

DRAFT CONCLUSIONS OF THE SCCR

prepared by the Chair

Limitations and exceptions

1. The Committee reconfirmed its commitment to give priority to, and adequate emphasis on, the outstanding issues of the limitations and exceptions. Likewise, the Committee reaffirmed its commitment to expedite its work on the multifaceted issues affecting access of the blind, visually impaired and other reading-disabled persons to protected works, taking into account development-related concerns and the need to establish timely and practical result-oriented solutions.
2. The Committee received with interest the Proposal by Brazil, Ecuador and Paraguay Relating to Limitations and Exceptions: Treaty Proposed by the World Blind Union (WBU). Views were expressed, both supporting the proposal and expressing wish for more time to analyze it. Others expressed the view that deliberations regarding an instrument would be premature because they were in the process of fact-finding and evaluation. The Committee affirmed its willingness to continue its work on the basis of a global and inclusive framework. Member States will continue to consult on these issues at national level and report on the activities and views on possible solutions. This proposal, together with other possible proposals, will be considered at the nineteenth session of the SCCR.
3. The Committee welcomed the stakeholders' platform Interim Report, and encouraged the Secretariat to continue the work of the platform and report on its activities during the nineteenth session of the SCCR. The Committee requested that the Secretariat work to obtain funding to support the participation of stakeholders from developing and least-developed countries.
4. The Committee requested the Secretariat to prepare an analytical document based on document SCCR/15/7: Study on Copyright Limitations and Exceptions for the Visually Impaired. The analytical document should identify the most important features of limitations and exceptions for the visually impaired in national law and categorize the main legislative solutions in this regard.
5. The Committee took note of the draft questionnaire on limitations and exceptions and invited delegations to send comments to the Secretariat before July 15, 2009. Based on those comments, the Secretariat will present a revised questionnaire at least one month prior to the nineteenth session of the SCCR for consideration and final approval during that session.
6. The areas covered by the questionnaire will include limitations and exceptions for educational activities, activities of libraries and archives, provisions for disabled persons, as well as the implications of digital technology in the field of copyright. The

Committee agreed that in relation to both visually impaired people and libraries and archives questions regarding the function of limitations and exceptions across borders will be added.

7. The questionnaire shall enable governments to furnish any other pertinent information regarding limitations and exceptions in their national laws that are not addressed in the questionnaire, including social, cultural and religious limitations and exceptions.

8. The Committee took note of the supplementary information sent by Member States regarding the WIPO studies on limitations and exceptions presented in the context of the seventeenth session of the SCCR.

Protection of audiovisual performances

9. The Committee expressed its appreciation for the seminars organized by the Secretariat and encouraged the Secretariat to continue that activity.

10. The Committee reaffirmed its commitment to work on developing the international protection of performances in audiovisual media.

11. The Committee requested the Secretariat to prepare a background document on the main questions and positions.

12. The Committee requested the Secretariat to organize, in Geneva, informal, open consultations on possible solutions to the current deadlock.

13. The protection of audiovisual performances will be maintained on the Agenda of the nineteenth session of the SCCR.

Protection of broadcasting organizations

14. The Committee expressed its appreciation for the information session on developments in broadcasting with special reference to developing and least developed countries.

15. The Committee reaffirmed its willingness to continue its work on the updating of the international protection of broadcasting organizations on a signal-based approach.

16. The Committee invited the Secretariat to organize regional and national seminars followed by regional consultations on the objectives, specific scope and object of protection of a possible new instrument.

17. The protection of broadcasting organizations will be maintained on the Agenda of the nineteenth session of the SCCR.

Next session of the SCCR

18. The nineteenth session of the SCCR will take place from November 30 to December 4, 2009.