

World Summit on the Information Society
**The Coordinating Committee of Business Interlocutors
(CCBI)**

Intersessional Meeting 17 July 2003

INTERVENTION 3

by Jean Sarzana, Secretary General,

French Publishers Association

on behalf of the International Publishers Association

Introduction

The International Publishers' Association (IPA) represents book publishers worldwide through 78 national, regional and specialized associations (South Africa, South Korea, Egypt, Brazil...).

This statement is supported by:

- the Motion Picture Association (MPA) which represents seven major international producers and distributors of films, home video material and TV programs;
- the International Confederation of Music Publishers/Confédération Internationale des Editeurs de Musique (ICMP/CIEM), which speaks for music publishing in Europe, North and South America, Asia-Pacific and Africa and the composers and songwriters which they represent;
- as well as the International Federation of Film Producers Associations (FIAPF) which represents the International film industry, with member organizations in 27 countries worldwide.

In addition, this statement is made within the framework of the Coordinating Committee of Business Interlocutors' (CCBI) attending this Intersessional Meeting.

IPRs: A fundamental principle

Both the Declaration and the Action Plan mention the need to ensure a balance between Intellectual Property Rights and the public interest as well as the need of users for information (*Art. 34 of the Action Plan, Art. 50 of the Declaration of Principles*). In this respect, it should be noted that the intellectual property system itself already achieves a delicate balance between the rights of the creator and the user, and that it is intrinsically designed to benefit society as a whole.

Furthermore, it should be recognized that copyright and the right to property are human rights. A reference to the Universal Declaration of Human Rights Article 27(2) must be included in the final documents.

IPRs key role in fuelling Information Society and cultural diversity

The fundamental principles underlying copyright in the physical world remain the same in the electronic world. A strong protection of Intellectual Property Rights is necessary in the digital environment if one really wants the information society to take off. Indeed, populations will only use the Internet if they are sure to find relevant content online. Creation and dissemination of such content necessitate time, effort, skill and investment, which implies appropriate remuneration for creators and authors.

Without intellectual property rights, authors, publishers and producers would be deprived of any incentives to create and disseminate content.

Therefore, in relation to the concept of “Universal Access”, we find it important to state that "free access to information" cannot and should not mean "free of charge" (Arts. 21 + 22 of the Declaration of Principles).

Besides, it should be clarified that, legally speaking, intellectual property does not aim at protecting an idea as such, but only the expression of it, and the corresponding investment in sweat, time and money.

Why and how to fight piracy?

In general, the Action Plan should clearly indicate that the potential of Intellectual Property Rights can be used for dissemination of information and know-how, and encourage job creation and growth. On the contrary, increased unauthorized copying in the digital age context tends to threaten creativity, promotion of local content and economic activity by destroying jobs locally, depriving governments of tax revenues and feeding international crime. Piracy, particularly in developing and transitional countries, can only undermine the preservation of cultural and linguistic diversity. The action plan should therefore call for copyright awareness and education, high worldwide copyright protection standards (e.g.: WIPO Treaties, TRIPs). In this respect, discussions should be pursued towards a possible framework for the protection of non-original databases. Moreover, international solutions should be sought that ensure the smooth circulation of copyrighted works on networks, taking into account a proper balance among all stakeholders.

The need to promote content

We are calling upon the participants to rank the promotion of content creation as a key principle in itself, including through appropriate cultural policies.

Conclusion

In conclusion, creators such as Gabriel Garcia Marquez, Mira Nair or Angelique Kidjo would have certainly been unable to spread their masterpieces the world over and to enrich local and universal culture without an appropriate remuneration through intellectual property rights, which are a key component to the emergence of the Information Society and eCulture.