

Standing Committee on Copyright and Related Rights

Twenty-Second Session
Geneva, June 15 to 24, 2011

Conclusions of the Regional Broadcasting Signal Piracy Seminar,
held in Johannesburg, South Africa, June 6 and 7, 2011

Document prepared by the Department of Communications (DOC), South Africa

1. The Government of South Africa, in collaboration with its broadcasting industry, hosted a Seminar on Broadcasting Signal Piracy on June 6 and 7, 2011 in Johannesburg, South Africa. The open address was delivered by the Honorable Obed Bapela, Deputy Minister of Communications.
2. The purpose of the Seminar was: (1) to raise awareness on signal piracy and share strategies on how to combat it; and (2) to allow African countries to prepare for the 22nd session of the Standing Committee on Copyright and Related Rights (SCCR).
3. Thirteen countries and two organisations were represented at the Seminar, namely: Botswana, Burkina Faso, Côte d'Ivoire, Ethiopia, Kenya, Lesotho Malawi, Mauritius, Mozambique, Namibia, Senegal, South Africa and Zambia, as well as the East African Commission (EAC), the National Association of Broadcasters (NAB) and telecom operators. In addition to these delegations, the Chair of the World Intellectual Property Organization (WIPO) informal consultations on the protection of broadcasting organizations, held in Geneva on April 14 and 15, 2011, Ms. A. Grazioli, Senior Legal Advisor at the Swiss Federal Institute of Intellectual Property, and WIPO, represented by Ms. C. Croella, Counsellor, Copyright Law Division, Culture and Creative Industries Sector, were present.
4. Presentations were made by government representatives, broadcasting industry stakeholders, signal distributors and broadcasting regulatory authorities. The representative of WIPO and the Chair of the informal consultations provided information on the history and background of the current negotiation process. The three newly submitted draft proposals (Canada, South Africa and Japan) were presented and discussed. The Chair of the informal consultations summarized the results of the April 2011 consultations and presented the main elements of the Chair's non-paper that will be submitted for consideration at the next SCCR meeting in June 2011 (document SCCR/22/11).
5. *Noting :*
 - the dramatic increase of signal piracy and its negative impact on the sustainability of the African broadcasting industry;
 - the rapid development of technology in broadcasting; and
 - the inadequacy of existing international instruments to protect the broadcasting organisations against signal piracy.

Further taking into account the results of the Regional Seminar for African countries jointly organized by the Government of Nigeria through the Nigerian Copyright Commission and WIPO, the representatives of Governments present at the Seminar concluded as follows:

- (1) The 2007 WIPO General Assembly mandate relating to the work of the SCCR on broadcasting should be revised at the 2011 WIPO General Assembly to take into account advances in technologies;
- (2) Given the emerging consensus on the scope, object and specific objectives of the treaty, a diplomatic conference should be scheduled at the 2011 WIPO General Assembly to be held in the next biennium (2012-2013) for the adoption of the treaty;
- (3) To expedite the work of the SCCR, a work-plan should be developed at the next SCCR meeting in June 2011 that may include dedicated sessions of the SCCR to

discuss outstanding issues and to develop a basic proposal for the diplomatic conference;

- (4) That general support was expressed for the broad principles contained in the South African proposal, in particular the technological neutrality, the signal-based approach, limitations and exceptions in the public interest and specific scope. In addition, countries expressed their support for regional and domestic approaches to curbing signal piracy, while embracing an international treaty to provide a stable framework for the protection of broadcasting organisations and to combat cross border signal piracy.
6. The delegates expressed their appreciation to the Government of the Republic of South Africa for arranging and organizing the Seminar on Broadcasting Signal Piracy

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