



AUTHORSHIP COMMITTEE

Mr. Iceta Llorens, Minister of Culture and Sport

Introductory Accompanying text

Your Excellency,

I have the honor to address to you as Chair of the IMAGO Authorship Committee, as well as a member of the Administration Board.

IMAGO is an International Cultural Organization that works towards the benefit of Cinematography worldwide. Cinematography is the prerequisite to any cinematographic work, as defined in art. 2 § 1 of the Berne Convention.

Cinematographers are considered artists throughout the world. Their work is always unique: two different cinematographers of equal level will deliver two films of equal level, yet totally different. It is the essence of art; every artist has his own approach and delivers his result.

A cinematographer always has the freedom to express his opinion and his/her suggestions are usually embraced by the director. He/she is the one responsible for the visual look of the film (or other audiovisual work), a look that he/she supervises from the beginning (in the form of preliminary discussions) till the end (in the form of the final color grading of the film).

To perform his tasks a cinematographer makes use of advanced tools. This leads often to a misunderstanding, that cinematography is a form of technique. It is not. An architect also needs to have profound technical knowledge. Yet no one believes that an architect is a technician. In the same sense, the cinematographer leads a group of technicians (from a minimum of three to a maximum exceeding 100). In order to control his crew he/she needs technical knowledge. This does not strip the cinematographer from his/her artistic merit.

In IMAGO, we are devoted to make people aware of this artistic merit, shown by cinematographers worldwide. Therefore, we are deeply worried by the proposal from your Ministry, regarding a new Cinema Law (Anteproyecto de la Ley de Cine y la Cultura Audiovisual), to degrade the cinematographers, from co-authors to “creative personnel of technical character”. This does not reflect at all the important creative contribution of cinematographers regarding the finalized audiovisual work. It will also have a serious effect in both the moral and economic intellectual property rights of cinematographers. It is comparable, in all respects, with an expropriation, contrary to the true spirit of latest European Directives in the field of copyright and of the Berne Convention. In our opinion, the worldwide trend should be to modify all Intellectual Property Laws, so as to expressly include the Cinematographers as co-authors.

Please take some time to read our attached letter. We truly believe your time will be well spent.

Sincerely,


Argyris Theos GSC

Chair, IMAGO Authorship Committee