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LATIN AMERICA AND THE CARIBBEAN NEWSLETTER

Foto: ©SACM

Collections in Latin America have recorded the highest growth rate since 2019

The role of women in Chilean audiovisual

Activities of CISAC Regional Office

Legal matters of interest

"Música en la balanza"

Societies in action

“MÚSICA EN LA BALANZA” SUPPORTING GENDER EQUITY

By SACM

A gathering named “Música en la balanza” brought together female composers and music authors with women who work in the administration of justice in various spaces and platforms of Mexico.

The meeting allowed for a reflection on the progress, achievements, obstacles and challenges in the fight for gender equality. The participants emphasized the importance of women from diverse sectors opening spaces for dialogue, exchanging ideas, and reflecting together to achieve a gender-equitable society. They also stressed the need to eradicate violence and aggression towards women in every area of their work.

The Society of Authors and Composers of Mexico held a meeting at its headquarters where music creators and officials such as ministers, magistrates, counselors and judges discussed topics that included respect for copyright and human rights, as well as ensuring full compliance with the law to protect and provide justice for women across the country.

Photo: ©SACM

“We want our music to be a voice that’s heard, and we feel honored to have women who share the same dedication to transforming people’s lives. That’s what the judges are committed to, it’s what we’re dedicated to: to change the world, to change people’s mindsets, to change the scenario, and to ensure that people live better lives”. - Teacher Mónica Velez.

“Humanity can begin to hope for a better world when there are concerts instead of wars”, shared Minister Esquivel.

Minister Yasmín Esquivel Mossa, Counselor Eva Verónica de Gyvés Zárate, Magistrate Zulema Mosri Gutiérrez, Senator Susana Harp and Deputy Martha Tamayo participated in “Música en la balanza”.

Representing the creative front, the meeting was led by Mónica Vélez, Vivir Quintana and Esmeralda Cantoral, as well as fifty established and emerging female authors from different musical genres, including Marcela de la Garza, Pambo, Mary Morín, Sofía Thompson, and Ximbo.

The administration of justice and composition are not distant activities, especially if they are framed in the visibility of everything that affects female development at all levels.

The interventions discussed included women’s experiences in entering traditionally male-dominated activities. Additionally, the obstacles that women face in pursuing various professions and specialties that serve society were also addressed.

According to composers and judges, both professions can learn from each other. They believe that law and music share a common goal: creating enduring works. While law relies on institutions and regulations, music depends on beautiful compositions. Magistrate Zulema Mosri Gutiérrez stated that what music calls harmony, the law calls justice.

The women of the 21st century build on the achievements of feminists before them and strive for equal opportunities and conditions, promoting development and peace for all women.

The singer-songwriter Vivir Quintana emphasized the importance of unity, stating that “while not everyone can be friends, we can all behave as colleagues. We need to have empathy and look out for one another, acknowledging that we may not all have the same experiences but share the common goal of achieving more freedom, more rights”.

“It was wonderful to listen to each other, open our souls and hearts, and not be afraid to share our doubts, anxieties, and frustrations. We must keep working wherever we are, until dignity, our dignity, becomes a common practice”, as Senator Susana Harp said.

“Women are no longer just muses, but creative forces”, said Esmeralda Cantoral during this meeting, as songs by different composers were performed, including Vivir Quintana’s “Canción sin miedo”.

THE ROLE OF WOMEN IN CHILEAN AUDIOVISUAL

By Paula Quiroz Zúñig ATN Journalist

As we are all aware, access to the world of culture for women - particularly in the audiovisual field - has not been easy or continuous; it has been a gradual and rewarding process. In the cultural area, it is necessary and fair to acknowledge the valuable contributions of female directors, scriptwriters, writers, and women in general. Through their work, they have expressed their dreams and achieved significant national and international successes, bringing visibility to their efforts in multiple settings, recognized by both the public and their peers.

It is essential to acknowledge that women navigate life and grow in their surroundings based on gender. They strive to advance by utilizing every opportunity, building emotional skills, and creating valuable networks. This is how they become warriors, and throughout history, women have excelled as communicators and storytellers, passing on their traditions and preserving their heritage and culture.

In this context, it is worth mentioning the achievements of Daniella Castagno, a well-known screenwriter who has excelled not only in the audiovisual industry but also represents us today, serving as the first female president of ATN in nearly 30 years. Right from the beginning, she has been an unwavering and tenacious advocate for copyright protection in Chile and Latin America.

She has had a successful international career in the entertainment industry, working at Televisa (Mexico), RCN (Colombia), and Univisión (United States). In Chile, she has worked at TVN, Canal 13, and is currently working at Mega. Her work at Mega has yielded several hits, including the latest TV series, "La Ley de Baltazar" (2023), which achieved the highest ratings in Chilean television history. Also, her contributions to the industry have been recognized with several important awards, such as TV Grama, APES, Copihue de Oro, and two nominations for the Altazor Awards - an award where creators honor their peers.

Photo: ©ATN

Thus, thanks to the contributions of many women, specific festivals have emerged for producing female directors. One such festival is FEMCINE, which has played a crucial role in raising awareness about gender inequality in the audiovisual world, an issue that not all industry members fully recognize. Both the Chilean Association of Documentalists and Chiledoc serve as relevant references, female-led initiatives promoted by women beyond a feminist perspective.

Chilean female directors have significantly boosted audiovisual production in the first half of 2023 - they won 33 awards in recognized international festivals and competitions - making up 32% of the total.

According to a recent study published by CinemaChile in March 2023, there has been an increase in the number of female directors, producers, and actresses in the audiovisual industry. Additionally, the number of film editors, photographic directors and scriptwriters has also increased. The International Film Catalog 2022 and the International Series Catalog 2021-2022 of Cinema Chile report that over 200 Chilean women have worked in various productions in the audiovisual field.

Behind the scenes, there were also outstanding performances by female professionals. In total, 171 women worked on both catalogs from the technical side of the productions and distinguished themselves for their exceptional work on multiple occasions. Their efforts aim to bring about a transformation that would eradicate gender disparities in the industry.

The audiovisual industry in Chile is undoubtedly thriving and has received significant international recognition. In 2022, productions directed and produced by women won 88 out of 219 awards at festivals and markets.

We will continue to support the talented women and those who follow in their footsteps by providing access to the highest global standards. As a collective management society, we will deliver them the necessary tools to defend their rights, participate in the profits of their work, and make a living from their craft. We will endorse their achievements and celebrate their successes.

COLLECTIONS IN LATIN AMERICA HAVE RECORDED THE HIGHEST GROWTH RATE SINCE 2019

By: Marcy Alejandra Rangel

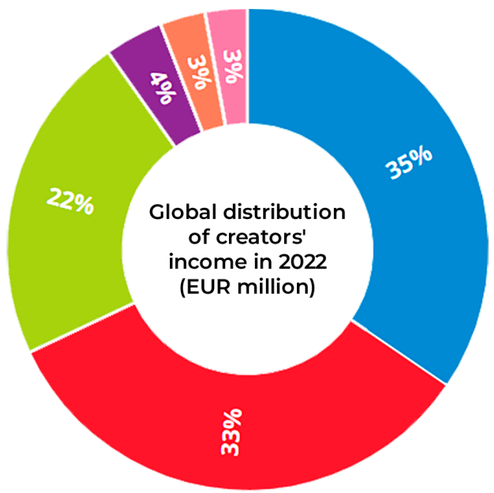
Streaming has had a significant impact on the lives of collective management societies and the over five million creators worldwide who are part of them. However, the digital sector was not the primary source of income for these creators for at least a decade. That changed in the last two years. According to the CISAC global collections report, in 2022, for the first time, digital rights collections surpassed traditional sources of income like TV and radio as well as live performances. A total of € 4,167 million in rights for digital use of works were collected globally.

Music revenues have risen in Latin America, which heavily relies on live music consumption. The regional evolution was 64.9%, representing a general market reactivation and the region's highest growth rate after three years of recession due to COVID-19. This includes negotiations with subscription video services and developing of platforms that resulted in significant growth in digital revenue, particularly in Brazil, Mexico and Argentina. The global revenue in the music industry has amounted to 10.8 billion euros.

Mexico has emerged as the leader in digital music collections in Latin America, with a 70.4% share. This places this country among the seven countries mentioned in the CISAC Global Collections Report, ahead of India (which has a population of 1.4 billion), Australasia, Sweden, Canada, the United Kingdom and South Korea.

However, live contact not only happens at concerts. Dramatic and visual arts also reflect this scenario. While they may have different numbers than before COVID-19, the rights to use dramatic works have grown the most with 89.4%. Argentina stands out as one of the three countries with the highest collection, after France and Italy.

The digital sector has now taken over broadcasting as creators ' primary source of income.



- Digital: 4,167
- TV & Radio: 4,040
- Live and delayed: 2,680
- Others: 474
- Private copy: 368
- CD & Video: 344

Graphics: ©CISAC

EUROPE	CANADA / UNITED STATES	ASIA – PACIFIC	LATIN AMERICA AND CARIBBEAN	AFRICA
€6.6 M	€2.96 M	€1.8 M	€612 M	€76 M
+ 26.1%	+ 29.9%	+ 15.7%	+ 66.1%	+ 10.1%
(2022 Collections)	(2022 Collections)	(2022 Collections)	(2022 Collections)	(2022 Collections)
(in € billion)	(in € billion)	(in € billion)	-5.8% €495 M	+1.1% €79 M
+6.5% €5,495 M	+13.0% €2.46 M	+9.6% €1,569 M	(2019 PRE-COVID)	(2019 PRE-COVID)
(2019 PRE-COVID)	(2019 PRE-COVID)	(2019 PRE-COVID)		

Source: ©CISAC

In the audiovisual field, Latin America has the second-highest percentage of rights collection at 39.2%. In Argentina, 32 million out of the regional total of 43 million were collected due to new agreements with cable operators and the recovery of cinema, despite inflation and monetary fluctuations.

Other countries such as Colombia, Chile, and Uruguay have established in their national legislation the right for audiovisual authors to receive remuneration. This allows audiovisual creator societies in those countries to collect royalties for their members.

The general collection of Latin America reflects a growth of 66.1%, which means that it is the highest in progression in 2022 compared to other regions. The most crucial growth was obtained in the live and ambient sectors, with 218% representing more than half of the regional development.

There has been a sustained rise in various areas related to digital rights, resulting in a 64.4% increase. This triples the amount earned in 2019 and places the digital sector ahead of broadcasting rights, and the doubling of income that some regional countries: Brazil experienced an increase in revenue from large concerts; Uruguay saw growth thanks to new licensing agreements; Venezuela's revenue was positively impacted by the contracts signed with Simple TV; El Salvador rates for bars and restaurants improved; and in Costa Rica, collections tripled thanks to a new agreement with Netflix and the recovery of the live entertainment sector.

The region's growth projection remains positive despite high inflation rates in some countries like Venezuela and Argentina, that impacts consumers' ability to pay for live shows and consume more works in various formats. However, the global positioning of streaming is undeniable, and the return of live shows will continue to be popular.

ACTIVITIES OF CISAC REGIONAL OFFICE

Photo: ©José Antonio Valera

In December 2023, a meeting took place in Caracas with audiovisual authors to promote a bill regarding the right to remuneration. Alexandra Cardona, the president of REDES, was invited to the event and shared her experience managing this right in Colombia.

In November, the CLC Executive Committee held a meeting in Buenos Aires to discuss a variety of issues, including the impact of AI on creators' rights, the implementation of the second phase of the audiovisual campaign concerning the effects of buyout contracts in Latin America, and the CLC's priorities for 2024.

Photo: Felipe Opazo

In November, the CISAC 2023 Global Collections Report was presented to the public in collaboration with the SCD. The report emphasized the growth of income from digital usage in the region. Additionally, the Regional Office supported the discussions in the Senate Culture Commission regarding the bill related to the resale rights of visual creators in Chile.

In October, the Regional Director attended an event organized by AGADU, a Uruguayan society. Sylvie Forbin, the Deputy Director of WIPO, and other organization representatives also participated.

Photo: ©Gina Escamilla

In October, the CLC Regional Legal Commission convened a meeting in Santiago, Chile. Among the attendees was Constance Herreman, the Legal Affairs Director of CISAC. The Commission discussed the most important aspects of AI about collective copyright management. As a result of the meeting, it was decided that a guide on AI would be created for CLC member authors' societies.

In October, the Regional Director took part in a panel discussion on the worldwide cultural impact of Latin American music at the CIAM assembly in Rio de Janeiro, Brazil. During the same period, a meeting was arranged in this country with representatives from the Brazilian audiovisual societies DBCA and GEDAR, which Anna Neale and Luisa Luna from CISAC attended.

In September, the regional newsletter was published and distributed. The fourth edition highlighted topics addressed at the CISAC General Assembly in Mexico and the Regional buyout campaign, among other issues.

In August 2023, the Regional Office of CISAC participated in the International Congress on Copyright organized during the Panama Book Fair. The event focused on addressing the challenges posed by AI to the copyright sector. Besides, EDAP, Panama's audiovisual society, welcomed AGADU's support.

Photo: ©CIAM

LEGAL MATTERS OF INTEREST

Argentina: A bill to Article 68 of Law No. 11,713 on Intellectual Property has been proposed in Argentina. The reform suggests deregulating the activities of collective management societies and instead allowing the holders of rights to exercise them individually or through these societies freely.

Brazil: A bill has been presented that allows authors to oppose the use of their works to create political parodies. The bill advanced to the Committee on Constitution, Justice, and Citizenship of Congress.

A new bill is under discussion in Brazil that aims to regulate the use of artificial intelligence due to its potential risks to authors. Similar initiatives have been introduced in Argentina, Chile, Colombia and Costa Rica. Peru is the first country in the region to have a law promoting AI use since 2023.

Chile: A Forum on the Ethics of Artificial Intelligence and the First Ministerial and High Authorities Summit of Latin America and the Caribbean were held in Santiago from October 23 to 24. The Ministry of Science, Technology and Innovation and UNESCO led this event. The "Santiago Declaration of Principles on AI" was approved during the event without considering copyright.

Uruguay: The Accountability bill was approved, containing a reform to the copyright law. This reform establishes the right for performers to receive fair and equitable remuneration for their work communicated publicly or made available for interpretation or execution. A decree of the Executive Branch regulated this reform.

Barbados: Following a lawsuit by COSCAP, the Supreme Court of Justice has declared that the management society lacks the legitimacy to take legal action to protect the copyrights it manages.

SOCIETIES IN ACTION

PHOTO: ©ACAM

COSTA RICA

ACAM SIGNS AN AGREEMENT WITH THE MINISTRY OF ECONOMY, INDUSTRY, AND TRADE TO STRENGTHEN COPYRIGHT

During a press conference held on October 11, 2023, the President of the Republic of Costa Rica announced an agreement between the Association of Musical Composers and Authors of Costa Rica (ACAM) and the Ministry of Economy, Industry and Commerce (MEIC). The agreement aims to benefit micro, small, and medium-sized companies in Costa Rica and strengthen the recognition of copyright.

Starting December 2023, companies with MiPyMe certification from MEIC can access discounted rates for public use and communication licenses for musical works.

Like the rest of the region, Costa Rica is going through an economic crisis that is affecting society. ACAM is an entity that understands this situation and is ready to help revive local commerce without diminishing the superlative significance of the recognition of copyright.

"Our organization has always made sure to balance respect for copyright with a supportive approach towards the economic conditions of society. This is why we believe in taking a path that provides differentiated treatment to small business owners who work hard to earn a living while also acknowledging the work and rights of equally hardworking music artists," said Edín Solís Rodríguez, President of ACAM.

CHILE

SCD REACHES AGREEMENT WITH THE CHILEAN GASTRONOMY ASSOCIATION

An alliance was established between the Chilean Gastronomy Association (ACHIGA) and SCD to support entrepreneurs and business people who have registered defaulting for three or more periods due to the use of music on their premises. This alliance will remain valid until March 31, 2024.

This agreement will provide necessary payment facilities for those who do not have a license and wish to acquire it. It will also enable users to pay off their entire debts and offer payment options in installments with discounts on the total amount.

The president of SCD, Rodrigo Osorio, has stated that through the agreement, they want to clarify that SCD is an ally to its members in their entrepreneurial pursuits. It hopes that many premises take advantage of this opportunity and start a journey towards a more prosperous future with music by their side.

PHOTO: ©MUNICIPALITY OF LIMA

PERÚ

APDAYC SIGNS AGREEMENTS WITH THE MAYOR OF LIMA AND THE PERUVIAN CONGRESS

APDAYC highlights signing an inter-institutional cooperation agreement with the Municipality of Lima. Under this agreement, the management company will be authorized to issue licenses for using the music it manages. This is a significant development for APDAYC's activities. Peruvian capital's Mayor, Rafael López Aliaga, said that APDAYC's proposal aligns with their goal to promote art in various cultural and public spaces run by the municipality.

In late 2023, representatives of the Peruvian society met with the President of the Congress of the Republic, Alejandro Soto. The meeting was held under the supervision of Armando Massé, the General Secretary of the Board of Directors. During the meeting, the representatives highlighted Peruvian authors, composers, and musicians' challenges when disseminating their works in their country's media.

PHOTO: ©AGADU

URUGUAY

AGADU ORGANIZES MEETING ON COPYRIGHT WITH THE PRESENCE OF WIPO

AGADU and the Copyright Council of the Ministry of Education and Culture organized a discussion to highlight the importance of creativity, creation, and copyright.

Sylvie Forbin, Deputy Director General of Copyright and Creative Industries of the World Intellectual Property Organization, WIPO, notably attended the meeting and emphasized the importance of supporting Uruguayan creators. She stated that with unwavering commitment, creativity can flourish, and Uruguay can become an example for Latin America and the world.

AGADU's president, Alexis Buenseñor, highlighted three modifications to Uruguay's copyright law that improve collective management and drive development in copyright law.

ABOUT THIS NEWSLETTER

The Latin American and the Caribbean collective management societies endorse this quarterly newsletter.

Overall Coordination:

Rafael Fariñas (CISAC)

Collaborative Team:

Macarena Silva (CISAC);
Milenys López and Diana Soto (SAYCO);
Patricia Pineda (SACM);
Sebastián Cerda (SCD);
Agustín Pérez (APDAYC);
Andrea Franco (AGADU);
Peter Strauss (UBC);
Roseany Fagundes (ABRAMUS);
Fabiana Nascimento (AUTVIS);
Erica Smith (COSCAP);
Marcy Rangel (Cultural Journalist);
Dubraska Aguilar (Journalist);
Keyler Valentini (Layout and design);
Ana Patricia Passos (Translation into the English version).