

PROGRAM 3 COPYRIGHT AND RELATED RIGHTS

PLANNING CONTEXT

3.1. The MTSP 2010-2015 highlighted critical changes in the global environment and the resulting challenges and opportunities for WIPO. This is considered to be most evident in the area of copyright and related rights where digital technology and especially the Internet have irreversibly altered the face of the culture and creative industries.

3.2. The following issues and challenges are relevant and will continue to be so in the next biennium.

Normative and policy related work

3.3. The normative agenda has been identified by Member States and a number of outstanding issues remain to be resolved. As each treaty negotiation is completed, the Secretariat is required to respond to Member States' requests for legislative assistance to bring their national law into compliance with WIPO treaty provisions.

Technical assistance to developing countries and LDCs

3.4. Facilitating the use of IP for development is one of WIPO's strategic goals. Meeting the challenge of using the copyright and related rights system to exploit their culture is extremely attractive to developing countries. WIPO will accelerate its effort to respond to this increasing demand.

Advancing the development of copyright and related rights infrastructure

3.5. In order for developing countries to realize the economic potential of their culture, effective use of the copyright and related rights system in the digital environment is absolutely necessary. This presents a challenge to WIPO to meet training needs and to provide access to global data management systems.

IMPLEMENTATION STRATEGIES

3.6. Against this background, the Program will focus on the following priorities in the next biennium.

Normative and policy related work

3.7. Advancement of the normative agenda on copyright and related rights will focus on facilitating treaty negotiations, responding to Member State requests regarding implementation of new treaties and providing legislative advice. The new treaties to be implemented are the Beijing Treaty on Audiovisual Performances and the ~~proposed~~-Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or Otherwise Print Disabled, each of which is also likely to lead to significant numbers of legislative advice requests as part of Member State ratification and implementation initiatives. The facilitation work will relate to the proposed broadcasting treaty and discussions ~~of copyright norms on an appropriate international legal instrument or instruments on related to other exceptions and limitations~~ for libraries, archives, educational, teaching and research institutions, and persons with other disabilities currently being held in the SCCR. In the policy area, particular attention will be paid to the continuing opportunities and challenges posed for the copyright system by the Internet and digital technologies.

Technical assistance to developing countries and LDCs

3.8. Technical assistance to developing countries and LDCs will continue to be focused on encouraging developing countries to use the copyright and related rights system to exploit the economic potential of their culture. The MTSP, Strategic Goals, DA and the organizational Expected Results all recognize the importance of technical assistance to developing countries. Greater efforts

Strategic Goal I

will be made to ensure sustainability of practical and measurable results in developing countries and LDCs.

3.9. The technical assistance will be based on country needs which are being identified in collaboration with the Regional Bureaus. The biennium will see a greater use of regional consultants for the implementation of national and regional activities with more time devoted by WIPO staff to developing strategic approaches in line with individual country needs.

Advancing the development of copyright and related rights infrastructure

3.10. Work in this area will focus on strengthening collective management and its role in the digital marketplace. The activities which aim to encourage developing countries to use the copyright and related rights system to exploit their culture will require strengthening of their legal frameworks, their copyright offices and particularly their collective management societies.

3.11. The evaluation of the economic contribution of copyright-based industries to GDP will continue with greater reliance on outsourcing. Online training modules are being developed and an ambitious program to have CMOs improve their Transparency, Accountability and Governance (TAG) is in the planning stage, while the enhancement of the WIPOCOS software to improve the back office management of CMOs has been initiated.

3.12. In addition, the initial work being done towards the possibility of global data management in music is to be broadened to embrace all content on the Internet, e.g. music, films, photographs, books, etc.

3.13. A permanent structure to facilitate the delivery of copyright-protected material in accessible formats across borders will be developed in-line-with-to foster cooperation on cross border exchange and support the implementation of the Marrakesh Treaty. This work will be structured under a multi-stakeholder mechanism that should include representatives of associations of the beneficiaries of the Treaty, authorized entities, Member States and right holders, subject to Member State approval.

3.13.3.14. Work will continue on progressing the implementation of an IT infrastructure and an organizational framework for the TIGAR project. This work will be enhanced and restructured under a multi-stakeholder Foundation entity, subject to Member State approval.

3.14.3.15. The Secretariat will continue to ensure that the implementation of these activities duly take into account DA Recommendations 1, 6, 12 to 17, 19 and 20.

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MAJOR RISKS AND MITIGATION STRATEGIES

Risk(s) to the Program achieving its Results	Mitigation plans in place or under implementation
Technology and Innovation: Inability of the copyright system to adapt to rapid technological and media changes threatens to undermine the relevance of the copyright system.	Continuation of awareness-raising activities and initiatives to demonstrate the importance of copyright and to confirm its value and 'fit' in the evolving technological landscape.

RESULTS FRAMEWORK

Expected Results	Performance Indicators	Baselines	Targets
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Proposed Program and Budget for 2014/15

Expected Results	Performance Indicators	Baselines	Targets
I.1 Enhanced cooperation among Member States on development of balanced international normative frameworks for IP and agreement on specific topics on which international instruments are agreed	Progress towards agreement on current issues on the SCCR agenda	One Two Treaty Treaties adopted in biennium 2012/13 (as to date). Two Diplomatic Conferences convened during the biennium 2012/13	One Diplomatic Conference convened and one Treaty adopted in the biennium 2014/15
I.2 Tailored and balanced IP legislative, regulatory and policy frameworks	No. of countries that have ratified the Beijing Treaty	None	30 countries
	No. and % of countries that have provided positive feedback about WIPO's legislative advice	Data not available	15 countries
	No. of ratifications to the WIPO Internet Treaties	181 (end 2012)	190
	No. of countries that have ratified the Marrakesh Treaty on the VIP	None	20 countries
III.2 Enhanced human resource capacities able to deal with the broad range of requirements for the effective use of IP for development in developing countries, LDCs and countries with economies in transition	No. of governments and CMOs signing an agreement with WIPO to develop a new transparency, accountability and governance quality assurance standard	n/a	Four governments and six CMOs
	% of creators satisfied with the training provided on using copyright data and information for the efficient management of their copyright	Not yet started	60%
	% of participants' positive rating of the usefulness of copyright related capacity building meetings and workshops	70% satisfactory rate	70% agree or strongly agree
	No. of Member States that take initiatives to improve their use of the copyright and related rights system to exploit the economic potentials of their cultural works and products	60% of countries that requested technical assistance	60% of countries that received assistance
IV.2 Enhanced access to, and use of, IP information by IP institutions and the public to promote innovation and creativity	No. of trusted intermediaries (TIs) and rights holders (RHs) having joined the TIGAR system network, including from developing countries and LDCs	19 TIs and 40 RHs	24 TIs and 46 RHs (cumulative)
	No. of copyright protected works distributed among TIs and made accessible to VIPs across borders through the TIGAR system network	400	1,000 cumulative
	% of individuals satisfied with the capacity building support on copyright infrastructure	Data not available	60%
	No. of institutions using GDA	15	15
	Use of the WIPO Collective Management Reference Database	Data not available	100 users
	No. of legal instruments, guidelines, statements of principles other than Treaties agreed to or endorsed by the stakeholders concerned in areas such as IP and Sports and Copyright in the Digital Environment	One (WIPO Review of Contractual Considerations in the Audiovisual Sector)	One

Expected Results	Performance Indicators	Baselines	Targets
IV.4 Enhanced technical and knowledge infrastructure for IP Offices and other IP institutions leading to better services (cheaper, faster, higher quality) to their stakeholders	No. of governments and CMOs signing an agreement with WIPO to re-engineer WIPOCQS	Not yet started	Four governments and five NGOs
	No. of CMOs in developing countries and LDCs participating in regional and global networks facilitated by WIPO	0 (zero)	10
	% of governments that report positively on the improved effectiveness (and governance) of copyright offices and other institutions in the country	80% satisfactory rate	80% of countries that received technical assistance
V.2 Wider and better use of WIPO economic analysis in policy formulation	Use of WIPO economic studies on copyright by governments and NGOs in decision-making	Eight governments or NGOs using WIPO studies	12 governments or NGOs using WIPO studies (cumulative)
	National initiatives to develop further statistics on the creative industries based upon WIPO's work in the field	10 national initiatives	15 national initiatives (cumulative)

RESOURCES FOR PROGRAM 3

3-15.3.16. The 2014/15 resources for Result I.1 (Development of balanced international normative frameworks for IP) are lower than in the 2012/13 Budget after transfers, since no provision has been made for a Diplomatic Conference in this Program for the next biennium. This results in a decrease under Staff Missions, Third-party Travel and Conferences.

3-16.3.17. The proposed resources for Result I.2 (Legislative advice) are higher due to the expected increase in request for legislative advice on the implementation of the Beijing Treaty and the **proposed** Marrakesh Treaty.

3-17.3.18. The increase in resources for Result III.2 (Enhanced human resource capacities) are primarily due to the continuation of the DA project Strengthening and Development of the Audiovisual Sector in Burkina Faso and Certain African Countries in 2014/15 and an enhanced focus on strengthening collective management. This leads to a slight increase in Course Fellowships.

3-18.3.19. The decrease in resources for Result IV.4 (Enhanced technical and knowledge infrastructure) is a result of the implementation of the standard model for implementation of outward facing infrastructure projects and activities contributing to Strategic Goal IV with the specialized Programs taking the business lead and the Global Infrastructure related Programs taking responsibility for the development and implementation of the associated technical IT components. This has led to a re-deployment of personnel resources as well as a decrease in non-personnel resources under Other Contractual Services.

3-19.3.20. The decrease in proposed resources for copyright studies under Result V.2 (Wider and better use of WIPO economic analysis) reflects a slight decrease in the number of such studies targeted in the next biennium as compared to 2012/13. This results in a decrease primarily under Staff Missions.