



FEDERATION INTERNATIONALE DES ACTEURS
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SECOND STATEMENT BY THE INTERNATIONAL FEDERATION OF ACTORS (FIA)

**« INTERSESSIONAL INTERGOVERNMENTAL MEETING ON
A DEVELOPMENT AGENDA FOR WIPO »**

GENEVA, JUNE 20-22, 2005

The International Federation of Actors speaks for more than one hundred trade unions, guilds and associations of performers around the world. Our members represent hundreds of thousand of actors that we see on television, of dancers that we see on stage, of singers that we hear on the radio and many other professional artists in both developing and developed countries.

Performers need strong copyright protection to continue to contribute to cultural diversity, to the well-being of society at large, to generate revenue for the sector and for their country – indeed few could deny that the entertainment is one of the most successful industries, a powerful vector of new ideas, a passionate tool for democracy and socio-political stability.

We cannot subscribe to the assertion that WIPO has traditionally pursued an inward-looking, self-centered and blind IP policy, much to the detriment of developing and least developed countries. On the contrary, the reality in our view clearly shows that – at least as far as neighbouring rights are concerned – WIPO's norm-setting, which was negotiated and supported by an overwhelming number of countries including by developing and least developed countries, has been an incredible drive for creativity, revenue and development.

Earlier on in this meeting, we mentioned the appalling level of piracy, copyright infringement and disregard for intellectual property, which is literally bringing to its knees what could otherwise be a very successful entertainment industry in, among others, many African, Asian and Eastern European countries. We do not think that this is really in their interest, nor in the interest of the public, not to mention the performers and creators. We rather believe that these countries should ensure - with the help of the international community, WIPO and the private sector - that creators can fully benefit from what we regard as a carefully crafted intellectual property system. In our view, before Development Impact Assessments of existing and future legislation is even considered, member States and WIPO should carefully assess the cultural, social, economic cost and the impact on employment opportunities of such wide-spread and limited implementation of neighbouring right standards in many regions of the world.

FIA represents performers' unions in Argentina Australia Austria Belarus Belgium Bhutan Brazil Bulgaria Burkina Faso Cameroon Canada Chile Colombia Congo (DR) Croatia Cuba Cyprus Czech Republic Denmark Ecuador Estonia Finland France Georgia Germany Ghana Greece Hong Kong Hungary Iceland India Ireland Israel Italy Japan Kazakhstan Kenya Korea Kyrgyzstan Latvia Luxembourg Madagascar Mexico Moldova Morocco Namibia Netherlands New Zealand Nigeria Norway Panama Pakistan Paraguay Peru Poland Portugal Romania Russia Slovakia Slovenia South Africa Spain Sweden Switzerland Turkey Ukraine United Kingdom United States of America Uruguay Venezuela Zambia Zimbabwe

WIPO's norm setting in the field of neighbouring rights has always been driven by the need to foster development, seeking to achieve a reasonable balance between the legitimate interests of creators and those of the public at large. Undermining its ability to continue to do so would bring a terrible prejudice to performers, creators and the industries that rely on their talent to flourish.

Intellectual property is a wide legal field, encompassing trademarks, industrial designs, patents, as well as copyright and neighbouring rights. While we support in principle new initiatives to enhance the efficiency of WIPO's technical assistance to developing and least developed countries, we urge member States not to put all eggs into one basket when it comes to IP norm-setting, to consider how important neighbouring rights have been – and continue to be - to generate income, employment, social stability and cultural diversity and ensure that work in this field can continue to unravel, lacunas can be filled – namely in the audiovisual field - and widely accepted rules can be properly implemented in all countries.