

CIS statement on the WIPO Broadcast Treaty at SCCR 19

Centre for Internet and Society | 2010-02-01

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This statement on the WIPO Broadcast Treaty was delivered on December 17, 2010 at the 19th session of the Standing Committee on Copyright and Related Rights by Nirmita Narasimhan on behalf of CIS.

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The Centre for Internet and Society believes that the protection that may be afforded to broadcasters under existing international treaties, including Article 14 of the TRIPS Convention, are sufficient to safeguard the interests of broadcasters, and that the Broadcast Treaty, which has been under discussion for more than a decade without any progress, is, as the WIPO Chair observed, an expenditure of "time, energy and resources to no avail" (SCCR/15/2/rev).

We believe that at any rate webcasting/netcasting should be kept out of the ambit of the broadcast treaty, even if only restricted to "retransmission" of broadcasts as in the current draft, since by its very nature webcasting is very different from broadcasting. Webcasting is currently quite vibrant, with a recent report by Arbor Networks estimating that around ten per cent of all Web traffic is streaming video, making webcasting the fastest growing application on the Internet. Given this situation, a strong case has to be made to show that an international treaty is required to protect and promote webcasting, which has not been done.

Specifically, we believe that Paragraph 16 of the WIPO Development Agenda, which relates to preservation of a vibrant public domain, will be endangered by a right being given to webcasters which is separate from the underlying content of the transmission.

Statements by other organizations on WIPO Broadcast Treaty at SCCR 19

- Electronic Frontier Foundation
- Public Knowledge
- International Federation of Library Associations, Electronic Information for Libraries, and Library Copyright Alliance (Joint Statement)
- Computer and Communications Industry Association