

This is what we were able to write down, should be mostly what will be the decision but

ITS NOT THE OFFICIAL VERSION!!!

WORLD INTELLECTUAL PROPERTY ORGANIZATION
Second Special Session of the SCCR
Geneva, June 18 to 22, 2007

DRAFT CONCLUSIONS
of the Second Special Session of the SCCR
on the Protection of Broadcasting Organizations

prepared by the Chair

Following the decision of the WIPO General Assembly in its Thirty-third Session in September/October 2006 the Standing Committee on Copyright and Related Rights (SCCR) convened in the First and Second Special Sessions, from January 17 to 19, and from June 18 to 22, 2007.

The decision of the General Assembly stated that: „...the sessions of the SCCR should aim to agree and finalize, on a signal-based approach, the objectives, specific scope and object of protection with a view to submitting to the Diplomatic Conference a revised basic proposal, which will amend the agreed relevant parts of the Revised Draft Basic Proposal. The Diplomatic Conference will be convened if such agreement is achieved. If no such agreement is achieved, all further discussions will be based on Document SCCR/15/2.“.

The discussions in the Second Special Session were based on the Revised Draft Basic Proposal (SCCR/15/2 Rev) which is the official comprehensive working document of the Committee and on a non-paper in April 2007 prepared by the Chair and the Revised Draft Basic Proposal (SCCR/15/2 Rev) which is the official comprehensive working document of the Committee. (exactly formulated by secretariat)

During the session the delegates made their general statements and discussed thoroughly the procedure of deliberation. The intergovernmental and non-governmental organizations were given the opportunity ~~provided a possibility~~ to make statements.

~~The Committee started its work, beginning from the objectives and preamble in a formal plenary session. The operative articles were discussed in an informal setting. The proposed provisions were discussed, and amended and additional proposals by delegations were compiled in a new non-paper by the Chair.~~

In the informal discussions it became evident that during the ~~time available~~ session to reach a agreement on the objective, specific scope and object of protection with a view to submitting it would not be possible to finalize a Revised Basic Proposal that would amend the agreed relevant parts of SCCR/15/2 Rev. a revised basic proposal for a diplomatic conference as mandated by the General Assembly.

~~Several delegations urged that the efforts to conclude a treaty on protection of broadcasting organizations be continued.~~

While several delegations urged that the efforts to conclude a treaty on protection of broadcasting organizations be continued, it was felt that there was a need for taking time to reflect before proceeding further to explore agreement as mandated by the GA.

The committee made the following recommendation:

The General Assembly

- takes note of the current status of the work in the SCCR on the protection of broadcasting organizations and, ~~cablecasting organizations and webcasting organizations~~
- acknowledges the progress that was made in the process towards better understanding of the positions of the various stakeholders, ~~revising the Draft Basic Proposal~~
- recognizes the good faith efforts of all participants and stakeholder organizations throughout the process, ~~of updating the protection of traditional broadcasting organizations and cablecasting organizations and ensuring their continued relevance in the present and future communications environment~~
- expresses the wish that all parties continue to strive to achieve the objectives of protection as mandated by the General Assembly. ~~express the wish that all parties jointly lay the foundation for the modern framework of protection for broadcasting organizations, cablecasting organizations and webcasting organizations~~

~~The Director General~~

- ~~convenes a session for joint analysis of notions, terms and conceptual basis of the instrument in September 2007~~

The General Assembly

- decides that the subject of broadcasting organizations and cablecasting organizations be retained in the agenda of the SCCR in its regular sessions, and considers the convening of a diplomatic conference after there is agreement on the objective and ?specific? scope [and object of protection – was in the Asian Group proposal but not read by the Chair] as mandated by the General Assembly [in its 2006 session – added by Chair, not Asian Group]. ~~decides that a Third Special Session of the SCCR be convened in November/December 2007~~
- ~~decides to postpone the Diplomatic Conference from November/ December 2007 to be held in 2008.~~