

International Federation of Journalists to WIPO Standing Committee on Copyright etc:



The digital world is a single market

The International Federation of Journalists congratulates the Chair and the Secretariat team for their excellent hard work on this marathon session and wishes the Committee all success in the Performers' Rights negotiation.

The International Federation of Journalists represents more than 600,000 journalists in 134 countries. It defends press freedom and social justice through strong, free and independent trade unions of journalists.

The IFJ recognises the pressure to combat piracy of broadcasters' signals. The IFJ is heartily in favour of people with print disabilities having the access they need at the earliest opportunity. We are in favour of full archiving; and of comprehensive public libraries; and of properly-resourced education for all.

The much-discussed "convergence" of different media into a single digital realm has only just begun; and WIPO must look to the needs of a future which seems to be arriving ever more rapidly. This explains us taking a "holistic approach" in these remarks, if you will forgive us.

In the near future, if things work out properly, the formats for delivery of textual works will be as rigorously structured as any strict librarian could wish. That will mean that one properly-structured digital document will enable visual display at any enlargement, Braille pad output, spoken output, and more. It will be the basis for paper editions – and perhaps for mobile phone editions for those who have only that digital technology.

Before very many years have passed we can expect to see increasingly elegant automatic translation between languages, as well as useful automatic summaries and versions in simplified language. In this connection, the IFJ wonders whether the very broad phrase "any other print disability" in the current draft measure for the benefit of blind people is a pointer to a future in which "having a print disability" includes "living in a *post-literate society*". The IFJ supports the request by delegation of the US for a more specific definition of the beneficiaries.

We are also seeing other kinds of convergence. Libraries are under powerful political pressure to become digital institutions – that is, to become secondary broadcasters and publishers. In some countries there is pressure for schools and universities to be run as profit-making institutions. The boundaries between newspapers and websites and broadcasting are becoming permeable.

Journalists are generally strongly in favour of the existing exception allowing others to use *extracts* of their works reporting current affairs, with credit; these journalists would prefer that member states *shall* implement this in any Broadcasting Treaty.

In general, the IFJ concludes that the digital world is a *single market*. This will require innovative licensing schemes.

WIPO, in the very near future, will have a role to play in ensuring that these schemes embody its mission to "stimulate innovation and contribute to economic development while safeguarding the public interest". That will mean ensuring that such schemes fairly reward, not just the intermediaries who distribute authors' and performers' work – but the actual humans who do the creative work.

Immediately and practically, *if* any new exceptions allowing communication to the public are enacted they must be accompanied by rights of remuneration for the individual authors and performers whose works are thus released into the digital single market without their consent.

Given the imbalance of negotiating power between the individual creators we represent and their intermediaries, we believe the protection of an *inalienable* right is merited.

Geneva, 29/11/2011