



WIPO Broadcasters Treaty

33rd SCCR (Nov. 14th – 18th, 2016)

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SCCR 33rd : Introduction

- SCCR 33rd was opened by Ms. Sylvie Forbin, the newly appointed DDG of WIPO.
- Ms. Michele Woods acted as Secretary.
- Pertinent Documents : SCCR/27/2 Rev, SCCR/27/6 Rev, SCCR/30/5, SCCR/31/3, SCCR/32/3, SCCR/33/3 and SCCR/33/5 and informal charts and paper prepared by the Chair.
- ABU region was widely represented.

SCCR 33rd : Introduction (Contd..)

- **Attended by** : Yan Bo (CCTV), Masataka Hirano (NHK), Nawaz Dookhee (ABU) and Seemantani Sharma (ABU).
- Preparatory meeting at EBU on Sunday at November 13th, 2016.
- Pre – meeting with the SCCR Chair and other members of the WIPO Secretariat.

SCCR 33rd : Key Points

- Proposal by Delegation of Argentina, Colombia and Mexico (SCCR/33/5) :
 - (i) Clarification on the beneficiaries of the Treaty : Traditional Broadcasters.
 - (ii) Protection for transmissions by computer networks, simultaneous, near simultaneous retransmissions and deferred transmissions.
 - (iii) Streamlining the discussions of the Revised Consolidated Text.
 - (iv) Convening a diplomatic conference by the Spring of 2018.

SCCR 33rd : Key Points (Contd..)

- Broad consensus amongst delegations of the ABU region on the need for the Treaty.
- Interpretation confusion over the scope of the Treaty/Mandate of the 2007 GA prevails.
- Discussions on key provisions took place in informals.

SCCR 33rd : Conclusion

- *“The Committee decided to continue discussions on a revised version of document SCCR/ 33/3 that will be prepared by the Chair for the next meeting of the Committee considering the textual proposals and clarifications made during the session with respect to definitions, object of protection and rights to be granted, as well as the other issues mentioned in the Chair’s chart, with a view to achieving the consensus required for convening a diplomatic conference on the protection of broadcasting organizations.”*
(Summary of the Chair)

SCCR 33rd :There We Are!



Broadcasters Treaty & Developmental Aspects

- Does the Treaty disfavor developing countries?
- Does the Treaty hinder access to knowledge (A2K)?
- Will the Treaty increase the cost of accessing content?

Way Forward : 34th SCCR (Contd..)

➤ Roadmap:

I. Affixing deadline for DipCon in Spring 2018

- Adhering to proposal of Argentina, Colombia and Mexico (Doc. SCCR/33/5)

II. Dedicated session to BT

- Complex nature of the BT calls for issue wise splitting of SCCR (if required).

Way Forward : 34th SCCR (Contd..)

➤ Textual Issues :

I. Clarification of the Mandate of the 2007 General Assembly

- Misinterpretation of “traditional broadcasters” with “traditional broadcasting”

II. Mandatory Protection of Online Signals

- “Opt – out” is not a solution ; exceptions persist.

Way Forward : 34th SCCR (Contd..)

➤ Other Miscellaneous Issues

I. Linkages

- Delegations must not resort to substantive linkages.
- BT should be determined on its merits.

II. Vocal support for the BT

- Active interventions by all delegations of the region.

How Can You Help

- Maintain contact with your IPO and other relevant government ministries.

- Priority to following issues :
 - (i) Deadline, Definitive Roadmap & Dedicated Session to BT
 - (ii) Mandate of the 2007 GA
 - (iii) Transmissions over computer networks/Webcasting.

- Keep ABU's Legal Department informed.

Thank you

