for an end to the "transfer of value" signed by more than 14,000 authors and composers from across the EU. The group met with Commissioner Mariya Gabriel and MEPs, notably CCI co-chair Pervenche Berès. The delegation of authors, which was jointly coordinated by GESAC, expressed support for the European Commission's proposed Copyright Directive. Jarre called on the European Parliament to stay firm and fix the transfer of value in a live interview with BBC World News "Talking Business with Aaron Helsehurst": "The world is now watching the EU. It is for Europe to prove that it remains the champion of culture."



Left to right: Spanish music composer Cora Novoa; German singer-songwriter Astrid North; MEP Viviane Reding; CISAC President Jean-Michel Jarre.



> 14 CISAC PROMOTES PRIVATE COPYING AS AN EFFECTIVE REVENUE STREAM FOR AFRICAN CREATORS

At the MASA festival in Abidjan, Ivory Coast, CISAC and BURIDA team up with PACSA, BBDA, BGDA and SODAV to highlight the importance of private copying with Ivory Coast officials. CISAC presented its Private Copying Global Study which received support from Ivory Coast’s Minister of Culture and Francophonie Maurice Kouakou Bandaman and Minister of Communications, Digital Economy and the Post Bruno Nabagné Koné.

In a recorded introductory message to a roundtable focusing on how private copying remuneration can benefit African creators, CISAC Vice President Angélique Kidjo strongly appealed for African governments to enact effective systems for a supportive private copying environment. Minister of Culture Maurice Kouakou Bandaman, BURIDA DG Irène Vieira, celebrated Congolese musician and CISAC African Ambassador Lokua Kanza, famed Ivory Coast artist Meiway and CISAC Senior Legal Adviser echoed the need for effective implementation of a private copying levy. The round table drew over 400 people, including government authorities, creators and journalists, becoming the most successful professional day of the festival.

14 CISAC Board of Directors meets in Paris

The CISAC Board of Directors convenes in Paris to examine Membership Criteria Reform and the need to review its systems and identifiers. The Board reviewed member compliance with statutory obligations and adopted 2017 accounts, to be reviewed by the Internal Audit Committee and presented for approval at the General Assembly.

26 GPC defines next steps for transfer of value

The CISAC Global Policy Committee meets in Paris to prepare the next steps of the transfer of value campaign at EU level, namely promoting Professor Liebowitz’s economic study and organising events with creators. Members addressed buy-out of rights and defined elements to be analysed in the next CISAC-commissioned study.

26 CISAC comments on EU general data protection regulation guidelines

CISAC contributes to public consultation for Article 49 EU-GPDR guidelines. These provide guidance on exemptions to personal data transfers to countries outside the EU and are relevant to rights management and royalty distribution. CISAC urged the working party to adapt guidelines and take CMO activities into account to allow them to continue benefitting from the existing exemption for the transfer of rights holder information to societies located outside the EU.



> 15 CISAC ENGAGES WITH BULGARIA ON CRM DIRECTIVE IMPLEMENTATION, PRIVATE COPYING AND CABLE OPERATORS

A CISAC delegation meets with the Bulgarian government in Sofia to address the failure of cable operators in honouring their copyright commitments, and to lobby for improvements to Bulgaria’s malfunctioning private copying system.

CISAC Legal & Public Affairs Director and CISAC Regional Director for Europe joined Filmautor’s Director General Maria Palaurova and President Victor Bojinov in meetings with Bulgarian Ministry of Culture Copyright Department Director Mehti Melikov. In response to CISAC’s call for action, the Ministry committed to support local and international rights holders represented by Filmautor.

Bulgaria adopted a new law implementing the European CRM Directive on March 15th. The Ministry expressed hope that the new law will improve the situation.

CISAC and member societies GEMA and Artisjus also joined the "Conference on Intellectual Property – Copyright", organised by the Bulgarian EU Presidency and Ministry of Culture. Panels addressed progress on implementing the CRM Directive, as well as private copying and reprography.



Left to right: CISAC Regional Director for Europe Mitko Chatalbashev, CISAC European Committee President José Jorge Letria, CISAC Director General Gadi Oron and CISAC Board Vice-Chair Javier Gutierrez with Adviser to the Prime Minister for Digital and Creative Industries, Film and Tourism of Serbia Ana Ilic.

3 COPYRIGHT REQUESTS MADE AT SERBIAN PRIME MINISTER'S OFFICE IN BELGRADE

Praising progress while calling for improvements in public performance and private copying, a CISAC delegation meets an advisor to the Prime Minister for Digital and Creative Industries, Film and Tourism and the Director of the Team for IT and Entrepreneurship. CISAC is lobbying against the restriction on copyright payments for the public performance of works to a smaller number of user categories. It is also urging Serbia to update the private copying system for the digital environment.



4 CISAC EUROPEAN COMMITTEE CALLS FOR STRONGER COPYRIGHT PROTECTIONS AND COLLECTIVE MANAGEMENT

110 participants from 55 European societies gather in Belgrade for the 2018 CISAC European Committee, against the background of the EU Copyright Directive. Other key agenda items included direct injection in broadcasting, on-demand exploitation of audiovisual works, extended licensing schemes for visual artists and new technologies and their influence on societies' efficiency. Serbian Ministry of Education, Science and Technological Development State Secretary Professor Dr Vladimir Popovic and Intellectual Property Office Director Vladimir Maric spoke on the role of culture, current challenges for collective management in the country and the importance of proper state supervision.



Left to Right: JASRAC Senior Administrator and APC Chairman Satoshi Watanabe, JASRAC President Michio Asaishi, JASPAR Managing Director Akihiro Yoshizawa, JASPAR Director Akiko Ogawa, Member of the House of Representatives and Secretary General of the League of Representatives and Senators for Issues of Arts and Culture Shintaro Ito, CISAC Director General Gadi Oron.

12 CISAC LOBBIES FOR THE IMPLEMENTATION OF THE RESELL RIGHT IN JAPAN

The confederation returns to Japan to lobby for the adoption of the resale right for visual artists. Japan is one the most internationally influential countries which has not yet implemented the right. CISAC's Director General and Regional Director for Asia-Pacific joined in a delegation with colleagues from visual arts society JASPAR, with the support of JASRAC, to meet with House of Representatives Member Shintaro Ito.



Left to Right: Agency for Cultural Affairs International Affairs Division Director Akiko Ono, Chairman of APC and JASRAC Senior Administrator Satoshi Watanabe, JASPAR Director Akiko Ogawa, Japanese artist and JASPAR Chairman Kazuhiro Fukuoji, Agency for Cultural Affairs Director General Yuji Nagayama, CISAC Director General Gadi Oron, CISAC Regional Director for Asia-Pacific Benjamin Ng, JASRAC President Michio Asaishi, JASPAR Managing Director Akihiro Yoshizawa.

12 DELEGATION SEEKS SUPPORT OF JAPAN GOVERNMENT

Visual artist Kazuhiko Fukuoji joined the CISAC-led delegation to meet with the Agency for Cultural Affairs of Japan Director General Yuji Nagayama. During the meeting, CISAC sought support from the Japanese government for the discussion on the resale right at the upcoming WIPO's Standing Committee on Copyright and Related Rights.

12 CISAC international communications group meets to build a global strategy

Communications representatives of 15 member societies convene in Paris to plan communications strategies around key campaigns, exchange best practice and develop a more coordinated global team of communications professionals. The meeting included a relationship-building engagement with the Communications Director and Head of Media of Geneva-based WIPO. Best practice presentations were made by APRA, STIM, DACS, HDS ZAMP and ARTISJUS.



Front Row : Left to Right: Benjamin Ng, CISAC Regional Director for Asia-Pacific; Gadi Oron, CISAC Director General; Kazuhiro Fukuoji, Chairman, JASPAR; Chinami Nakajima, Executive Director, Japanese Artists Association (JAA); Kan Irie, Counsellor, Japanese Artists Association (JAA); Takeshi Yoshino, Committee member of Resale Right Committee, APG-Japan. Back Row: Left to Right: Satoshi Watanabe, Senior Administrator, JASRAC; Chairman of APC; Akiko Ogawa, Director, JASPAR; Michio Asaishi, President, JASRAC.

13 PRESS CONFERENCE CAPS OFF LATEST CALL FOR RESALE RIGHT IMPLEMENTATION IN JAPAN

CISAC speaks with Japan Artists Association artists Tei Yamamoto, Kan Irie and Chinami Nakajima who express their endorsement of CISAC resale right campaign. The mission in Tokyo concluded with a press conference which attracted interest from Japan's major media.

16 Writers & Directors Worldwide annual meeting draws audiovisual world to Algiers

The annual meeting of Writers & Directors Worldwide brings audiovisual creators to Algeria to plan the creators' council's global initiatives. Algeria Minister of Culture Azzedine Mihoubi and CISAC Vice President Marcelo Piñeyro opened the congress, prior to a keynote speech by W&DW President Horacio Maldonado. Communication Minister Djamel Kaouane and Minister of Higher Education and Scientific Research Pr Tahar Hadjar were also in attendance. In addition to a round-table discussion on the CISAC-commissioned audiovisual remuneration study with its author Prof Raquel Xalabarder, panels featuring FERA, FSE, SAA and W&DW explored the role of authors' organisations. The International Literary Authors Forum round-table brought together speakers from ALCS, ARGENTORES, ONDA, AKKA/LAA and SIAE.



16 SALON DE LA CRÉATIVITÉ ALGERIA

CISAC joins ONDA for the 4th edition of the Salon de la Créativité in Algiers. The festival, coinciding with ONDA's 45-year anniversary, drew creators, researchers and representatives from a wide range of institutions from Tunisia, France, Senegal, Benin, Mali, Burkina Faso and Ivory Coast to raise public awareness on intellectual property and authors rights. The international French-language channel TV5 Monde was the official media partner of the event. Algiers marked a new step in the circulation of CISAC's Private Copying Global Study, reaching an international audience.



18 IMPROVED PRIVATE COPYING SYSTEMS PROMOTED IN CONFERENCE

CISAC, ONDA, SADC and WIPO collaborate on a private copying conference at the Palais de la Culture in Algiers. CIAM Honorary President Lorenzo Ferrero explained the impact of private copying on creators' bottom line. A conference presided by WIPO Vice Director General Sylvie Forbin with panels hosted by CISAC's Director of Legal and Public Affairs, SADC Director General Pascal Rogard and ONDA Director General Sami Bencheikh El Hocine examined the challenges and opportunities of private copying and presented the CISAC Private Copying Global Study.

19 African societies further collective management at the CISAC African Committee Executive Committee

Africa continues to be ripe for collective management improvements, as evidenced by the CAF Executive Committee meeting in Algeria. A progress update on the African common database project was given. LatinAutor helped review efficient digital management of African repertoires based on its experience. Updates on lobbying for private copying in Abidjan and the MASA Festival as well as the CAF communications strategy, ambassadors initiative and the Collective African Copyright and Collective Management Day were also explored.



25 CISAC LATIN AMERICAN AND CARIBBEAN COMMITTEE LAYS FOUNDATION FOR FUTURE REGIONAL PROGRESS IN GUATEMALA

The Latin American and Caribbean Committee assembles in Antigua, Guatemala, to take stock of 2017 and determines future actions for the region and its societies. Advances by AEI, APA, SAYCE and DBCA were detailed and attendees reviewed Montevideo Group proposals. Extra-territorial licensing in Latin American and tariff negotiation confidentiality were discussed by the Regional Legal Committee.

Pingyao International Film Festival

Thanks to Chinese film director and CISAC Vice President Jia Zhang-ke, copyright was placed at the centre of an international film festival at the Pingyao Crouching Tiger Hidden Dragon International Film Festival (PYIFF) in China on October 28th-30th. Aiming to become a professional platform showcasing exceptional films and filmmakers, PYIFF aspires to see filmmakers and audiences receive the respect they deserve.



Copyright Protection of Creators of Film seminar at the Pingyao Crouching Tiger Hidden Dragon International Film Festival.

Supporting young authors in China

PYIFF was an ideal platform to increase communication and cooperation with Chinese and international filmmakers and promote the value and services of CISAC. By supporting this new generation of creators, CISAC and PYIFF hope to help inject new blood into the Chinese film industry.

Copyright award

CISAC delivered the Award for Outstanding Contribution to the Protection of Audiovisual Copyright to the China Film Directors Guild at the opening ceremony. The award credits an organisation or individual demonstrating outstanding contributions to protecting copyright of audiovisual works and their creators. It was accepted on behalf of the guild by its Vice President and celebrated film director Feng Xiaogang.

The China Film Directors Guild, the leading entity representing film directors, has worked closely with European CMOs to ensure Chinese film directors are remunerated for the use of their works. The guild and its members have actively pushed for a change in authorship of audiovisual works to directors and screenwriters, as well as for a remuneration right in the latest Copyright Act amendment in China.

More than 80 young filmmakers, directors, screenwriters and producers filled the room for a "Copyright Protection of Creators of Film" seminar organised by CISAC, PYIFF and Writers & Directors Worldwide.

Along with CISAC's team, Jia Zhang-ke, former National Copyright Administration of China Director General Wang Ziqiang, and Writers & Directors Worldwide Vice President Yves Nilly responded to questions about audiovisual creators copyright protection, the audiovisual campaign and the importance of copyright law changes in China.



CISAC Regional Director for Asia-Pacific Benjamin Ng, CISAC Repertoires and Creators Relations Director Silvina Munich and film director Feng Xiaogang.

UNESCO & CISAC team up on transfer of value

On June 12th, the transfer of value debate was brought to the global stage when CISAC joined UNESCO for a conference that further cemented links between these two global bodies.



Left to right: Economist Ernesto Piedras; Journalist Ziad Maalouf; BASCA Chair and PRS for Music Board Member Crispin Hunt; Photographer Véronique Raimond-dit-Yvon; Professor Alexandra Bensamoun.

CISAC is calling for UNESCO to recognise the problem and help find solutions in the context of its agenda to protect cultural diversity in the digital environment. UNESCO concluded the event by approving Operational Guidelines recognising the value of the work of creators in the digital environment by promoting equitable and fair remuneration for artists and cultural professionals.

UNESCO Ambassador and CISAC President Jean-Michel Jarre led with a keynote, joined by film director and UNESCO Goodwill Ambassador for Artistic Freedom and Creativity Deeyah Khan. The event was opened by UNESCO Division for Heritage and the UNESCO World Heritage Centre Director Mechthild Rössler representing Director General Irina Bokova. CISAC Director General Gadi Oron delivered closing remarks, calling for legislative solutions to correct the market.

Correcting the imbalance

Jarre highlighted that in the digital market, access to works has been revolutionised and consumption has exploded. Yet a fair return to creators eludes the market while user generated services use flawed legislation to avoid paying fair rates for creative content. Gadi Oron underscored that this “global problem needs a global solution” through firm action by governments worldwide. Cultural and creative industries represent significant economic engines, including in Mexico where the sector is “twice as productive” as the average worker according to Instituto Tecnológico Autónomo de México Economist and Competitive Intelligence Unit CEO Ernesto Piedras.

BASCA Chair and PRS for Music Board Member Crispin Hunt pointed to the critical need for regulation to keep pace with technological change. “The reality is that YouTube will make several millions from my work when I only earn a few hundred”. He concluded: “We need a message coming from UNESCO that points out that there is a problem here and that it is everyone’s duty, from technology companies to legislators, to work on it and, for the sake of our cultural development globally, to seek ways to address it”.

The UNESCO conference heard how the transfer of value impacts creative professionals throughout different repertoires. Gamma Rapho Photo Agency Photographer Véronique Raimond-dit-Yvon explained the consequences in her sector– a 50% reduction in staff at her agency due to inadequate legal protection.

We need a message coming from UNESCO that points out that there is a problem here and that it is everyone’s duty, from technology companies to legislators, to work on it

Crispin Hunt

Algiers Creators Conference

Creators from 22 countries spanning multiple repertoires united in Algiers for an unprecedented conference “African Screenwriters, Writers and Music Creators from Here and Abroad”. In partnership with the Algerian government, the three-day event was organised by ONDA and CISAC from September 13th-15th, 2017. It marked the first time that organisations throughout Sub-Saharan Africa and Maghreb joined together to campaign for creators’ rights.



Algerian Minister of Culture Azzedine Mihoubi delivered opening remarks to some 100 creators, along with ONDA Director General Sami Bencheikh El Hocine. The collective effort was built in conjunction with CIAM, W&DW and the Pan-African Composers & Songwriters Alliance (PACSA). The gathering attracted representatives of the Pan-African Federation of Filmmakers (FEPACI), African Regional Intellectual Property Organization (ARIPO) and the African Intellectual Property Organisation (OAPI).

The event attracted substantial media coverage, including Algerian National TV and national media, as well as BBC World Radio which interviewed PACSA Chairman Sam Mbende.



Algerian Culture Minister Azzedine Mihoubi on the prime time news.



Left to right: CISAC Director General Gadi Oron; Algerian Culture Minister Azzedine Mihoubi; CISAC Board Member and ONDA Director General Sami Bencheikh El-Hocine.

New regional audiovisual alliance

Writers & Directors Worldwide grew in Algiers with the creation of the Pan-African Alliance of Screenwriters and Directors (APASER). It is the new collaboration between W&DW and FEPACI, becoming the creators’ council’s regional organisation to promote the interests of audiovisual creators in Africa.

Safeguarding rights in a collective voice

The discussions concluded with a mission for the future in the form of the “Algiers Declaration”. The statement has four key elements: make culture a vehicle for fellowship and solidarity as well as to strengthen identity; continue and promote initiatives to strengthen copyright and related rights in accordance to international conventions; closer cooperation among African and international bodies; and address the transfer of value at legal and economic levels.



PACSA President Sam Mbende discusses the transfer of value on BBC / Algiers.



CISAC key services

Transfer of value campaign

Bringing fairness to authors in the digital world

Fixing the transfer of value is a top priority campaign in which CISAC is using its reach, influence and knowledge to persuade governments to take action.

While legislative proposals in the European Union have been the main focus of this campaign in the last two years, the transfer of value is a global problem that needs to be addressed by governments all over the world.



THE HEART OF THE TRANSFER OF VALUE

At the heart of the transfer of value is a fundamental flaw in creators' working landscape. While the digital market has positively transformed access to creative works, it has also had a negative impact on creators who have seen the value of their work siphoned off on a huge scale to benefit certain large online digital platforms. Illustrating this, the 2017 CISAC Global Collections Report shows that digital only made up 10.4% of 2016 global revenue - slightly less than €1 billion.



1 billion users



157 million active users



71 million paying users according to spotify.

User upload content (UUC) services are at the core of the problem. Ad-supported video services (e.g. YouTube) pay authors and publishers far less than other music subscription services (e.g. Spotify), despite much larger user numbers. YouTube claims over 1 billion users, yet its payouts are dwarfed by Spotify, which has over 157 million active users and 71 million paying subscribers (as of January 2018).



CISAC President Jean-Michel Jarre addresses a global audience of millions on the need for a copyright framework adapted to the current digital market in a live interview on BBC World News.

The distortion arises from flaws in the legal frameworks in North America, Europe, and beyond, which allow UUC services to avoid seeking licences from rights holders.

CISAC is working to correct this situation around the world. The campaign has two core objectives:

- (i) to have copyright laws properly applied to online services that actively make available copyright protected works and
- (ii) to ensure these services are not allowed to abuse "safe harbour".



LIEBOWITZ SAFE HARBOUR STUDY

In February, to support its lobbying, CISAC commissioned a major economic study on this issue. University of Texas at Dallas Professor Stan Liebowitz conducted the most detailed examination yet of how music copyright owners are damaged by “safe harbour”. It examines how safe harbours have allowed services to create business models which avoid copyright payments, and how they have prevented adequate take down procedures to remove illegal content. (see “CISAC publications” page 45)

In June 2017, CISAC and UNESCO partnered for a major international conference in Paris to draw attention to the transfer of value issue. (see page 30)

CISAC is pressing for action on other international fronts too. In August, CISAC submitted comments to the Steering Committee on Media and Information Society (CDMSI) of the Council of Europe on the *Draft Recommendation of the Committee of Ministers to member states on the roles and responsibilities of Internet intermediaries*. CISAC has also teamed up with 28 organisations in a joint letter to the European Parliament Rapporteur Axel Voss calling for a legislative fix to the distortion from the market.

Lobbying continued into 2018 when Jean-Michel Jarre and Director General Gadi Oron offered joint messages on transfer of value to the EU Presidency in Sofia, Bulgaria (see page 24).

CISAC/GESAC LOBBY AT THE EUROPEAN PARLIAMENT

On March 6th, CISAC, GESAC, CISAC President Jean-Michel Jarre and several artists representing European CMOs European CMOs brought the issue to the EU Parliament in an event organised by CISAC and GESAC.

They met Commissioner Mariya Gabriel, in charge of Digital Economy & Society, various MEPs and the President of JURI Committee, responsible for the copyright directive file, Pavel Svoboda. The rallying call for Europe to “stay firm” on fixing the transfer of value came just weeks before the final votes from the European Parliament JURI committee.



***The world is now watching
the EU. It is for Europe to prove
that it remains the champion
of culture***

Jean-Michel Jarre

In a powerful speech to MEPs, Jarre said: “The world is now watching the EU. It is for Europe to prove that it remains the champion of culture. We need a 21st century copyright framework for a 21st century digital market – one that allows future generations of creators to be fairly remunerated and be able to make a living from their work.” He delivered the same message to a global audience of millions in a live interview on BBC World News.

COUNTRY-LEVEL PROGRESS

The transfer of value has seen positive steps in Australia. In early 2018, the Australian Federal Government introduced a new Copyright Amendment Bill, which ensured that search engines and social media platforms are not covered by safe harbour protections. The draft establishes a legislative foundation on which the Copyright Directive proposal in the EU can draw. CISAC sent submissions to the Australian government prior to the bill’s introduction in support of safe harbour reform.



Fair remuneration for film directors and screenwriters

CISAC's campaign in favour of a fair remuneration for audiovisual authors has been deployed all around the world. After major pressure from local and international filmmakers and screenwriters, Chile and Colombia have recently adopted new legislation that included an unwaivable and unassignable right to remuneration for audiovisual creators and allowed for collective management organisations to manage this new right.

CISAC, along with audiovisual creators' council Writers & Directors Worldwide and local alliances representing screenwriters and filmmakers, are working to replicate this success in other parts of the world.

Remuneration right for audiovisual authors study

In order to add more support to CISAC's efforts to promote the audiovisual campaign, an academic study was commissioned by CISAC from Professor Raquel Xalabarder, a film copyright expert from the Universitat Oberta de Catalunya (Barcelona). The study aims to present facts, data and a thorough analysis of existing audiovisual remuneration rights across different countries in the EU and other relevant markets. It outlines the design of an appropriate remuneration right for audiovisual creators, including which audiovisual works and creators should be entitled to it. Furthermore, Professor Xalabarder discusses issues like the covered acts of exploitation, the nature and trigger of the right and the appropriate duration. CISAC, in cooperation with SAA, the European Society of Audiovisual Authors, is creating a summary guide for use as a lobbying and communication tool for governments and policymakers.



China

In China, a new draft copyright law is currently under discussion, with CISAC lobbying for progress.

CISAC Vice President, Chinese filmmaker Jia Zhang-ke, is one of the strongest and most prominent supporters of the introduction of a remuneration right for audiovisual creators in China.

He raised the issue during a major film festival organised in China at the end of 2017.

Audiovisual creators speak out

CISAC Vice President and renowned director Marcelo Piñeyro wrote in the 2017 Global Collections Report: “Directors and writers are indispensable to the success of audiovisual works and of a country’s film industry. Their work helps generate jobs, economic growth, and international prestige. They must be fairly protected and remunerated if the audiovisual sector is to thrive into the future.”

Further supporting the campaign, a unique and hard-hitting series of testimonies by creators and society heads has been created for global use by Writers & Directors Worldwide. The 30-minute film, released in December and produced by Argentine society DAC, presents testimonies from more than 25 renowned creators and was recorded at the Writers & Directors Worldwide 2017 Congress.



Opportunities in Europe

A crucial test for the campaign has been in Europe. In collaboration with SAA, CISAC has been promoting the campaign to EU institutions. The topic was part of the agenda of the high-level delegation from CISAC, GESAC and SAA that met with the Bulgarian Ministry of Culture and the National Parliament in Sofia in February.



Left to right: CISAC Regional Director for Europe Mitko Chatalbashev, SAA Executive Director Cécile Despringre and the Minister of Culture of Bulgaria Vezhdi Rashidov.

Through the current discussions on the Copyright Directive, the European Union has a unique and historic opportunity to bring fairness for the next generation of audiovisual creators

CISAC President and Vice Presidents

CISAC’s President and all four Vice Presidents sent a letter to European Parliament Members to support remuneration rights for screenwriters and directors in the forthcoming EU Copyright Directive discussions, ahead of the debate within the Legal Affairs Committee of the European Parliament.

Inspired by 126 prominent screenwriters and directors who have called for action by the EU, the group, led by CISAC President Jean-Michel Jarre and including Marcelo Piñeyro and Jia Zhang-ke, wrote: “Through the current discussions on the Copyright Directive, the European Union has a unique and historic opportunity to bring fairness for the next generation of audiovisual creators”.

Fair royalties for visual artists

The campaign to make the artist resale right (ARR) or 'droit de suite' a universal right has been the main focus of CISAC, together with EVA, and CISAC's affiliated creators' council for visual arts, the International Council of Authors of Graphic and Plastic Arts and of Photographers (CIAGP).



The resale right grants visual artists a percentage of the sale price when their works are sold in galleries or auction houses. It has been introduced in some 80 territories, but in some important art markets, including the US, Japan and China, visual artists still lack this right. For CIAGP's newly-elected President, American sculptor Joel Shapiro, CISAC's campaign "has mobilised visual artists." He adds, "I am convinced that all these efforts will bear fruit in the near future. Time has come to increase pressure on policy-makers. Too many countries, including my own, the United States, are shying away from their responsibilities towards their creative community. This has to change."

CISAC Vice President Miquel Barceló says that "the resale right is about greater fairness in the creative world. It connects creators with the life of their works and it reinjects much needed resources into the creative system. In doing so, it helps nurture the future generations of Basquiat, O'Keeffe, Rodin, or Sow."

Too many countries, including my own, the United States, are shying away from their responsibilities towards their creative community. This has to change

Joel Shapiro

PROGRESS AT WIPO

The issue is also gaining pace at the World Intellectual Property Organisation. The success of the International Conference held in Geneva on April 28th 2017 highlighted the growing momentum and universal artist support for the international adoption of the resale right. It also underscored its economic benefits.

During the 35th meeting of WIPO's Standing Committee on Copyright and Related Rights in November 2017, CISAC representatives held formal and informal meetings with WIPO staff, national delegates and the African Group, and circulated leaflets detailing the resale right's importance. Delegates listened to the presentation of the WIPO-commissioned study on the economic impact of the resale right on the art market. The study, conducted by Joëlle Farchy, Professor at the University of Paris I, Panthéon-Sorbonne in Paris, shows that introducing a resale right has no impact on art market prices or sales volumes. A short Q&A session took place and delegates expressed their positions.

Looking to SCCR's meeting in May 2018, CISAC organised meetings between the groups representing national SCCR delegates and a visual artist delegation led by CIAGP President Joel Shapiro - the aim being to get the voice of the artists directly to decision-makers.



ARGENTINA

In November, CISAC was in Argentina to help push forward the resale right during an event organised by local society SAVA.

Visual artists and their heirs joined Senator and National Senate Human Rights Observatory Director Norma Morandini at an artist performance in front of Congress. CISAC Repertoires and Creators Relations Director Silvina Munich, visual artist Daniel Santoro, heir to Pablo Curatella Manes, Jorge Curatella, and visual artist Roberto Rey joined Norma Morandini for a panel at the Fundación Pablo Cassara. Participants called on the National Congress to pass a Senate-supported resale right bill.



In Argentina, CISAC supported SAVA in drawing attention to resale right, calling on government support.



CHINA AND JAPAN

CISAC has been closely following developments in China, one of the world's largest art markets. In September 2017, a delegation from the National Copyright Administration of China (NCAC) met with CISAC and Spanish member societies, in particular visual arts society VEGAP. The discussion included the regulation of the resale right, which is proposed as part of a new amendment in Chinese legislation.



SENEGAL COLLOQUIUM

In the context of the CIAGP meeting arranged in Dakar on May 1st and 2nd, CISAC organised a colloquium on “Authors’ rights for Visual Arts” with Ministers of Culture from 9 African countries and WIPO representatives. The event took place the day after the Dak’Art Biennale opening ceremony and coincided with the opening of The Maison of Ousmane Sow. The former CISAC Vice President’s legacy as a spokesperson for the visual artists’ resale rights campaign is now carried on by his companion, film director Béatrice Soulé.



Béatrice Soulé, Resale Right TV5Monde.



POTENTIAL BREXIT CONSEQUENCES

Visual artist and CISAC Vice President Miquel Barceló and Director General Gadi Oron drew attention to the possible consequences of Brexit for the future of the resale right in the UK in a letter to the European Commission’s Copyright Unit, DG Connect.

They voiced their concern, noting that if the United Kingdom – which accounts for one-fourth of royalties for visual artists globally – decided to repeal or exclude the resale right from trade agreements, this would strongly impact the global community of visual artists. Income from the resale right in Europe has grown by 24.3% over the past five years. UK visual arts society DACS has paid out more than £56 million to more than 4,300 artists and heirs in ten years of the resale right in the UK.



CISAC key services

Private copying campaign

A key collections source for creators

Private copying remuneration represents an important revenue stream for creators. It is a compensation for acts of copying that cannot be effectively licensed or monitored. Some countries apply this compensation when domestic laws include an exception to the reproduction right for acts of copying done by individual persons and for private use.

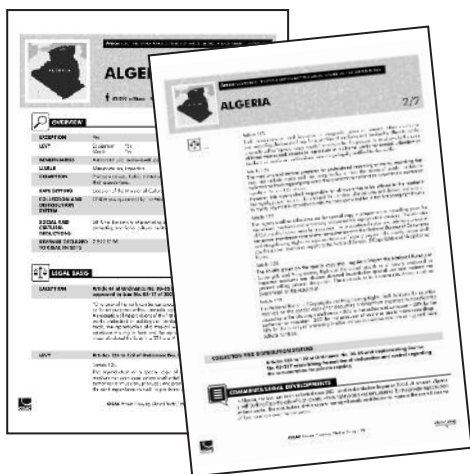


Left to Right: CISAC Director of Legal Affairs Adriana Moscoso, SACD Director General Pascal Rogard, WIPO Deputy Director General Sylvie Forbin, CIAM Honorary President Lorenzo Ferrero and ONDA Director General Sami Bencheikh El Hocine.

Private copying collections totalled €374 million globally in 2016. However, it is an under-exploited income stream in both physical and digital worlds, and has huge potential for growth. Only 74 countries have laws recognising private copying. A mere 38 have implemented effective collections systems. For developing countries, these levies are crucial in an often weak copyright environment.

PRIVATE COPYING GLOBAL STUDY

CISAC has led efforts to unlock this potential by providing, for the first time, detailed, reliable data and information to benefit creators, especially in developing countries. In October 2017, CISAC unveiled the “Private Copying Global Study” analysing systems and laws of 191 countries. This study has laid the groundwork for action by identifying opportunities to lobby for adequate legislation locally and globally.



At least 74 countries have a private copying levy system



Only 38 have effectively implemented a private copying system.



For private copying levy schemes to succeed, adequate legislation, proper application of law and effective collection systems must be in place. CISAC’s strategy is focused both on countries that have a private copying exception but no levy, and ones with a private copying levy system under the existing law but without effective collections and distribution mechanisms.

CISAC is working with creators’ councils, regional alliances and regional committees to advance this campaign. It has engaged with WIPO, ARIPO, OAPI and AFD. Established societies with successful private copying regimes are serving as mentors and partners for others.



A PRIORITY IN AFRICA

Africa is a top priority, notably with countries that ratified the Berne Convention and the Bangui Agreement, which requires signatory countries to accompany private copying with effective remuneration. Collections generated by private copying represent 12% of the total revenues of the African societies, and even over 50% in some countries like Burkina Faso. These figures illustrate the revenue growth potential for African creators if an efficient private copying system is in place.

In March 2018, CISAC and BURIDA teamed up with BBDA to introduce the private copying study to Africa at a conference at the MASA Festival, a major regional cultural event, in Abidjan. A MASA-CISAC panel examined the role of private copying as a source of income and how levies can improve cultural industries and collective management.

The MASA event saw significant support from major creators in the region, including Lokua Kanza. In a powerful filmed speech for the event, singer songwriter and CISAC Vice President Angélique Kidjo, said: *“Without legislation on private copying, creators receive no compensation when their works are copied onto various media, duplicated on hard drives or transferred to the cloud. We must fight for this system to be adopted in all countries. It is a question of fairness.”*



CISAC Senior Legal Policy Adviser Constance Herreman at the MASA conference.



IN EUROPE

In Europe, some countries (e.g., Belarus, Cyprus, Malta, Moldova and Montenegro) are undermining the ability of creators to receive these revenues. CISAC lobbying is focused on improving enforcement and legislation in EU countries such as Bulgaria and Slovenia. In 2017, Lithuania’s Ministry of Culture said that a draft law providing private copying remuneration extended to visual arts and literary creators would be introduced to Parliament.

On March 15th, CISAC was invited to speak about private copying and to present the global study in a Copyright Conference organised by the Bulgarian Presidency of the Council of the EU.



IN LATIN AMERICA

In the Dominican Republic, SGACEDOM signed a 3-year private copying collection agreement including all CMOs in the country. In November 2017 in Colombia, the study was presented in front of copyright office officials and societies of the Montevideo Group.



IN ASIA-PACIFIC

Asia-Pacific’s high levels of mobile and multimedia devices lend the region a particular focus. China, South Korea and India are key countries thanks to large blank and digital storage media manufacturing industries. CISAC’s Director General addressed the need to allow for private copying levies collections in Korea, during his meetings with National Assembly members.

Developing effective data management tools

CISAC continues to progress in its work on standard identifiers and formats to support societies in the management of rights data. CISAC's collaboration with publishers and creators under the Cross-Industry initiative is highlighting the benefits of joint projects in the collective management world.



CROSS-INDUSTRY INITIATIVE

After almost three years of collaboration with music publishers and creators, the first projects set out under the Cross-Industry initiative are due to be launched by mid-2018. The project aims to improve the level of standardisation of the music industry through the wider adoption of common standards, rules and identifiers.



RIGHTS HOLDERS ACCESS TO CIS-NET

The goal of the CIS-Net Rights Holders Access project is to give rights holders (creators and publishers) access to information on the CIS-Net musical works database.

The first phase of this process was completed at the end of 2017: rights holders will now be able to access the so-called "Open Plus" View, which provides a complete share picture of works thanks to data uploaded by societies worldwide and centralised by CIS-Net nodes. The project is now being finalised for launch.

Creators' organisations CIAM, ECSA and MCNA, as well as publishing organisations AIMP and IMPF, are active participants in this project. Other major publishers are also directly involved.

This initiative is expected to improve documentation quality, accuracy in distributions and reduce the number of unidentified performances while scaling down the overall costs of documentation management.

Another aspect of this project is the online access to the IPI, a search engine for rights holders that will help them search and retrieve Interested Parties Information. The service will display work information associated with IP name numbers and enable rights holders to identify all the necessary metadata to request an International Standard Musical Work Code (ISWC).

ISWC

CISAC has launched two other projects related to the ISWC standard identifier as part of the Cross-Industry initiative: the ISWC Allocation Service and the ISWC Resolution Service.

The ISWC Resolution Service offers a bulk service for the dissemination of ISWCs. The process is aimed at confirming existing ISWCs for previously registered works. This was the first Cross-Industry project to go live.

The ISWC Allocation Service is a rapid (the same or the following day) ISWC assignment to a new work which allows it to be embedded in the digital value chain from the very beginning of the creation process. The service has been designed so that assignments can be made at the time of the regular work registration or through an entirely separate process.

CIS

CIS-Net network usage has gone up from last year. CIS-Net is populated and used by 122 collective management organisations worldwide and hosts data for more than 42 million works. With an average of 1,500 daily user connections, more than 7.5 million searches are executed per year.

The Information Services Committee, with the assistance of the relevant Experts Groups, succeeded in getting societies to supply more data, namely international repertoire and performers' information, to CIS-Net.

Data cleansing and accuracy have also been key issues this year. In the audiovisual realm, CISAC's objective to harmonise cue-sheet reportings with the publishing community is ongoing.



AIR PROJECT

The Automated Images Recognition project was launched within CISAC at the end of 2016 with the objective of tracking and identifying works of art when used on Internet websites. It will also be used in other areas, such as automated identification of images in books or TV programmes. Five pilot societies are participating in the initial development phase: ADAGP (the initiator and administrator of the project), PICTORIGHT, SOFAM, VEGAP and VG BildKunst.

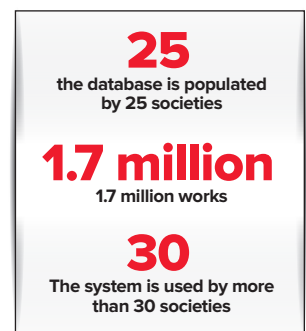


2017 was dedicated to the technical set-up of the tool, the building of the database with contribution from the 5 societies, and the development of a user application to automate the identification of works when browsing websites.

AIR is using a specific fingerprinting technology provided by Videntifier to uniquely identify each work and match with their representation on images.

IDA

The International Documentation on Audiovisual works (IDA) index has further established itself as a reference database for Audiovisual Societies works. The system is used by more than 30 societies, while the database is populated by 25 societies and stores 1.7 million works. IDA is also looking into expanding search functions to improve the match rate of broadcaster supplied data to IDA works.



Strengthening collective management worldwide

CISAC steps up its efforts to promote good governance and best practices among members.



Documentation, Distribution and Binding Resolutions training in Bangkok.

Governance and membership

A core mission of CISAC is to support members in their development and efforts to comply with CISAC rules in order to reach a high degree of excellence as defined by the governance framework.

Compliance with obligations



A major 2017-2018 priority has been to reinforce compliance of CISAC societies with membership obligations following CISAC's Statutes and Professional Rules amendments adopted at the 2017 General Assembly. Emphasis has been placed on financial and transparency obligations including CISAC membership fee payments, Income & Expenditure statements and Professional Rules compliance declarations.

CISAC has been monitoring compliance of all member societies with their key obligations, providing support to societies in their efforts to achieve compliance. In early 2018, a printed CISAC Membership Benefits and Obligations guide was published and circulated to all member societies.

Compliance vs Developmental reviews

In 2017, the Secretariat started implementing a new approach to Compliance Reviews. The purpose is to make the process more sensitive to different development levels of selected member societies. This new approach means that full Compliance Reviews are conducted on developed societies, which are expected to be able to meet the criteria and requirements set in Professional Rules and Binding Resolutions. Small and developing societies are reviewed under a different approach, a Developmental Review, which focuses on the support societies require in order to reach compliance with the Professional Rules.

In 2017, four societies - in Albania, Guatemala, Rwanda and Thailand - were selected to benefit from such support, with four new societies planned for 2018. Developmental Reviews are conducted in three phases:

- (1) An initial assessment to define areas that would benefit most from CISAC's intervention
- (2) An intervention including putting together an action plan and providing on-site training and support
- (3) Monitoring and reporting to assess progress achieved by the society.

Special projects and activities

TRAINING & DEVELOPMENT

Training sessions and seminars have been organised in Latin America and the Caribbean. In Africa, training on Governance Declarations (Income & Expenditures Statement, Professional Rules Questionnaire) includes detailed guidance on distribution rules and methods, annual reports and audited accounts.

New Governance Declarations and CIS-Net training seminars have been scheduled for other regions.



Epa Binamungu, Chairman of the Board of Rwandan society RSAU and a visual artist, and Miriam Orozco, CISAC Membership Manager during a training session at his studio.

Income & Expenditures Statement

The screenshot shows the CISAC 'Income and Expenditures' tool interface. It includes a header with the CISAC logo, navigation links (WHAT WE DO, MENU, LOG OUT), and a search icon. The main content area displays the 'Income and Expenditures' form for 'SOCIETY: SACEM' in 'FRANCE'. It features various input fields for 'Year' (2016), 'Status' (validated), 'Created' (28/09/2017), and 'Modified' (08/09/2017). Below the form, there is a section titled '1. Music works: public performing rights' with a detailed description and a table with columns: 'Type of use', 'Amounts booked during the year', 'Amounts Deducted for Administration Costs', '% B/A', 'Gross Distributable Income (A-B)', 'Deductions for Social and Cultural Purposes', and 'Net Distributable'.

In 2017, the Secretariat developed a renovated version of the CISAC Income & Expenditures tool. It offers more comprehensive and user-friendly interface to declare society financial data.

CISAC Governance Portal

- Statutory documents
- Annual reports
- Accounts
- List of sisters societies
- Distribution Rules



Since the June 2017 General Assembly, CISAC has implemented a new declaration space and document repository available to members from the CISAC website to facilitate access to governance declarations. This tool is key to supporting CISAC membership transparency requirements.



Authority, information, awareness

CISAC publishes sector data, extensive analysis and educational materials.

These publications inform, drive the debate and push forward a legal framework to better serve creators.

CISAC publications are available in print and digital formats. They are published in English, French and Spanish.



MEMBER OBLIGATIONS GUIDE

March 2018 – 10 pages

As the rights management landscape changes, the **Member Obligations Guide** helps CISAC members adhere to the highest professional standards. This document lays out each obligation to ensure members operate according to the best practices in terms of business, governance, management, finance and technical expertise.

MEMBERS DIRECTORY

March 2018 – 270 pages English only

CISAC has published an updated version of its **Members Directory**, featuring detailed pages on its 239 member societies, complete with cross-referenced indexes.

This comprehensive directory was compiled to facilitate communications among members and help societies, authors and users easily identify their relevant point of contact around the world.



AUDIOVISUAL REMUNERATION LEGAL STUDY

April 2018 – 104 pages English only

Law professor and distinguished film copyright specialist Raquel Xalabarder conducted an analysis of audiovisual remuneration rights across the EU and other relevant markets. The study makes the case for the implementation of an unwaivable right to fair remuneration for audiovisual authors at national and international levels.



GLOBAL COLLECTIONS REPORT

November 2017 – 68 pages

The **Global Collections Report**, which collates data from member societies in 123 territories, is the definitive source of global information on collections, broken down by repertoire, region, country, type of use and other categories. For the first time, the 2017 report included national case studies and five year historic trends across many data categories, as well as more in-depth market analysis. The Global Collections Report was widely covered by the media internationally and leveraged globally by societies.

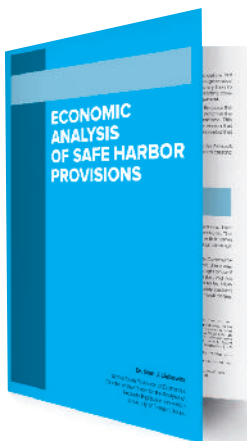


ECONOMIC ANALYSIS OF SAFE HARBOR PROVISIONS

February 2018 – 38 pages English only

Commissioned by CISAC, the study **“Economic Analysis of Safe Harbor Provisions”** by Ashbel Smith Professor Stan Liebowitz of the University of Texas at Dallas is the most detailed economic examination to date of how copyright owners have been affected by copyright “safe harbour” rules.

Professor Liebowitz is a leading author, researcher and academic in the economics of intellectual property, networks and new technologies. His study found that safe harbor laws have given user-upload content services an unfair advantage when negotiating rates for permission to use copyrighted works on their sites. This has resulted in the payment of below market rates or their absence altogether.



PRIVATE COPYING GLOBAL STUDY

October 2017 – 318 pages English only and 4-page flyer in English, French and Spanish

In 2016, private copying levies raised €374M in collections globally. At least 74 countries have a private copying levy system, but only 38 have effectively implemented it.

“For rightholders, the private copying levy system is currently the only efficient mechanism that allows creators to be compensated for the limitation of their exclusive rights of authorizing the reproduction of their works. The funds collected are generally redistributed to creators and thus contribute to the creative process.”

In 2017, CISAC’s **Private Copying Global Study** became the first ever global analysis of private copying systems around the world. It examines the laws of 191 countries on five continents, providing essential insight into the legal specificities and disparities of private copy. It classifies territories from the lowest level to the most developed legal frameworks within their region.



CISAC DATA PROTECTION GUIDE

May 2018 – 24 pages English only

This guide presents the main changes brought to EU data protection legislation by the General Data Protection Regulation (GDPR) which are of interest for CISAC societies. Its main objective is to indicate to CISAC societies how GDPR is expected to apply on their personal data processing activities and on transfers of personal data among CISAC societies.





CISAC

Structure and committees

CISAC's structure and committees at a glance

CISAC is comprised of formal bodies based on the work of committees, which guide strategy and operations.



BOARD OF DIRECTORS

The Board is composed of up to 20 directors elected to a three-year term. They are collectively representative of all regions and repertoires. The Board is headed by a Chairperson and two Vice Chairpersons, and holds wide-ranging power, accountable to the General Assembly. It generally meets three times annually. The responsibilities of the Board include, among others: creating and developing CIS; administering CISAC income; appointing or dismissing the Director General; and advising the General Assembly regarding new memberships.

GENERAL ASSEMBLY

The General Assembly (GA) is the highest executive body and decision-making authority. The GA is composed of CISAC Members, Provisionals and Associates. The GA meets once a year in early June.



The GA is responsible for:

- Electing the Presidency and Board of Directors
- Approving accounts, financial reports, and the activities of the Director General
- Considering membership applications, sanctions, resignations, and Statute amendments

CREATORS' COUNCILS

The creators' councils of CISAC bring the voice of authors to debates on copyright and authors' rights issues.



The **International Council of Music Authors (CIAM)** seeks to broaden the representation of music creators worldwide.



The **International Council of Creators of Graphic, Plastic and Photographic Arts (CIAGP)** addresses issues concerning the administration of visual authors' rights.



Writers & Directors Worldwide (W&DW) works on economic and legal interests of dramatic, literary and audiovisual creators, including moral rights.

CISAC PRESIDENCY

CISAC's President and Vice Presidents work as advocates for authors' rights and bring the voice of creators to the world stage.



CISAC President Jean-Michel Jarre



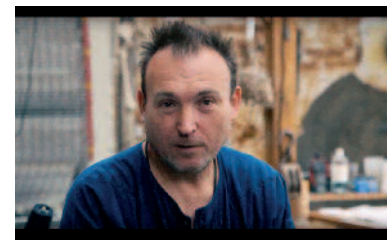
CISAC Vice President Angélique Kidjo



CISAC Vice President Marcelo Piñeyro



CISAC Vice President Jia Zhang-ke



CISAC Vice President Miquel Barceló

CISAC is presided over by electronic music pioneer Jean-Michel Jarre and the organisation's Vice Presidents: Beninese singer Angélique Kidjo, Argentinian film director Marcelo Piñeyro, Chinese film director, scriptwriter and producer Jia Zhang-ke, and Spanish visual artist Miquel Barceló.

CISAC COMMITTEES

Communications Experts Group (CEG)

The CEG supports CISAC communications and public affairs as well as the GPC in implementing their decisions on communications priorities, and defines the strategy for campaigns.

Executive Governance Committee (EGC)

The EGC is concerned with financial, governance and membership matters, as well as defining and guiding the Board of Director's agenda.

Global Policy Committee (GPC)

The GPC makes international policy recommendations to the board, including lobbying, advocacy and cooperation with other organisations.

Internal Audit Committee (IAC)

The IAC provides a summary of financial reporting and internal controls for the GA.

Legal Committee (CJL)

The CJL is an advisory body on copyright and collective management issues and litigation for CISAC members.

Regional Committees

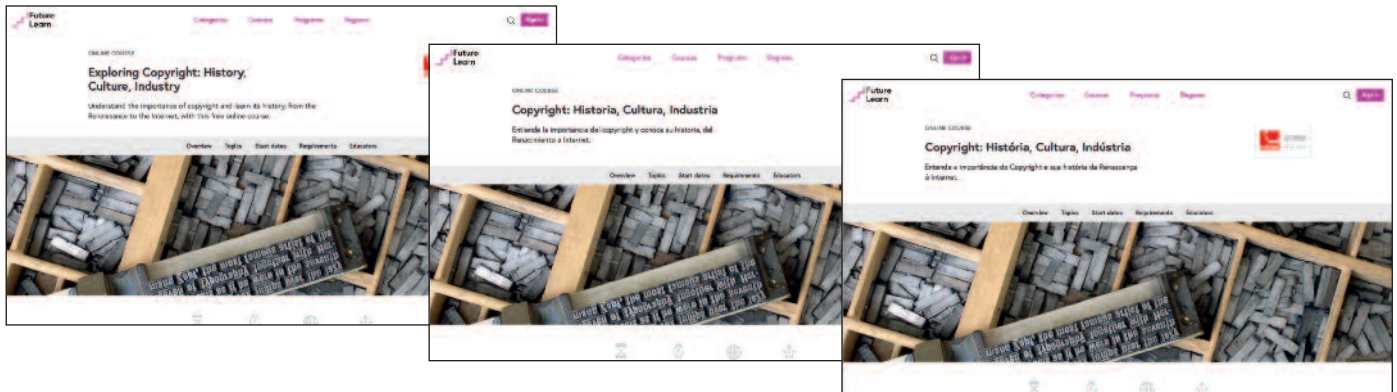
Five regional committees, one for each CISAC region, represent specific issues within their geographic area. They coordinate CISAC regional activities, assist in establishing infrastructure for society operations, and provide assistance to member societies and creators.

Technical Committees

CISAC has four technical committees providing guidance on royalty administration: the Information Services Committee (ISC); the Business Technical Committee (BTC); the Media Technical Committee (MTC); and the Dramatic, Literary and Audiovisual Technical Committee (DLV).

PUBLIC EDUCATION and RAISING AWARENESS

Explaining collective management to a wide audience and raising their awareness of copyright and the creative industries are key CISAC activities. Current initiatives range from global online courses to competitions aimed at the academic community.



CISAC'S MASSIVE ONLINE OPEN COURSE (MOOC)

CISAC has teamed up with FutureLearn to create a new global online course entitled: “Exploring Copyright: History, Culture, Industry.” The course takes the user on a journey that explains how authors’ rights have driven economic growth and the opportunities and challenges of the digital world. The course was delivered in three stages over 2017 and drew in more than 9,500 online students worldwide.

The most demand for the course, created by copyright lawyer, professor, and former head of UBC Marisa Gandelman, comes from the UK, Brazil, the US, Mexico and Australia.

In 2018, course material was available in English, Spanish and Portuguese for the first time thanks to the support of UBC and SPAutores. UBC CEO Marcelo Castello Branco aimed to extend the course to Portuguese and Spanish speaking communities around the globe, explaining: “We want to allow everyone to participate and spread the word much beyond authors’ inner circle.”

EIPIN

In 2017, CISAC partnered with the EIPIN Innovation Society Project, which examines the role of intellectual property as a complex adaptive system in innovation. The research project was funded by the EU and managed by the EIPIN Consortium, which comprises five intellectual property research institutes.



CISAC thus works to promote greater understanding of the creators’ world in academia by assisting young researchers on intellectual property works and hosting them for 3-6 months. CISAC participated in the selection of 15 PhD researchers who focused on copyright in the digital economy and collective management.

CISAC AWARD

Organised in partnership with Queen Mary University of London, the CISAC Award was established to encourage more pro-copyright research and to raise awareness of CISAC and its societies among academia and students. CISAC’s Legal Committee is in charge of the evaluation of submitted papers and deciding on the winning one.

The first CISAC Award winner was Edouard Bruc for his paper “Data as an Essential Facility in European Law: How to Divert the Data’s Pipeline”. His research analysed the ability of major digital companies to extract information from customer data to increase their bargaining position and maximise their benefits. The paper proves highly relevant to CISAC’s global transfer of value campaign.



CIAM General Assembly at its Annual Conference in Tokyo.



Eddie Schwartz, CIAM president

CIAM: Extending international influence

Today's economic climate is perhaps the most challenging since the International Council of Music Creators was founded by CISAC in 1966. The prevalent method of consuming music transfers only a tiny percentage of its value back to the creator, resulting in an unsustainable ecosystem that harms every stage of the music value chain. CIAM brings the voice of music creators to this debate.

In the past 12 months, the council has forged ahead with its strategy of expansion via regional alliances. CIAM has joined the newly formed Asia-Pacific Music Creators Alliance (APMA) for its first executive committee meeting in Seoul. Together APMA and CIAM issued "The Seoul Declaration" highlighting the key issues facing music authors in the region and calling on lawmakers to address them. The two organisations joined forces again in August to speak out on behalf of creators in Macau who were fighting to establish licensing agreements with local broadcasters. In Africa, CIAM joined the region's largest ever creators' conference in Algeria. It worked with its alliance partner, the Pan African Composers' & Songwriters' Alliance (PACSA), to help establish a roadmap to promote and protect authors rights in Africa. There were further collaboration meetings with Music Creators North America (MCNA), the Alianza Latinoamericana de Compositores y Autores de Música (ALCAM) and its executive committee permanent observer, the European Composer and Songwriter Alliance (ECSA).

In November, CIAM met in Tokyo for its annual congress and elected Eddie Schwartz as its new president. A multi award-winning songwriter with sales in excess of 65 million, Eddie Schwartz is also the acting President of Music Creators North America, and Fair Trade Music International, and president emeritus of the Songwriters' Association of Canada. The previous president, Lorenzo Ferrero, was appointed honorary President of CIAM.

Led by Eddie Schwartz, CIAM has set out a new strategy based on three elements: providing a globally unified platform; educating its network of music creators by sharing best practices and training; and lobbying internationally on critical subjects such as safe harbours and the transfer of value issue.

"I prefer to think in terms of 'extraction' of value rather than transfer," says Eddie Schwartz. "It reflects the fact that music makes more money than ever before, but most of its value is extracted by intermediaries before any of it gets into the hands of those who actually created it."

***I prefer to think in terms
of 'extraction' of value rather
than transfer***

Eddie Schwartz



Writers & Directors Worldwide 2017 Annual Congress in Venice.



Horacio Maldonado,
Writers & Directors Worldwide
President

Writers & Directors Worldwide: New leadership, new frontiers

Writers & Directors Worldwide, CISAC’s creators’ council for the Audiovisual, Literary and Dramatic repertoires, is stepping up its global lobbying, forming new partnerships and launching a support scheme to directly support the rights of authors.

In Latin America, this process began with the creation in 2013 of ADAL – the Latin American Audiovisual Directors Alliance – and continues today. In May 2017, DASC – Directors Colombia – announced that the Colombia senate had formally approved the Pepe Sánchez Act. This followed two years of campaigning by local authors’ societies, supported internationally by ADAL, CISAC and Writers & Directors Worldwide. The Act for the first time granted local audiovisual creators an equitable share in the success of their work.

In Europe, the council supports the campaign by European audiovisual group SAA for the new EU Copyright Directive to include an unwaivable right to fair remuneration for audiovisual authors. This has been an uphill struggle, with key amendments dismissed by Committees in the European Parliament. In September, the council joined Africa’s largest ever creators’ conference in Algiers. With delegates from 18 African countries, it co-signed “The Algiers Declaration”, a roadmap for the promotion of African creators. It also signed a collaboration agreement with the Pan-African Filmmakers Federation (FEPACI).

This led to the newly-created Pan-African Alliance of Screenwriters and Directors (APASER) which joined the council’s annual congress in Venice. At the same congress, Writers & Directors Worldwide elected Argentinian film director and screenwriter, Horacio Maldonado, as its new President. Yves Nilly was appointed Vice President. A newly elected ExCo comprises many well known authors: Andrea Purgatori (Italy); Curro Royo (Spain); Danilo Serbedzija (Croatia); Delyth Thomas (UK); Jacek Bromski (Poland); Malgorzata Semil (Poland); Miguel Angel Diani (Argentina); and Tim Pye (Australia). Representing its alliances are: Mario Mitrotti (ADAL) and Laza (APASER). Alexandra Cardona Restrepo (Colombia) and Ricardo Pinto e Silva (Brazil) are observers.

The council also supported the new Screenwriters Rights Association of India (SRAI) as it campaigns for approval by the Registrar of Copyrights to start collecting on behalf of authors. In the US, Writers & Directors Worldwide backed the “Fairness Rocks” campaign for fair remuneration launched by the creators of the 1984 film *This is Spinal Tap*.

A new first aid funding programme has been launched to help authors to establish their own collective management organisations. “*This initiative represents a major step forward for us,*” says Horacio Maldonado. “*By supporting societies with funding, we can even more directly improve the ability of authors to be paid for their work.*”

***This initiative represents
a major step forward for us***

Horacio Maldonado



CIAGP Annual Meeting in New York City.



Joel Shapiro,
CIAGP President

CIAGP: Action and transition at the top

It has been a year of action and transition at CISAC’s creators’ council for visual arts, the International Council of Authors of Graphic and Plastic Arts and of Photographers (CIAGP).

The campaign to make the resale right a universal right has been the main focus of the CIAGP. Members have been working to bring into the community of visual artists' societies their counterpart in China, and the process culminated during CIAGP's congress, when representatives from the Images Copyright Society of China (ICSC) and CIAGP member societies signed unilateral representation agreements. The deal involves seven CIAGP member societies, including ARS, DACS, ADAGP, BUS, JASPAR, VEGAP and Viscopy.

Gathered at its annual congress in New York in October 2017 for two days, some 50 CIAGP members bade farewell to the Council's President, French visual artist Hervé Di Rosa, who led the organisation for two terms. Taking over from Di Rosa is prominent American sculptor Joel Shapiro, who is a member of New York-based society Artists Rights Society (ARS).

In his handover address, Di Rosa praised the involvement of creators and visual arts societies in the activities of the Council, which helped raise the profile of the creative sector and give more clout to the fight for the resale right. “CIAGP’s visibility has increased during the past years, our network is stronger, in particular due to the solidarity of the societies among themselves,” said Di Rosa.

Shapiro, who has a 50-year career as a visual artist, pledged to continue promoting CIAGP's key issues, in particular the resale right, and moving forward on the Automated Image Recognition (AIR) project. AIR uses visual recognition software to help manage the rights of visual arts in the digital domain and would significantly help track and identify the digital use of works through the fingerprinting of works.

Joel Shapiro was also due to be present in Dakar, Senegal on May 1st-2nd for the Council's meeting, held simultaneously as the Dak'art Biennale. While in Dakar, the CIAGP delegation was due to meet with culture ministers from nine African countries.

CIAGP’s visibility has increased during the past years, our network is stronger, in particular due to the solidarity of the societies among themselves

Hervé Di Rosa

It also coincided with the opening of the museum dedicated to the works of the late Ousmane Sow in his former Dakar house. Sow, who was CISAC's Vice President until his untimely death at the end of 2016, had been a tireless advocate for creators' rights. In his museum, a leaflet greets visitors with this simple quote: “We, creators, need a universal resale right, in order to legitimately reap the fruits of our works and follow their destiny all over the world.”

ASIA PACIFIC

Asia-Pacific saw member society collections rise 10.3% to €1,351 million in 2016. Japan, Australia and South Korea had the largest shares, with Japan recording a 12% growth from the previous year.

CISAC's priority is to help develop the potential for collective management in the region, especially in China, Indonesia and Korea. The regional office has assisted in the set-up of the regional alliance APMA and worked on opening new markets for visual artists. It has also run training seminars while raising awareness of creators' rights throughout the region.



CIAM ANNUAL CONGRESS IN TOKYO

Tokyo hosted the CIAM Annual Congress in November: the Creators' council elected their new President, Canadian songwriter and producer Eddie Schwartz, and Executive Committee. The council also held high level talks with Japan's Minister of Culture, Education, Sports, Science and Technology, Yoshimasa Hayashi, and the Commissioner of the Agency for Cultural Affairs, Ryohei Miyata.



THE ASIA-PACIFIC MUSIC CREATORS ALLIANCE



CIAM's regional Asia-Pacific Music Alliance (APMA) held its inaugural General Assembly and Executive Committee meeting in the past year, issuing both The Tokyo Declaration and The Seoul Declaration.

Both declarations call out the abuses of safe harbour and copyright buyouts, and urge global alignment of the "life plus 70 years" protection term.

APMA Chairman and JASRAC Executive Adviser Shunichi Tokura, former CIAM President Lorenzo Ferrero and music creators from Cambodia, Laos and Myanmar at a panel discussion titled "The Significance of APMA".

TRAINING IN BEST PRACTICES

CISAC continued its work establishing international best practices with a “Documentation, Distribution, and Binding resolutions” training seminar for 14 regional societies. In line with CISAC’s global priority to increase publisher-society collaboration, the seminar was also open to publishers.

REGIONAL ACTIVITIES

Regional activities culminated in the Asia-Pacific Committee meeting in Taipei, Taiwan, in early November. Hosted by MÜST, 16 societies united over multiple CMO arrangement issues, including removing limitations on public performance rights in Korea, addressing private copying, and promoting collections in India.

In Indonesia, the Copyright Act requires that the local music society should conduct joint licensing with neighbouring rights societies. A joint licensing entity has been recently set up in Malaysia under new state policy. CISAC has been lobbying both Indonesian and Malaysian governments to ensure that their regulations and policy are fair to authors of musical works.

China progressed in strengthening rights for creators as well. CISAC organised foreign visits for Chinese officials to study collective management and resale right systems. It also facilitated an agreement between seven CIAGP members and Images Copyright Society of China to ensure Chinese photographers’ works can be represented by signatory societies. In October, the Pingyao Crouching Tiger Hidden Dragon International Film Festival (PYIFF) marked the first time copyright was placed at the centre of a film festival (see page 29).



PROMOTING THE SOUTH KOREAN MARKET

In one of the most dynamic digital markets, South Korea, CISAC's Director General was invited by KOMCA to its General Assembly. CISAC supported KOMCA in meetings with National Assembly members to promote a change in law that would allow for the collection of public performance royalties. The law currently restricts collections from all establishments playing music in public. The revised law would also give KOMCA more control in setting tariffs.



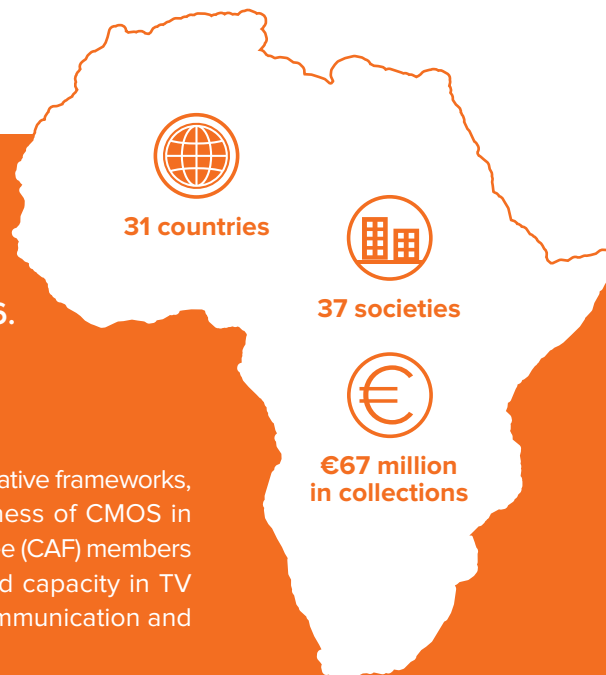
CISAC and the Korea Copyright Protection Agency signed a Memorandum of Understanding to increase cooperation, notably relative to the protection of digital works online. Finally, CISAC and KOMCA held a meeting with LOEN Entertainment, one of the country’s largest media companies and home of leading digital music service MelOn, to discuss working together on tackling the transfer of value issue. ■

CISAC Director General Gadi Oron and KOOPA President Taeyong Yoon sign Memorandum of Understanding.

AFRICA

Member society collections in Africa grew 9.5% in 2016. South Africa and Algeria are the largest countries for collections, representing €30 million and €23 million respectively.

Sustainable growth has been hampered by inadequate copyright legislative frameworks, resistance by users to paying royalties, and the limited effectiveness of CMOS in licensing, collections and distribution. CISAC Regional African Committee (CAF) members are addressing these challenges. Actions are taking place to build capacity in TV and radio licensing in addition to implementing private copying communication and advocacy campaigns.



DEVELOPING AN ACTION PLAN FOR AFRICA

The CISAC Regional African Committee met in Kigali, Rwanda, July 25th-27th, confirming a strategic plan to improve collections. 25 African CMOs came together, alongside SACEM, PRS, SPA, WIPO, ARIPO and NORCODE, embarking on plans to implement development support activities.



Left to right: CISAC Regional director for Africa Samuel Sangwa; BURIDA DG Irène Vieira; CISAC DG Gadi Oron; Rwanda Minister of Commerce and Industry François Kanimba; CEO of the Rwanda Society of Authors Nadine Bwiza; Afro urban musician Mani Martin.

Efforts are underway to increase the bargaining power of CMOs vis-à-vis television and radio broadcasters. Communication strategies are being developed for an Africa Copyright and Collective Management Day, scheduled for September 2018. In July 2017, CISAC conducted and published a survey which starkly illuminated the challenges of licensing broadcasters in the Africa region, as well as help raise awareness among policy makers. Using data reported by societies from 22 African countries, the survey found that of 2,580 radio broadcasters, around 40% were licensed to broadcast music.

BOOSTING COLLECTIONS THROUGH PRIVATE COPYING



Private copying is a key revenue source for authors in Africa. It is a significant lever in Africa for increasing royalties. CISAC is working on country-focused lobbying actions and campaigns to fast track effective private copying implementation. A campaign in Abidjan in March 2018, and one planned in Harare in June, are reinforcing the importance of private copying by calling for legal implementation and enforcement of the levy.

The CISAC Private Copying Global Study highlighted the huge potential to increase private copying collections in Africa, where in some countries this revenue stream accounts for 50% of collections. Published in October 2017, the study identifies 19 high potential countries for effective private copying implementation, including the Ivory Coast. Progress in the Ivory Coast has been hindered by a lack of implementation decrees in the private copying remuneration law.

Leveraging both CISAC’s global study and Ivory Coast’s influence in the region, CISAC teamed up in an advocacy campaign with *Bureau Ivoirien du Droit d’Auteur* (BURIDA) at the MASA Festival in Abidjan. The biennial event, which took place in March 2018, is a major regional cultural festival, attended by 30,000 artists and professionals.



Lokua Kanza, Congolese musician, and CISAC Regional Director for Africa, Samuel Sangwa.

Supporting the campaign in Abidjan was Lokua Kanza, an internationally renowned artist who has worked on more than 100 albums, collaborated with creators from 29 different countries and who is a coach on *The Voice Africa*. He said: “Africa is a young continent with a generation of artists that deserve to be able to make a living from their creative work. Remuneration from private copying is an important way of rewarding artists in Africa – it can benefit artists, the economy and our whole cultural development”.

Efforts to improve private copying collections progressed in Senegal with a January 2018 meeting with Senegal’s Minister of Culture Abdou Latif Coulibaly and CISAC Regional Director for Africa. The Ministry committed itself to supporting fast track implementation of private copying in the country, calling on a mission to Algiers to study its system. The mission would help enable local society SODAV to learn best private copying practices from Algerian society ONDA.

FORGING REGIONAL PARTNERSHIPS

Developing partners in Africa has been key in increasing intellectual property protections for creators. Partnerships were struck with ARIPO in February 2017 and then with OAPI in September 2017.

These reinforce intellectual property efforts in both Anglophone and Francophone Africa. The MoU with OAPI, which represents 17 member states, opens collaborative efforts through seminars on collections, raising awareness and increasing research. ■



CISAC Director General Gadi Oron and OAPI Director General Denis Bohoussou sign Memorandum of Understanding.

LATIN AMERICA & THE CARIBBEAN

Collections in Latin America and the Caribbean rose 1.3% to €557 million in 2016 (taking inflation and exchange rate fluctuations into account). Brazil, Argentina and Mexico have the highest collections, while digital helped Mexico's collections rise by a healthy 19.5%.

With global and regional developments impacting creators in Latin America, CISAC is playing a leading role in helping societies adapt.

CISAC is advising and training societies on their obligations arising from the impact of the European CRM directive on the region's CMOs. At a national level, CISAC's Regional Latin America and the Caribbean Committee (CLC) approved new governance rules for decision-making, modernised selection processes for technical teams and provided financial assistance to develop new audiovisual societies.



NURTURING EMERGING SOCIETIES

CISAC has put in place a Member Support Program to bolster societies in their development. In Guatemala, AEI has received support from CISAC in negotiations with large users. CISAC assisted the society in engaging a leading law firm to provide legal advice during these negotiations. The team will also include AGADU, SACM and UBC. The MoU of Mexico Group (AGADU, ASCAP, BMI, PRS, SADAIC, SGAE, SACM, PRS and UBC) also helped the Regional Office in starting the negotiation processes by meeting the Guatemalan government and main user companies.



CISAC visits Guatemala as part of the Member Support Program to encourage collecting royalties from TV and cable users.

IMPROVING GOVERNANCE ACROSS LATIN AMERICA

Coordinated by CISAC's Regional Office, Latin American societies adopted 29 governance rule recommendations to improve decision-making processes in CMOs. The objective is to ensure that necessary information is available for decisions taken by governing bodies and director generals. This unprecedented initiative covers defining roles, control and monitoring decisions for rights management and financial administration. Societies were assisted by international experts provided by the joint work of the CLC and CISAC Regional Office.

EXPANDING NETWORKS

CISAC worked to develop relations with copyright offices, meeting three times at sub-regional and regional levels: in Panama at the Heads of the Central American Office-WIPO meeting in June; in Colombia at a regional meeting convened by WIPO in September; and in Bogota with 17 heads of copyright offices in October.

CISAC has also extended its focus to academia with the International Conference on Law & Creative Enterprises and Innovation, and is considering broadening the network of legislators who endorse the promotion of culture and creativity.



Supported by CISAC, SGACEDOM signs private copying collection agreement – an agreement promoted by the Dominican Republic Copyright Office.

RAISING THE BAR ON TRANSPARENCY

To improve transparency, the CISAC Regional Office has acted as a witness to the renewal of members within the governing body, namely for societies in Paraguay and the Dominican Republic.

CISAC also assisted in selecting technical teams in societies, notably at the highest levels, using new procedures facilitated by expert recruiting firms. For example, APA-Paraguay followed a model previously implemented by SAYCE-Ecuador, where CISAC assisted governing bodies in selecting executives.



CISAC Regional Director for Latin America and the Caribbean Santiago Schuster concludes the Diploma on New Technologies and Intellectual Property at Asunción Paraguay.

TRAINING

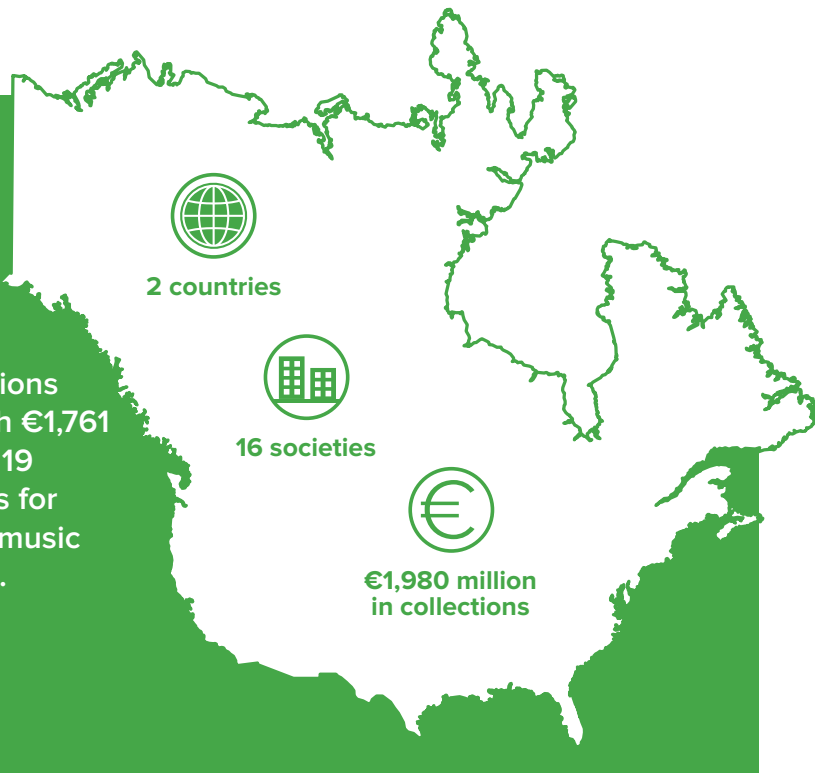
The Regional Office took part in seminars promoting copyright principles in the Dominican Republic, Bolivia, and Brazil. It addressed the importance of collective management at lectures at the Universities of El Externado (Colombia), Buenos Aires (UBA), in CEDEP (Paraguay), and at the Heidelberg Center for Latin America (Santiago), and organised a training programme on the basic duties of CISAC members during the General Assembly in Lisbon.

LEGISLATIVE AND LEGAL SUPPORT

In November, the Regional Committee governing body merged tasks with the Regional Legal Committee to address situations where operations of entities may overlap with members' licensing activities. It also aims to improve the coordination of legislative lobbying efforts promoting the audiovisual remuneration right and the resale right for visual artists. ■

CANADA USA

The North American market saw total collections increase 12.5% in 2016 to €1,980 million, with €1,761 million coming from the US and the other €219 million originating in Canada. Music accounts for 99.7% of revenue in the region, and the U.S. music collections were up 14.4% from 2015 to 2016.



COPYRIGHT REFORM AND LEGAL VICTORIES

The agenda in the United States was dominated by the decision of CISAC members to challenge the Department of Justice (DoJ) on fractional licensing. In 2016, performing rights organisation BMI sued the DoJ and scored an initial victory, with the court ruling that 100% licensing was improper.

The DoJ chose to appeal the decision before the US Court of Appeals for the Second Circuit, and a panel of three judges found in favour of BMI, once again, handing a major victory for creators and vindicating the views of BMI and ASCAP. CISAC filed an amicus brief supporting the views of ASCAP and BMI in which it argued that full-work licensing of split works was contrary to the way rights are globally and collectively managed.

***This is a massive victory for
songwriters, composers, music
publishers and the entire industry***

Mike O'Neill, President and CEO of BMI

***The Court affirms what we have
known all along***

Elizabeth Matthews, ASCAP CEO

A NEW DYNAMIC IN WASHINGTON

The legislative agenda gained momentum in 2017 and early 2018 with several initiatives aimed at improving the music licensing market in the US. The most significant proposed piece of legislation is the Music Modernisation Act of 2017. Introduced just before Christmas, the bill addresses the licensing of mechanical rights to digital services with the proposed creation of a new collective management organisation in charge of licensing, collecting and distributing mechanical reproduction rights.

The bill also reforms the rate-setting mechanism for mechanical royalties, and proposes to assign to ASCAP and BMI federal judges randomly assigned to each rate-setting proceeding. The bill is supported by CISAC members ASCAP, BMI, SESAC, and other rights organisations in the US.

“CLOSER COOPERATION” WITH MUSIC PUBLISHERS

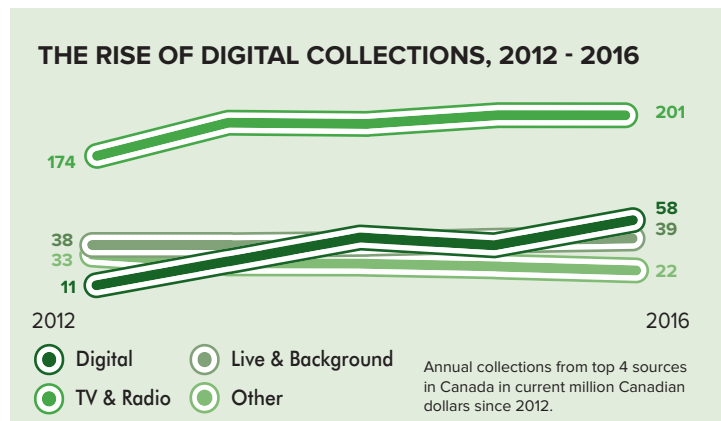
In November 2017, CISAC took part in a meeting of some 60 music publishers at the invitation of the Independent Music Publishers Forum in New York, on the occasion of the third annual meeting of the Indie Forum in North America. In his address, Director General Gadi Oron said CISAC was “looking to step up our vital relations with the publishing community,” and called for “closer cooperation” on advocacy initiatives, as well as in licensing, technology, data and other areas.



CISAC Director General, Gadi Oron, meets with IMPF members in New York.

MAKING AVAILABLE RIGHT IN CANADA

After much lobbying and debate, on August 25th, 2017, the Copyright Board of Canada released a decision on the use of music by Internet streaming services, setting the royalties to be paid by streaming services for the period from 2011 to 2013. The Board also recognised for the first time the “making available right,” which was introduced in the Canadian Copyright Act as part of 2012 amendments. As part of the decision, the Board confirmed that the rights administered by Canada's CMO SOCAN included the right to make music available to the public online. SOCAN was disappointed that the Board declined to set a royalty rate for the making available right and was concerned by the significant reductions in the other rates implemented by the Board. SOCAN decided to seek judicial review of the Board’s decision.



Canada's digital success highlighted in November 2017 Global Collections Report.

LANDMARK WIN AGAINST GOOGLE

In a landmark ruling in June 2017, the Supreme Court of Canada issued a judgment confirming that Canadian courts have the power to compel search engines to take effective action to remove illegal sites from their search results both in Canada and worldwide. CISAC joined IFPI, Music Canada, WIN and ICMP in supporting Canadian firm Equustek’s case that Google must take on the responsibility to ensure it does not direct users to illegal sites both in Canada and worldwide.

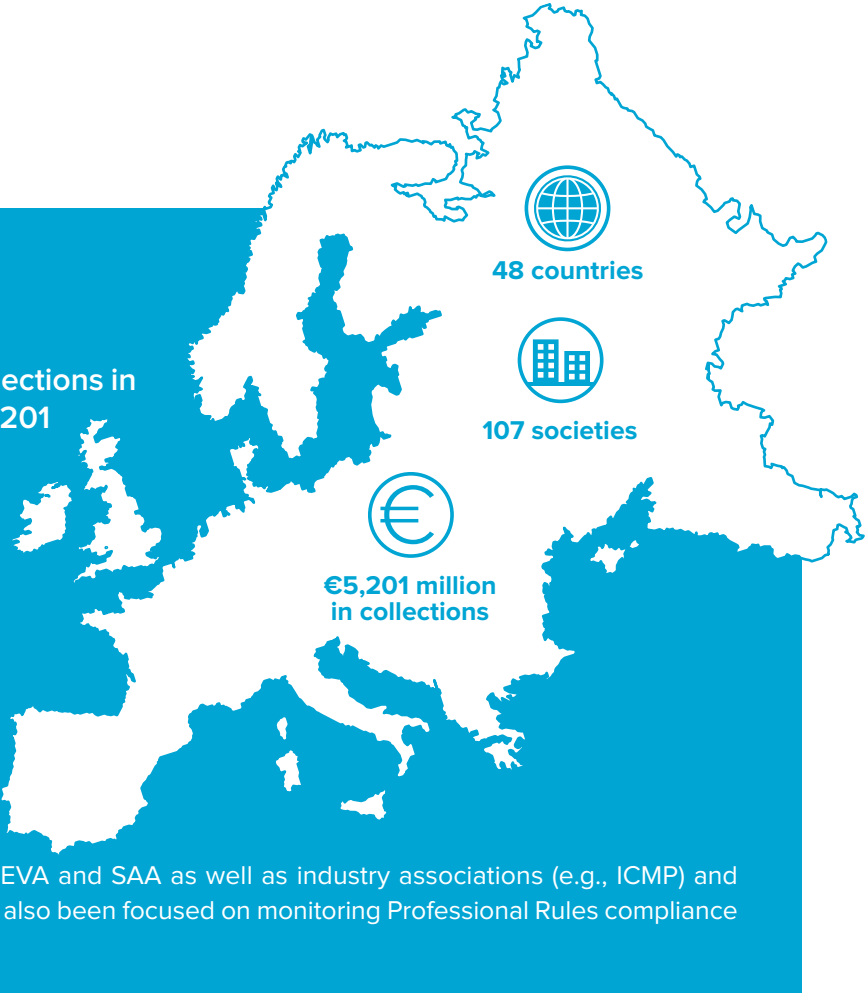
PENDING COPYRIGHT REVIEW

CISAC's Canadian members welcomed the decision by the Parliament in Ottawa to undertake a review of Canada’s Copyright Act. The review will provide policy makers with an opportunity to examine the legislative framework in support of strong copyright laws for creators. In August, the Minister of Canadian Heritage and the Minister of Innovation, Science, and Economic Development launched consultations on proposed legislative and regulatory changes to the Copyright Board’s decision-making processes. Mechanical rights agency CMRRA filed a submission that focused on improving the efficiency of the Board’s processes and the timeliness and predictability of its decisions. CISAC looks forward to supporting its partners in Canada through this process. ■

EUROPE

Europe remained the largest source of collections in 2016, which rose 3.1% year-on-year to €5,201 million. France, Germany and the United Kingdom are the largest markets. Hungary remains the world leader in collections in relation to GDP.

In the past year the European Regional Office has promoted EU Copyright Reform and supported Central and Eastern European members across a range of issues. These include advocating effective legislative models (e.g. “one-stop shop” licensing solutions) and private copying schemes and fostering cooperation between CMOs and regulatory bodies. Joint actions were carried out with BIEM, GESAC, EVA and SAA as well as industry associations (e.g., ICMP) and international organisations (e.g., WIPO). Efforts have also been focused on monitoring Professional Rules compliance and implementing Developmental Reviews.



PROMOTING EU COPYRIGHT REFORM

The impact of the proposed EU copyright reforms is reverberating around the globe. CISAC is providing support using its influence and knowledge especially in Central and Eastern Europe. At the onset of the Bulgarian EU Presidency in 2018, CISAC, GESAC, SAA, Musicautor and Filmautor convened in Sofia. A high-level delegation met with the Bulgarian Ministry of Culture and National Parliament to promote CISAC’s goals on the transfer of value, the remuneration right for audiovisual authors and Bulgaria’s CRM Directive implementation. In a powerful interview arranged by CISAC in cooperation with the national societies, CISAC President Jean-Michel Jarre addressed the issues on Bulgarian National Television. Minister of Culture Boil Banov declared his country’s support for finding the best possible solution for Europe’s creators.

In Romania, CISAC has consulted on copyright reform with the country’s Ministry of Culture, joined by UCMR-ADA.

Lobbying of the EU has also been done on behalf of audiovisual creators. In February 2018, CISAC’s President and Vice Presidents jointly wrote to MEPs urging an unwaivable remuneration right for screenwriters and directors.



LEGISLATIVE PRIORITIES

Influencing EU trade policy is a growing focus of CISAC’s work. In January 2018, CISAC and GESAC organised the first annual meeting with European Commission trade officials to discuss possible copyright and collective management cooperation between the EU and third countries. For Europe, a particular focus was on Ukraine.

The problem of multiple illegitimate CMOs operating in the same market has led to confusion locally and internationally. CISAC’s Regional Office continues to work towards “one-stop shop” licensing solutions in Ukraine, Moldova and Kazakhstan.

Following a CISAC European Committee resolution in Moscow, Lithuania indicated that it would introduce private copying legislative amendments for the benefit of literary and visual arts creators. CISAC also urged Bulgarian Ministry of Culture and National Parliament to find a solution to the lack of private copying remuneration in their February 2018 meeting.

In a June 2017 letter, CISAC called upon the Polish Ministry of Culture and National Heritage to modernise the country’s copyright law. The confederation called on Poland to introduce an unwaivable right for “making available” uses of audiovisual works. A similar letter was sent to Lithuanian authorities.

In October 2017, the Visual Arts Regional Conference (VARC) was organised by CISAC and EVA, with the Slovenian Association of Fine Arts Societies and support from the Slovenian Ministry of Culture, to promote visual arts protection in Slovenia and the Western Balkans countries.



INNOVATION AND TRAINING

Improving operations and incorporating best practices are core activities in Europe. The annual Budapest seminar in November united over 30 societies to address how innovation can drive efficiencies regardless of society size and market challenges. Artisjus CEO András Szinger outlined evolutions in the digital world. TEOSTO Chief Digital Officer Roope Pajasmaa presented the TEOSTO Futures Lab.

GOVERNANCE AND COMPLIANCE WITH CISAC PROFESSIONAL RULES

In Europe, CISAC continues to monitor compliance with Professional Rules. For example, efforts were applied to find a solution to the collective management crisis in Greece. Assistance on implementation of the CRM Directive, in coordination with GESAC, was also provided to members in Romania and Bulgaria.

CISAC member Albator was selected for CISAC’s Developmental Review in June 2017 to improve licensing, documentation and distributions. In May, the society received CISAC assistance for Albania’s tariff system. Its distribution rules, documentation, and distribution processes were reinforced in November through a dedicated training programme.

CISAC also alerted the Albanian Government about the need to improve copyright enforcement. The Regional Director met with EU Commission officials regarding copyright and rule of law challenges. CISAC ended the year by participating in a WIPO event in Tirana, alongside a Minister of Culture meeting. ■





EUROPE

48 countries
107 members

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
AAS	M	MU, D, AGP	AZERBAIJAN
ABYROY	P	MU, AV, AGP	KAZAKSTAN
ACS	M	AGP	UNITED KINGDOM
ACUM	M	MU, L	ISRAEL
ADAGP	M	AGP	FRANCE
AIPA	P	AV	SLOVENIA
AKKA-LAA	M	MU, AV, D, L, AGP	LATVIA
AKM	M	MU	AUSTRIA
ALBAUTOR	P	MU, AV, D, L, AGP	ALBANIA
ALCS	M	L, AV	UNITED KINGDOM
AMUS	M	MU	BOSNIA AND HERZEGOVINA
ARMAUTHOR NGO	M	D, MU	ARMENIA
ARTISJUS	M	MU, AV, L, AGP	HUNGARY
ASDAC	M	MU, AV, D, L, AGP	MOLDOVA, REPUBLIC OF
ATHINA-SADA	P	D, AV	GREECE
AUPO CINEMA	P	AV	UKRAINE
AUTODIA	M	MU	GREECE
AZDG	P	AV	AZERBAIJAN
BILDRECHT GMBH	M	AGP	AUSTRIA
BILDUPPHOVSRÄTT	M	AGP	SWEDEN
BONO	M	AGP	NORWAY
BUMA	M	MU	NETHERLANDS
DACS	M	AGP	UNITED KINGDOM
DACIN SARA	P	AV	ROMANIA
DAMA	M	AV	SPAIN
DHFR	M	AV	CROATIA
DILIA	M	AV, L	CZECH REPUBLIC
DIRECTORS UK	M	AV	UNITED KINGDOM
EAU	M	MU, AV, D, AGP	ESTONIA
EVA	A	AGP	BELGIUM
FILMAUTOR	M	AV	BULGARIA
FILMJUS	M	AV	HUNGARY
GAI UZ	M	MU, AV, D	UZBEKISTAN
GCA	M	MU, AV, D, L, AGP	GEORGIA
GEMA	M	MU	GERMANY
GESAC	A	NR	BELGIUM
GESTOR	M	AGP	CZECH REPUBLIC
HDS-ZAMP	M	MU	CROATIA
HUNGART	M	AGP	HUNGARY
IMRO	M	MU	IRELAND
IVARO	M	AGP	IRELAND
KAZAK	M	MU, D, L	KAZAKSTAN
KODA	M	MU	DENMARK
KOPIOSTO	M	AV, L, AGP	FINLAND
KUVASTO	M	AGP	FINLAND
KYRGYZPATENT	M	MU, D	KYRGYZSTAN
LATGA	M	MU, AV, D, L, AGP	LITHUANIA
LIRA	M	L, AV, D	NETHERLANDS
LITA	M	AV, D, L, AGP	SLOVAKIA
LITERAR-MECHANA	M	L	AUSTRIA
MCPS	M	MU, AV	UNITED KINGDOM
MESAM	M	MU	TURKEY
MSG	M	MU	TURKEY
MUSICAUTOR	M	MU	BULGARIA
NCB	M	MU	DENMARK
NCIP	M	MU, D	BELARUS
OFA	P	AGP	SERBIA
OOA-S	P	AV, AGP	CZECH REPUBLIC
OSA	M	MU	CZECH REPUBLIC
PAM CG	M	MU	MONTENEGRO
PICTORIGHT	M	AGP	NETHERLANDS
PROLITTERIS	M	L, AGP	SWITZERLAND
PRS	M	MU	UNITED KINGDOM
RAO	M	MU, D, AGP	RUSSIAN FEDERATION
RUR	P	AV, MU	RUSSIAN FEDERATION
SABAM	M	MU, AV, D, L, AGP	BELGIUM
SACD	M	AV, D	FRANCE
SACEM	M	MU	FRANCE
SACEMLUXEMBOURG	M	MU	LUXEMBOURG
SAIF	M	AGP	FRANCE
SANASTO	M	L	FINLAND
SAZAS	M	MU, AV, L	SLOVENIA
SCAM	M	AV, L, AGP	FRANCE
SDADV	P	AV, MU	ANDORRA

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
SETEM	M	AV	TURKEY
SGAE	M	MU, AV, D	SPAIN
SGDL	A	L	FRANCE
SIAE	M	MU, AV, D, L, AGP	ITALY
SOFAM	M	AGP	BELGIUM
SOKOJ	M	MU	SERBIA
SOPE	M	D	GREECE
SOZA	M	MU	SLOVAKIA
SPA	M	MU, AV, D, L, AGP	PORTUGAL
SSA	M	AV, D	SWITZERLAND
STEF	M	MU	ICELAND
STEMRA	M	MU	NETHERLANDS
STIM	M	MU	SWEDEN
SUISA	M	MU	SWITZERLAND
SUISSIMAGE	M	AV	SWITZERLAND
TALI	M	AV	ISRAEL
TEOSTO	M	MU	FINLAND
TONO	M	MU	NORWAY
UACRR	M	D, MU	UKRAINE
UCMR-ADA	M	MU	ROMANIA
UFFICIO GIURIDICO	A	MU	HOLY SEE (VATICAN CITY STATE)
UFW	A	L, D	FINLAND
UPRAVIS	P	AGP	RUSSIAN FEDERATION
VDFS	M	AV	AUSTRIA
VEGAP	M	AGP	SPAIN
VEVAM	M	AV	NETHERLANDS
VG BILD-KUNST	M	AGP, AV	GERMANY
VISDA	M	AGP	DENMARK
ZAIKS	M	MU, D, L	POLAND
ZAMP - MACÉDOINE	M	MU	MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF
ZAMP ASS. OF SLOVENIA	M	L	SLOVENIA
ZAPA	M	AV	POLAND
ZPAP	P	AGP	POLAND



CANADA/USA

2 countries
16 members

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
AMRA	M	MU	UNITED STATES
ARS	M	AGP	UNITED STATES
ASCAP	M	MU	UNITED STATES
BMI	M	MU	UNITED STATES
CARCC	M	AGP	CANADA
CMRRA	M	MU	CANADA
CSCS	M	AV	CANADA
DGA	A	AV	UNITED STATES
DRCC	M	AV	CANADA
SARTEC	A	MU, AV	CANADA
SESAC INC.	M	MU	UNITED STATES
SOCAN	M	MU	CANADA
SODRAC	M	MU, AGP	CANADA
SPACQ	A	MU	CANADA
VAGA	M	AGP	UNITED STATES
WGA	A	AV, D	UNITED STATES

STATUS WITHIN CISAC

M = Member **A** = Associate **P** = Provisional



MU = Music



L = Literature



AV = Audiovisual



D = Drama



AGP = Visual Arts



NR = No Repertoire



ASIA-PACIFIC

16 countries
28 members

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
AMCOS	A	MU	AUSTRALIA
APG-JAPAN	A	AGP	JAPAN
APRA	M	MU	AUSTRALIA
ASDACS	M	AV	AUSTRALIA
AWGACS	M	AV	AUSTRALIA
CASH	M	MU	HONG KONG
COMPASS	M	MU	SINGAPORE
COPYRIGHT AGENCY	P	L, AGP	AUSTRALIA
CPSN	A	MU	NEPAL
FILSCAP	M	MU	PHILIPPINES
JASPAR	P	AGP	JAPAN
JASRAC	M	MU, D	JAPAN
KOMCA	M	MU	KOREA, REPUBLIC OF
KORRA	P	L, AGP	KOREA, REPUBLIC OF

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
KOSA	M	L, AGP	KOREA, REPUBLIC OF
MACA	M	MU	MACAU
MACP	M	MU	MALAYSIA
MCSC	M	MU	CHINA
MCT	M	MU	THAILAND
MOSCAP	P	MU	MONGOLIA
MRCNS	P	MU	NEPAL
MÛST	M	MU	TAIWAN, CHINESE TAIPEI
PAPPRI	A	MU	INDONESIA
SACENC	M	MU	NEW CALEDONIA (FRANCE)
SACK	M	AGP	KOREA, REPUBLIC OF
VCPMC	M	MU	VIET NAM
VISCOPY	M	AGP	AUSTRALIA
WAMI	P	MU	INDONESIA



LATIN AMERICA & THE CARIBBEAN

24 countries
51 members

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
AACIMH	M	MU	HONDURAS
ABRAMUS	M	MU, AV, D	BRAZIL
ACAM	M	MU, D	COSTA RICA
ACCS	A	MU	TRINIDAD AND TOBAGO
ACDAM	M	MU	CUBA
ADAVIS	A	AGP	CUBA
ADDAF	M	MU	BRAZIL
AEI-GUATEMALA	M	MU	GUATEMALA
AGADU	M	MU, AV, D, AGP	URUGUAY
AMAR	M	MU	BRAZIL
APA	M	MU, D	PARAGUAY
APDAYC	M	MU, D	PERU
APSAV	M	AGP	PERU
ARGENTORES	M	AV, D	ARGENTINA
ARTEGESTION	A	AGP	ECUADOR
ASSIM	M	MU	BRAZIL
ATN	M	D	CHILE
AUTORARTE	A	AGP	VENEZUELA
AUTVIS	M	AGP	BRAZIL
BSCAP	M	MU	BELIZE
COSCAP	M	MU	BARBADOS
COTT	M	MU	TRINIDAD AND TOBAGO
CREAIMAGEN	M	AGP	CHILE
DAC	M	AV	ARGENTINA
DASC	P	AV	COLOMBIA
DBCA	P	AV	BRAZIL

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
DIRECTORES	M	AV	MEXICO
ECCO	M	MU	SAINT LUCIA
GEDAR	P	AV	BRAZIL
JACAP	M	MU	JAMAICA
LATINAUTOR	A	NR	URUGUAY
REDES	P	AV	COLOMBIA
SACIM, EGC	M	MU	EL SALVADOR
SACM	M	MU	MEXICO
SACVEN	M	MU, D	VENEZUELA
SADAIC	M	MU	ARGENTINA
SAGCRYT	P	AV	MEXICO
SASUR	M	MU	SURINAME
SAVA	M	AGP	ARGENTINA
SAYCE	M	MU	ECUADOR
SAYCO	M	MU, D	COLOMBIA
SBACEM	M	MU	BRAZIL
SCD	M	MU	CHILE
SGACEDOM	M	MU	DOMINICAN REPUBLIC
SICAM	M	MU	BRAZIL
SOBODAYCOM	M	MU	BOLIVIA
SOCINPRO	M	MU	BRAZIL
SOGEM	M	AV, D, L	MEXICO
SOMAAP	M	AGP	MEXICO
SPAC	M	MU	PANAMA
UBC	M	MU	BRAZIL



AFRICA

31 countries
37 members

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
BBDA	M	MU, AV, D, L, AGP	BURKINA FASO
BCDA	M	MU	CONGO
BGDA	M	MU, AV, L	GUINEA
BMDA	M	MU, D, L	MOROCCO
BNDA	M	MU, D, L	NIGER
BUBEDRA	M	MU, AV, D, L	BENIN
BUMDA	M	MU, AV, D, L, AGP	MALI
BURIDA	M	MU	COTE D'IVOIRE
BUTODRA	M	MU, AV, D, L, AGP	TOGO
CAPASSO	P	MU	SOUTH AFRICA
CMC	M	MU	CAMEROON
COSOMA	M	MU, L	MALAWI
COSON	M	MU	NIGERIA
COSOTA	M	MU	TANZANIA, UNITED REPUBLIC OF
COSOZA	P	MU	TANZANIA, UNITED REPUBLIC OF
DALRO	M	L, D, AGP	SOUTH AFRICA
GHAMRO	P	MU	GHANA
MASA	M	MU, L	MAURITIUS
MCSN	M	MU	NIGERIA

SOCIETY	STATUS	REPERTOIRE	COUNTRY/TERRITORY
NASCAM	M	MU	NAMIBIA
ODDA	P	MU	DJIBOUTI
OMDA	M	MU, AV, D, L	MADAGASCAR
ONDA	M	MU, AV, D, L, AGP	ALGERIA
OTDAV	M	MU, D, L	TUNISIA
RSAU	P	MU, AV, D, L, AGP	RWANDA
SACERAU	M	MU	EGYPT
SACS	M	MU	SEYCHELLES
SADIA	M	MU, AV	ANGOLA
SAMRO	M	MU	SOUTH AFRICA
SCM-COOPERATIVA	P	MU	CAPE VERDE
SOCILADRA	M	D, L	CAMEROON
SODAV	P	MU, AV, D, L, AGP	SENEGAL
SOMAS	M	MU	MOZAMBIQUE
UNAC-SA	P	MU, AV, D	ANGOLA
UPRS	M	MU	UGANDA
ZAMCOPS	M	MU	ZAMBIA
ZIMURA	M	MU	ZIMBABWE

Management team and Board

GADI ORON
Director General

THIBAUT DE FONTENAY
Director of Operations

SYLVAIN PIAT
Director of Business

SILVINA MUNICH
Director of Repertoires & Creators Relations

JOSÉ MACARRO
Director of Information Systems

ADRIANA MOSCOSO DEL PRADO
Director of Legal and Public Affairs

ADRIAN STRAIN
Director of Communications

MITKO CHATALBASHEV
Regional Director for Europe

SANTIAGO SCHUSTER
Regional Director for Latin America and the Caribbean

SAMUEL SANGWA
Regional Director for Africa

BENJAMIN NG
Regional Director for Asia-Pacific

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SOCAN

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J. GUTIÉRREZ VICÉN
VEGAP

Vice Chairperson of the CISAC Board and Director General (Spain)



B. COTTLE
APRA

Vice Chairperson of the CISAC Board and CEO (Australia)



A. SZINGER
ARTISJUS
Director General (Hungary)



E. MATTHEWS
ASCAP
CEO (United States)



M. LINDBERG
BILDUPPHOVS RÄTT
CEO (Sweden)



M. O'NEILL
BMI
CEO (United States)



H. HEKER
GEMA
CEO (Germany)



M. ASAISHI
JASRAC
President (Japan)



J. DONKER
LIRA
Director General (Netherlands)



R. ASHCROFT
PRS for Music
CEO (United Kingdom)



S. BENCHEIKH EL HOCINE
ONDA
Director General (Algeria)



P. RAUDE
SACD
General Secretary (France)



J.-N. TRONC
SACEM
Director General (France)



R. CANTORAL
SACM
Director General (Mexico)



G. OCAMPO
SADAIC
Director General (Argentina)



J. M. SASTRÓN
SGAE
President (Spain)



G. BLANDINI
SIAE
Director General (Italy)



M. CASTELLO BRANCO
UBC
CEO (Brazil)



N. MIGOGO
SAMRO
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Translation/editing: John Brunner, Allen Bargfrede, Emmanuel Legrand, Marco Foley/652South, Hélène Caruyer, Paz Juan Gutiérrez.

Published by the Communications Department of CISAC – May 2018.

Graphic design: Olivier Noël, ON.

Printing: ICA-38230 Tignieu-Jameyzieu, France - May.2018

CISAC

International Confederation of Societies of Authors and Composers
www.cisac.org

