

Sociedad General de Autores y Editores

THE WORLD SUMMIT ON THE INFORMATION SOCIETY

- Preliminary Position of the Sociedad General de Autores y Editores (SGAE)¹ -

The United Nations organize, through the International Telecommunications Union (ITU), a World Summit on the Information Society (WSIS) to be held in two phases: in December 2003 in Geneva, and in 2005 in Tunisia. The purpose of the Summit is to develop, in a Declaration of Principles, a common vision and understanding of the information society and to draw up a strategic Action Plan in order to move towards such vision.

Information, knowledge and technology are vital tools for the development and the economic, social and cultural growth of every country. However, a worldwide approach of the information society shall put human rights at its centre before technology, which is only a means and not an end in itself.

The United Nations Universal Declaration of Human Rights includes intellectual property rights in its Article 27.2, as it states that “*everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author*”. As fundamental human rights, intellectual property rights constitute the central pillar of the digital, knowledge and information age.

The creation of local, diversified and quality contents is essential to the development of a plural information society, respectful toward the linguistic and cultural diversity of the peoples. In this regard, the authors and the intellectual property system, as remuneration for the creation in the digital era, are the mainstays of the economic, institutional, cultural and social infrastructure. Without the authors and their works, the new technologies would lose a great part of their interest. The respect of intellectual property rights constitutes a necessary condition for the development of distribution and exploitation of digital contents in the worldwide networks.

Collective management societies, as organizations created by and for the authors, play an essential role in the information society. They are indispensable to the protection of the authors, whose need for protection is even greater in the digital era, where it becomes more difficult to control the

¹ Created in 1899 by playwrights and composers and following numerous amendments of its articles of association, the Sociedad General de Autores y Editores (SGAE) is today the Spanish collective management society, which administers the rights of the authors in the music, audiovisual, theatre, choreography and publishing areas. SGAE thus manages over 3 millions works on behalf of a total of 67 000 authors in Spain and worldwide. In 2001, SGAE collected 250,4 millions € for the use of its repertory.

exploitation of the works and where users are getting always more powerful as a result of the merging processes in the industry (negotiation of agreements, fight against piracy, application of legal proceedings, etc). They are also very useful for users, by simplifying the access to the works, which is fundamental in the information society where users need to gain access to numerous works, easily, quickly and for different kinds of exploitations throughout the world. Finally, they are necessary to the development of efficient and rational copyright management mechanisms, in the interest of authors, users and consumers.

Collective management societies are, in this context, the indispensable partners to the harmonious development of the information society, whose success will depend on the widest possible use and distribution of works and contents, under satisfactory conditions for all the parties involved: authors, users and consumers.

The Declaration of Principles and the strategic Action Plan shall thus emphasize the essential contribution of the authors and their works to the development of the information society, as well as the fundamental role of intellectual property rights as remuneration for the creators and the importance of collective management societies in the information society.

The World Summit on the Information Society offers a unique opportunity to launch a worldwide reflection with all the parties interested in the development of an open and plural information society, on various issues related to these priority items, such as the importance of the intellectual property in the digital era, the effects of digital development and globalisation on individuals and creation, the necessary public awareness of the importance of the intellectual property system and of the fundamental role of collective management, the evolution of copyright management systems in the digital age, the goals and challenges of the new technologies on creation, and the fight against piracy.
