

Standing Committee on Copyright and Related Rights

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**ROADMAP FOR THE IMPLEMENTATION OF THE ARTIST'S RESALE RIGHT
IN THE ASIAN-PACIFIC REGION**

prepared by the Delegation of the Philippines

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Asian Regional Conference on Artist's Resale Right

Bagac, Philippines, June 8 – 10, 2026

Roadmap for the Implementation of the Artist's Resale Right
in the Asian-Pacific Region

The Asia-Pacific region has one of the most vibrant art markets in the world – and the fastest growing one. It encompasses mature markets such as China, Japan, Singapore or Australia, alongside rapidly developing markets in India and Southeast Asia.

More and more artists from the region gain international recognition, selling their artwork not only on local markets, but also internationally. Yet, they often do not participate in the economic gains generated by their creations. This is especially the case for resales of artworks where the value may multiply beyond the original sales price. In fact, in the Asia-Pacific region, only two countries – Australia and New Zealand – have operative schemes in place which allow artists to benefit from the rise in value of their creations: the resale right or “*droit de suite*”.

The resale right is established as an optional right in the Berne Convention along with the principle of reciprocity. This is why, in addition to the legal recognition, it is so important for the artists that the right is fully implemented on the ground in as many countries as possible.

But what is this right? Thanks to the resale right the artist will be able to receive a share in the proceeds of subsequent sales of original visual art works. It provides the opportunity to benefit from commercial success and added value to an artist’s work and his/her growing artistic reputation.

At the same time, the artist’s resale right can be of great importance for indigenous artists in the region. As the example of Australia shows, the artist’s resale right can play a central role in rewarding creations of indigenous people: in Australia, over 60% of the artists receiving royalties under the artist’s resale right scheme are Indigenous.

The resale right requires an infrastructure to identify the work, the artist, the transaction, and the professionals involved in the resale. As a consequence, several players must work hand in hand to make the system operate effectively: the policymakers and lawmakers building the legal framework; the art market intermediaries involved in resales, such as galleries, auction houses and collectors; the Collective Management Organizations (CMOs) that play a crucial role in the collection and distribution of the resale right royalties; and finally, of course, the artists themselves.

Against this background, the Philippines, alongside WIPO, decided to organize the *Asian Regional Conference on Artist’s Resale Right* bringing together representatives of all the key stakeholders in order to promote the exchange of information and best practices with a view to effectively implement resale rights in the Asia-Pacific region.

Based on the discussions held during the conference, participants compiled main findings and outcomes during a concluding session on the last day of the meeting. Four action areas were identified as being key for the implementation of the artist’s resale right, and these four areas guided the final discussion:

- The governance of the artist’s resale right: laws and regulations;
- The visual artists;
- The art market, including art market professionals (AMPs) such as auction houses, galleries or art collectors;
- The Collective Management Organizations (CMOs).

The following roadmap summarizes the immediate steps that need to be taken by each stakeholder group.

Steps to be Taken by Policymakers and Regulators

1. Ensure that laws and regulations properly address the following issues:
 - Establish as a guiding principle that the artist's resale right should benefit the artists (e.g. in the preamble of a law)
 - Clearly define eligible works with examples and have a point of contact that can help solve applicability questions;
 - Define the eligible resales: establish a threshold for sale prices relevant to and reasonable in the context of the local art market;
 - Define the duration of the artist's resale right;
 - Establish clear criteria for the organization, accreditation, governance and supervision of CMOs.
2. In the policy discussion, consider the artist's resale right not only as a benefit for artists but rather as an economic strategy to contribute to the economic development of a country.
3. Create incentives and enforcement measures to encourage AMPs to comply with resale right obligations.
4. Establish rules in case an artist cannot be identified to ensure that the royalties paid still benefit the artist community, e.g. by establishing a cultural fund.

In the policymaking and lawmaking process, the *WIPO Toolkit on the Artist's Resale Right (Part I and II)* may be a useful tool to provide guidance. See the Annex.

In the discussion on the management of the resale right, several participants underlined the benefits of a mandatory collective management regime.

Steps to be Taken by the Visual Artists

1. Ensure that works are signed, numbered if part of a series, and properly documented.
2. Implement methods of authenticating artwork, e.g. certificates of authenticity.
3. Be active in existing federations, associations, networks or databases in order to facilitate the outreach to and the involvement of the potential beneficiaries within the artists' community.
4. Contribute to the awareness raising regarding the artist's resale right within the artists' community.
5. Collaborate with the art market: identify key players or federations as main focal points. Foster long-term partnerships by ensuring that they are involved in and feel part of the process.
6. In case of succession, define clear, simple rules on the artist's wishes and include the artist's resale right in the estate planning.

As an artist, you can be proactive and learn about intellectual property (IP) by using tools such as the learning platform *CLIP – Creators Learn Intellectual Property* (<https://goclip.org/en>). A new edition focusing on visual arts will be available in October 2026.

Steps to be Taken by the Art Market Professionals (AMPs)

1. Inform their clients of the benefits of the artist's resale right;
2. Comply with the obligations deriving from the artist's resale right.
3. Formalize transactions through written contracts and proper documentation.
4. Ensure to collect the fees at the time of sale;
5. Keep precise records of resales and transactions and, as applicable, report resales and related information (bank reports, history of sales, etc.) to artists and CMOs.
6. Develop a code of ethics for the whole market to build trust between the different players and encourage a fair artist's resale right system.
7. Foster long-term partnership with the artists' community and the CMOs.

Steps to be Taken by the Collective Management Organizations (CMOs)

1. If necessary, amend the statutes of existing CMOs to include the visual arts or, where appropriate, establish a dedicated CMO for such creations.
2. Consider an analysis to identify the international art markets that are most relevant for local artists in order to identify priority countries for reciprocity agreements.
3. Enter into reciprocity agreements, bilaterally or multilaterally, with sister societies at regional and international levels.
4. Adopt technological solutions that promote the effective management of resale rights (such as WIPO Connect) and put in place the necessary standards (such as identifiers like ISNO or IPI).
5. Establish transparent rules for the collection and distribution of resale right royalties.
6. Raise awareness among the members about their rights and how they are managed.
7. Raise awareness among artists and AMPs on the importance of the artist's resale right.
8. Join and engage with other CMOs in international networks such as the International Confederation of Societies of Authors and Composers (CISAC) and the International Federation of Reproduction Rights Organisations (IFRRO), and benefit from technical discussions and the exchange of best practices to leverage the experience of sister societies that manage the artist's resale right.

Use available tools to review or improve the management of the artist's resale right, such as the *WIPO Toolkit on Artist's Resale Right* (especially Part II) or the *WIPO Good Practice Toolkit for Collective Management Organizations*. See the Annex.

As regards international networks, CISAC runs two working groups dedicated to the topic of the artist's resale right: "CISAC Recognition & Implementation ARR Working group" and the "CISAC Operational ARR Working group". Register to the working groups by sending an email to marie.caquineau@adagp.fr and/or babat@pictoright.nl.

Annex

[WIPO Toolkit on Artist's Resale Right –
Part I: Legal Framework](#)
(2023)



[WIPO Toolkit on Artist's Resale Right –
Part II: Administration](#)
(2024)



[WIPO Good Practice Toolkit for Collective Management
Organizations](#)
(2025)



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