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Audiovisual Creators hail stronger rights for Directors and Screenwriters

Leading film director Jia Zhang-ke says “Pepe Sánchez Act” in Colombia shows growing international recognition of audiovisual creators’ rights

Paris, Bogota, 24 May 2017 – Fair remuneration for film directors and screenwriters internationally came a step closer today, as Colombia became the latest country to adopt legislation introducing important new rights for audiovisual creators.

The news was welcomed at the Cannes Film Festival by China’s leading film director Jia Zhang-ke, Vice President of CISAC and patron of the international campaign that is pressing for fair treatment for audiovisual creators. “This simple change in the law is needed on an international scale. It will attract more talent into the film industry and help develop the film markets in many countries, including China,” he said.

Jia Zhang-ke is launching a new film festival in the ancient UNESCO world heritage site at Pingyao in October. The Pingyao International Film Festival aims to bring together the Chinese film industry with the film industries of emerging countries.

The “Pepe Sánchez Act”, formally approved in the Senate of the Republic of Colombia on May 23rd, introduces a significant change in the country’s legislation that will, for the first time, allow audiovisual creators to receive an equitable share in the success of their work. The Act means that many screenwriters and directors will be able to earn royalties for the first time.

The new legislation follows France, Spain, Chile, Estonia, Italy and India, where similar protection exists. It modifies Colombia’s existing law by adding a right to remuneration for screenwriters and directors, from the public use of their works.

In most countries screenwriters and directors do not have this right and are therefore denied the ability to share in the commercial success of their films and TV programs.

Colombia is the latest in a growing number of countries to introduce the new right of equitable remuneration. In 2016 Chile adopted the Ricardo Larrain Law, named after the famous Chilean director, making Latin America the driver for international adoption of the new rights.

Other countries where the rights of audiovisual creators are under review include China, where a new draft copyright law recognises directors and screenwriters as authors of audiovisual works.

In Europe, film makers are pressing for legal reforms from the EU. A call to action issued by over 90 film directors at the Cannes Film Festival on May 22 urged the EU to act via the draft Copyright Directive, currently being debated in the European Parliament. “For all filmmakers, the European Union must ensure an equal level of protection across the continent, and acknowledge an inalienable right to remuneration when works are exploited online, the “Call of European Filmmakers” said.

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The Colombian law was championed by Congress member and renowned human rights activist Clara Rojas and passed its first debate in the House of Representatives in 2016. The Act is named after the award-winning Colombian writer and director Pepe Sánchez, who was one of the most influential figures in the Colombian cultural world and a passionate advocate for creators' rights. Sánchez died in December 2016.

Today, on its adoption, the legislation was welcomed by creators and organisations that have campaigned for the change in Colombia and internationally. These include DASC and REDES, the Colombian societies representing directors and screenwriters, and international organisations CISAC and Writers & Directors Worldwide.

Mario Mitrotti, President of DASC and Alexandra Cardona Restrepo, President of REDES, welcomed the new law in a joint statement: "The Pepe Sánchez Act is a momentous development, not just for screenwriters and directors but also for the health of our entire film sector. It recognises the rights, the dignity and the fair royalties that audiovisual creators deserve. It will especially help the next generation of talented screenwriters and directors, allowing many of them to earn royalties for their work for the first time."

Yves Nilly, President of Writers and Directors Worldwide, said: "Colombia has recognised, along with Argentina and Chile, that a strong, healthy, growing film industry depends on laws that ensure its audiovisual creators are fairly rewarded. Audiovisual authors usually negotiate contracts before the work goes into production, with no means of gauging how successful or not it will be worldwide and for all types of use. Having an unassignable, unwaivable right to proportional remuneration set into law redresses this imbalance. It allows us to make a livelihood, stimulates the production of new work and drives growth in the creative economy meaning that everybody can benefit. We need a universal right for a global market."

Gadi Oron, Director General of the Confederation of Societies of Authors and Composers (CISAC), said: "Screenwriters and directors are at the epicenter of the film industry, helping it generate tens of billions of dollars, yet they are often also the worst treated creators when it comes to the protection of their rights. Colombia is the latest country that has realised the need to address this contradiction and to act to shape a better future for its film industry. It is very encouraging to see the growing number of countries that are updating their laws in recognition of the benefits it will bring to their creative industries."

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About CISAC

CISAC – the International Confederation of Societies of Authors and Composers – is the world's leading network of authors' societies (also referred to as Collective Management Organisations, or CMOs).

With **239 member societies in 123 countries**, CISAC represents over four million creators from all geographic regions and artistic repertoires including music, audiovisual, drama, literature and visual arts. CISAC is presided over by electronic music pioneer **Jean-Michel Jarre** and the organisation's vice-presidents are: Beninese singer **Angélique Kidjo**, Argentinean film director **Marcelo Piñeyro** and Chinese film director, scriptwriter and producer **Jia Zhang-ke**.

CISAC protects the rights and represents the interests of creators worldwide. Founded in 1926, it is a non-governmental, not-for-profit organisation with headquarters in France and regional offices in Africa (Burkina Faso), Latin America (Chile), Asia-Pacific (China) and Europe (Hungary).

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