QUARTERLY EDITION – JULY 2024

LATIN AMERICA AND THE CARIBBEAN NEWSLETTER

FOTO: ©JAVIERA HENRIQUEZ

CISAC Latin American and the Caribbean Committee

CISAC Annual Assembly

Technical Training for Music Societies

Regional Office Activities

Legal Matters of Interest

Societies in Action

THE MEETINGS OF THE LATIN AMERICAN AND THE CARIBBEAN COMMITTEE HELD IN SANTIAGO ADDRESSED ARTIFICIAL INTELLIGENCE (AI) AND OTHER REGIONAL TOPICS

By CISAC

The CISAC Latin American and the Caribbean Committee (CLC) held its annual meeting in Santiago de Chile on April 23, 2024. CLC member entities and observer societies from Spain, the United States, and the United Kingdom attended the meeting.

Carolina Arredondo, the Chilean Minister of Culture, Arts, and Heritage; Alexis Buenseñor, President of the CLC; Rodrigo Osorio, President of the host society (SCD); and Gadi Oron, Director General of CISAC presided over the opening ceremony. Minister Arredondo highlighted the State's responsibility to raise awareness of the importance of copyright. She stated, "as the Ministry of Culture, we are responsible for disseminating and promoting copyright and strengthening its significance in public opinion." As for Gadi Oron, he emphasized that how we protect our culture is one of the greatest challenges we face today, and pointed out the role of collective management and creators in response to the emergence of generative AI, which is now a major topic on the agendas of international copyright forums and also on CISAC's agenda.

PHOTO: ©JAVIERA HENRIQUEZ

The session addressed CISAC projects and priorities, the report on CISAC regional activities and priorities, like AI; the remuneration rights of audiovisual authors, the resale rights of visual creators, and private copying. The presentations also covered the work of the repertoire groups, as well as thematic panels on the growth prospects of digital management and the campaign on the remuneration rights of audiovisual authors in Latin America.

On April 24, Claudio Ossa, Head of the Copyright Unit of the Ministry of Culture, opened the International Conference on AI. The conference addressed issues such as the key aspects and CISAC and management societies' actions on AI, as well as the draft laws that have been presented so far on this matter in Brazil, Argentina, Colombia, Chile, Peru, and other countries in the region.

The conference concluded with the adoption of a resolution in support of the bill on the resale rights of visual creators in Chile, and a declaration on AI signed by the 46 member societies of the CLC.

PHOTO: ©ISAÍAS BARQUÍN

Carolina Arredondo

Chilean Minister of Culture, Arts, and Heritage

"As the Ministry of Culture, we are responsible for disseminating and promoting copyright and strengthening its significance in public opinion."

PHOTO: ©JAVIERA HENRIQUEZ

PHOTO: ©JAVIERA HENRIQUEZ

FOTO: ©JAVIERA HENRIQUEZ

Gadi Oron

Director General of CISAC

"We need to prevent the use of AI in a way that jeopardizes the development of human creativity and culture."

AI TAKES CENTER STAGE AT CISAC GENERAL ASSEMBLY IN SEOUL

By CISAC

Seventy-two (72) collective management societies from Africa, Europe, North America, Latin America, Europe, and Asia-Pacific convened in Seoul for CISAC General Assembly 2024, where AI, its impact on creators' rights, and the responses required from the creative sector and governments took center stage.

CISAC President Björn Ulvaeus underscored ongoing efforts since the 2023 Mexico meeting to establish a strong copyright framework that raises awareness of creativity's value.

CISAC's top executives highlighted the rapid advancements in AI that have posed significant challenges for collective management societies due to AI's wide-ranging impact. Despite these challenges, there is a positive outlook due to ongoing dialogue and rapprochement established with various governments around the world.

PHOTO: ©CISAC/KOMCA

Björn Ulvaeus

President of CISAC

"There is so much to do, to adapt to this transformation and protect human creators. Once again, we cannot stop AI tools; but by making sure creators keep their seat at the table, we can monetise it and make it serve great creativity".

PHOTO: ©CISAC/KOMCA

PHOTO: ©CISAC/KOMCA

Gadi Oron

CISAC Director General

"Artificial intelligence remained our top priority and a key area of our work since then. And twelve months on, a lot has been achieved. We have set out our principles on AI and we are playing an influential role globally".

Marcelo Castello Branco

CISAC Director General

" Our challenge is to remain focused on serving the interests of individual creators, a unique characteristic of our societies that we should never underestimate or ignore".

PHOTO: ©CISAC/KOMCA

PHOTO: ©CISAC/KOMCA

DEBATING THE IMPLICATIONS OF AI

By CISAC

Authors, musicians, and experts engaged in discussions on the scope of AI in creative fields at the Assembly.

PHOTO: ©CISAC/KOMCA

Engaging in a thorough analysis, they addressed the evolution of public policies related to AI, as well as competition and cooperation in licensing rights, among other topics.

In *Culture crossing borders,* what does success look like when it comes to policies helping creators and the creative sector? CISAC Director of Presidents and Creators Anna Neale spoke with creators from several countries to understand how to maximise economic benefits of culture On the panel were CISAC VPs Ángeles Gonzalez-Sinde and Arturo Márquez, APRA's Jenny Morris, DGK's Yoo Ji-Tae, and musician and member of the Korean National Assembly Kim Jae Won.

On the *Artificial Intelligence market developments panel,* panellists highlighted challenges in identifying AI-generated content, called for clearer regulations and stressed the importance of balancing technological advancement with protecting creators' rights.

PHOTO: ©CISAC/KOMCA

AI policy developments, gave a world tour in 60 minutes on what governments are thinking and doing about AI, and what the best legislative options are for the creative sector. While uncertainty reigns in this area, all speakers agreed there needs to be greater international coordination and a policy approach by governments that gives proper priority to creators' rights.

Cooperation and competition – two fundamental building blocks of the CISAC global community. Member societies of different regions and repertoires discussed the relationship between these two sometimes uncomfortable bedfellows, in a fascinating panel moderated by CISAC Director of Business & Technology Sylvain Piat.

PHOTO: ©CISAC/KOMCA

LATIN AMERICAN AND ASIA-PACIFIC SOCIETIES RECONVENE IN SEOUL

By CISAC

PHOTO: ©CISAC/KOMCA

Following their inaugural meeting in Mexico City in 2023, societies from Latin America and the Caribbean and their counterparts from Asia-Pacific convened again in Seoul for a new dialogue.

PHOTO: ©CISAC/KOMCA

In addition to the reports on the priorities of both regions, a presentation was delivered on the progress of the Global Digital Services Data Exchange (GDSDX project). This platform, based on the cooperation of societies in the Asia-Pacific region, facilitates the exchange of matched data.

CISAC CONDUCTS IDENTIFIERS AND METADATA TRAINING FOR LATIN AMERICAN AND CARIBBEAN MUSIC SOCIETIES

BY CISAC

CISAC hosted a comprehensive training session on the usage of CIS-NET, ISWC, LATINNET, and AVI tools for over sixty (60) technicians from music societies in Latin America and the Caribbean. The event took place in Santiago, Chile.

The event's opening ceremony was attended by Rodrigo Osorio and Juan Antonio Durán, President and General Director of SCD, respectively; Solange Aubone, Head of Development at SADAIC and General Coordinator of LATINAUTOR, as well as Miriam Orozco and Rafael Fariñas from CISAC.

The program, structured to maximize engagement and learning, combined theoretical knowledge with practical applications. This, along with discussion panels, allowed for a lively exchange of ideas and questions between participants and speakers. Miriam Orozco and Solange Aubone, José Macarro and Santiago Morena of SGAE also participated as facilitators.

In their closing remarks, Rodrigo Osorio, Vice President of CISAC's CLC, stressed the strategic importance of this training "as improving the experience of society personnel is essential for the efficient management of creators' rights, which will ultimately benefit the region's creative community as a whole."

PHOTO: ©FRANCISCO MUÑOZ

Rodrigo Osorio **(SCD):**
"These training sessions are highly significant, especially in today's rapidly evolving technological landscape. As collective management societies, we must remain standardized, fully connected, and up-to-date to provide all creators with the service they deserve."

Rafael Fariñas **(CISAC):**
"Each society serves as a node in the global network, and the network's speed is proportional to the speed of its individual nodes. Therefore, by providing training programs like this one, we can enhance the network's overall efficiency."

Marcelo Vera **(APA):**
"Having face-to-face interaction with our counterparts from sister societies is crucial. It enables us to exchange technical expertise on how tasks are carried out, ensuring that authors receive the proper compensation for the use of their works."

CISAC REGIONAL OFFICE ACTIVITIES

PHOTO: ©DIRECTORES

Training

Over sixty (60) technicians from music societies attended a technical training session on identifiers and metadata (ISWC, CISNET, AVI, LATINNET), which featured presentations by representatives from CISAC, SADAIC, and SGAE.

Lobbying

Chile: In April, Gadi Oron and Rafael Fariñas (CISAC) and Arturo Duclos (CREAIMAGEN) met with the Chilean Minister of Culture, Arts, and Heritage to request support for visual creators under the draft law on the resale right.

Argentina: In support of SADAIC, ARGENTORES, and DAC, Parliament was urged to reject the government's amendment to the Intellectual Property Law.

Artificial Intelligence

Chile: The Chilean Minister of Culture, Arts, and Heritage received the Statement on AI from forty-six (46) CISAC member societies.

Mexico: In honor of Professor Delia Lipszyc, the Universidad Autónoma de México (UNAM) hosted an International Copyright Seminar, where CISAC presented its comprehensive suite of tools.

Copyright Dissemination

Mexico: UNAM organized the International Seminar on Copyright, with presentations on CISAC's technological tools for collective management.

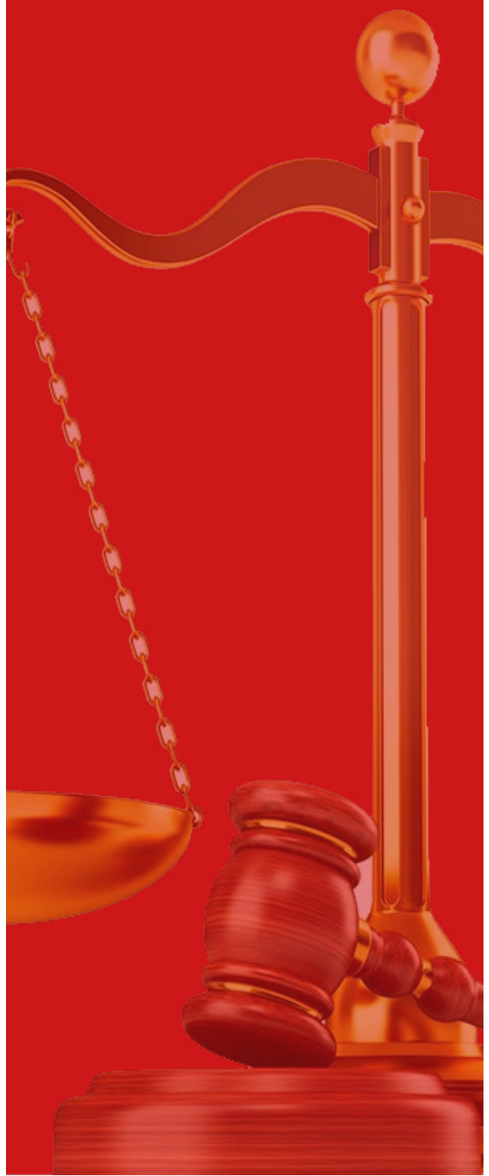
Venezuela: Co-sponsorship of the copyright award in honor of Prof. Ricardo Antequera Parilli, created by the Central University of Venezuela and the RAP Foundation.

Meetings with Member Societies

Executives from SOGEM, DIRECTORES, and SOMAAP societies convened in Mexico City. The purpose of these meetings was to gain a comprehensive understanding of the priorities and advancements in the management of audiovisual and visual art rights in Mexico.

PHOTO: ©CREAIMAGEN

LEGAL MATTERS OF INTEREST



Argentina: In March, the "Turing Law" bill was introduced in Congress to regulate the impact of AI. The bill proposed that "synthetic productions" (made entirely by AI) do not have intellectual property protection. It also proposed that only the human part of "assisted productions" be protected, leaving the undetermined to judicial decision.

Chile: A new bill is introduced in the Chamber of Deputies to regulate AI systems. The bill would include a new exception in Law No. 17,336 on Intellectual Property, allowing the use of works for training without authorization or remuneration.

Colombia: The DNDA issued a ruling that ordered DIRECTV Colombia to pay SAYCO the royalties due for the use of works from its repertoire, and also to refrain from using musical works represented by the society until obtaining authorization.

Ecuador: In March, the "Organic Law for the Strengthening of Tourism Activities and Employment Promotion" came into effect. It established that fees for the use of works will be set between collective management societies and SENADI. The revocation of the operating license was also confirmed.

Bill on AI that would allow text mining for research purposes enters National Assembly

El Salvador: The Salvadoran government has introduced a new draft bill, aiming to replace the outdated 1993 legislation.

Mexico: The Supreme Court of Justice ruled that "with prior notice from the copyright holders, online service providers may, without liability, remove content from their networks."

Uruguay: House of Representatives approves bill expanding copyright exception catalog.

SOCIETIES IN ACTION

PHOTO: ©CREAIMAGEN

CREAIMAGEN

CREAIMAGEN ESTABLISHES PARTNERSHIP WITH CORPORACIÓN CULTURAL DE LA FLORIDA

CREAIMAGEN has successfully established an agreement with Corporación Cultural de La Florida, encompassing the public communication of works by its represented artists and outlining the applicable fee structure.

CREAIMAGEN intends to forge several partnerships with various Chilean institutions involved in the visual arts, and this agreement marks the first of such partnerships.

PHOTO: ©JEFFERSON RUDY / AGENCIA SENAD

BRAZILIAN SOCIETIES

BRAZILIAN SOCIETIES REQUEST SENATE SUPPORT ON AI EFFECTS

In Brazil, twenty-six (26) of the most important cultural societies and organizations issued a public statement addressed to senators regarding the draft law that provides for the use of AI. The statement expresses their interest in defending the author in such a way that the legislation ensures the creator's exclusive right to consent, control, and be remunerated.

PHOTO: ©WRADIO

SACM

SACM APPLAUDS HIDALGO CONGRESS' APPROVAL OF COPYRIGHT REFORM

The Hidalgo Congress unanimously decided to reform the state's Organic Municipal Law to strengthen copyright protection. This reform also fosters an ecosystem conducive to culture and the arts.

The initiative, backed by SACM, recognizes Mexican artists and creators and defends their rights against commercial establishments and public entertainment companies. As a result of this reform, these entities must present authorization from collective management societies for municipalities in Hidalgo to grant them operating licenses.

PHOTO: ©ATN

ATN

ATN ENTERS INTO AGREEMENT WITH NETFLIX TO ENSURE FAIR COMPENSATION FOR AUDIOVISUAL CREATORS

This agreement with Netflix, the world's leading streaming platform, marks a pivotal moment in the protection of Chilean audiovisual creators' rights. It ensures that this vital group of authors receives fair compensation for the exhibition of their works on this digital entertainment platform.

ATN further strengthened its global network of allies by forging a reciprocal representation agreement with the Turkish entities (EGAAT).

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 English version).