

Committee on Development and Intellectual Property (CDIP)

Twenty-Second Session
Geneva, November 19 – 23, 2018

PROJECT: “STRENGTHENING AND DEVELOPMENT OF THE MUSIC SECTOR IN BURKINA FASO AND IN CERTAIN AFRICAN COUNTRIES”, PROPOSED BY BURKINA FASO

prepared by the Secretariat

1. In a communication dated 24 September 2018, the Secretariat received a project proposal entitled “Strengthening and development of the music sector in Burkina Faso and selected African countries” presented by the National Copyright Office of Burkina Faso (BBDA) which requested that it should be submitted to the twenty-second session of the Committee on Development and Intellectual Property (CDIP).
2. The above-mentioned project proposal is contained in the annex to this document.
3. *The CDIP is invited to consider the annex to this document.*

[Annex follows]

PROJECT TITLE: STRENGTHENING AND DEVELOPMENT OF THE MUSIC SECTOR IN BURKINA FASO AND IN CERTAIN AFRICAN COUNTRIES

CONTEXTE ET JUSTIFICATION

Music is currently the dominant artistic activity in Africa. Together with the audiovisual sector, music has become one of the most promising sectors on the continent with a high growth rate and great potential to create jobs and generate foreign exchange.

The growing presence of music in audiovisual works and the currently unavoidable role of the audiovisual sector in promoting musical works are the perfect illustration that these two artistic sectors are becoming increasingly intertwined. Moreover, music and audiovisual material share a common trait in that they are exploited using the same mechanisms and through new economic models that have become hegemonic, namely downloading and streaming.

Like the audiovisual sector, music suffers from poor structuring of the value chain of stakeholders who depend on a cultural ecosystem that is poorly developed within a context that becomes increasingly complex as digital technology develops.

From creation to broadcasting and consumption, music sector stakeholders face enormous difficulties that prevent this promising sector from achieving its full potential. Collective management bodies also face new difficulties in managing rights holders in the current digital environment.

How can we leverage the dynamism of music and audiovisual media by ensuring proper implementation of the legal framework for copyright and related rights in the digital era?

Extension of the CDIP 17/7 project could provide the right answers to the above question.

PROJECT DESCRIPTION

The program “**Strengthening and development of the music sector in Burkina Faso and certain African countries**” will have the following main components:

- Study on the exploitation of copyright and related rights in online music consumption and identification of legal and economic issues in beneficiary countries of the project;
- Training of music and audiovisual sector stakeholders in the contractual aspects of music rights transfer;
- Continuation of the training of judicial officers on contracts in the music and audiovisual sectors and preparation of the relevant documentation on the established case law in these sectors;
- Capacity-building for rights holders and collective management bodies on music rights negotiation techniques applicable to audiovisual media;
- Promotion of copyright compliance among users by popularizing charters of best practice between authors, performers, producers and broadcasting organizations;

- Enhanced compliance with the terms of reference governing copyright and related rights by targeting regulatory authorities; and
- Development of a music module as part of the distance learning project.

OBJECTIVES

- Promote the development of the audiovisual and music sectors in beneficiary countries by professionalizing stakeholders and deepening their understanding of the functioning of the intellectual property (IP) system in these sectors, with a view to ensuring the effective management of IP assets through the development of strategies and business plans at each key stage of the creative process.
- Support the development and distribution of local content through capacity-building to ensure that small and medium-sized enterprises earn revenue in domestic and international markets.
- Increase the profitability of copyright-based transactions through improved management of IP assets, legal frameworks and institutional capacities, including through infrastructure development.
- Promote copyright compliance.

IMPLEMENTATION STRATEGY

The project pursues an implementation approach tailored to the needs of each beneficiary country. The purpose is to provide customized support and increase the participation of various countries at the regional level, with a view to promoting effective sharing of experiences and developing synergies.

The main beneficiaries of the project are:

- rights holders such as music producers, songwriters, music performers;
- production and distribution companies;
- banking and microfinance institutions;
- judicial officers; and
- collective management bodies.

The project will be implemented through a public-private partnership involving the national services of the beneficiary countries, relevant private sector bodies, international organizations as well as African and international external consultants.

Duration: 12 months

[End of Annex and of document]