

ACA
AMERICAN CABLE ASSOCIATION

ATVA
AMERICAN TELEVISION ALLIANCE

CCIA
COMPUTER AND COMMUNICATIONS
INDUSTRY ASSOCIATION

CC
CREATIVE COMMONS

CDT
CENTER FOR DEMOCRACY &
TECHNOLOGY

CEA
CONSUMER ELECTRONICS
ASSOCIATION

CI
CONSUMERS INTERNATIONAL

CIPPIC
SAMUELSON-GLUSHKO CANADIAN
INTERNET POLICY & PUBLIC
INTEREST CLINIC

CIS, INDIA
CENTRE FOR INTERNET & SOCIETY

CTIA
THE WIRELESS ASSOCIATION

DIMA
DIGITAL MEDIA ASSOCIATION

EDRI
EUROPEAN DIGITAL RIGHTS

EFF
ELECTRONIC FRONTIER
FOUNDATION

EIFL
ELECTRONIC INFORMATION FOR
LIBRARIES

FSFE
FREE SOFTWARE FOUNDATION
EUROPE

IFLA
INTERNATIONAL FEDERATION OF
LIBRARY ASSOCIATIONS AND
INSTITUTIONS

IMMF
INTERNATIONAL MUSIC MANAGERS
FORUM

INTEL

IPJUSTICE

KEI
KNOWLEDGE ECOLOGY
INTERNATIONAL

LCA
LIBRARY COPYRIGHT ALLIANCE

OKFN
OPEN KNOWLEDGE FOUNDATION

ORG
OPEN RIGHTS GROUP

Joint Statement of Certain Civil Society, Rightsholders, Cablecasters and Webcasters, and Private Sector Representatives for the 22nd Session of the SCCR

The undersigned organisations represent a broad set of constituencies with a direct interest in the discussions underway regarding an international instrument relating to broadcasting.

We do not believe that there has been any change in the situation with respect to a proposed treaty on broadcasting since the Conclusions of the Second Special Session of the SCCR in June of 2007 recorded that “... it would not be possible to reach an agreement on the objectives, specific scope, and object of protection...” of a treaty.

We have seen no evidence that the discussions in subsequent meetings have produced any new positions or proposals that bring agreement closer on any of the mentioned areas: objective, specific scope or object of protection – rather the opposite seems to be the case.

So far we have heard not a single example of harm to broadcasters which cannot be remedied using existing international norms in the field – in particular, we note that the harm alleged previously related to **‘recordings of broadcasts’ being made available on the Internet are not evidence of harm to broadcasters at all, since what is being disseminated is not a broadcast but a fixation of the programme itself – for which copyright and related rights protection already provides remedies.**

We respectfully consider that many challenges confront the copyright and related rights system at the present time, and **it would be unfortunate if the SCCR were to continue to devote time to a subject that has produced no agreement on any fundamental point despite more than a decade of negotiations. The SCCR could, for example, deal with limitations and exceptions that support creation, access, and innovative services.**

We are at the disposal of the distinguished delegates to the SCCR to discuss these views and we thank you for your consideration.

PK
PUBLIC KNOWLEDGE

TiVo

TWCABLE
TIME WARNER CABLE

USTELECOM