Dear

Our organisation, ……., represents …. production companies making and distributing …. Programmes/films for the national and international markets annually. Amongst recent award-winning programmes/films produced by …. members are ..... and …. and ……

We write to express our concern with preparations for the forthcoming World Summit on the Information Society (WSIS), which will be held in Geneva from December 10th to 12th.

As you know, our creative industry is an active stakeholder in the development of information technology and the deployment of the worldwide web for information and entertainment purposes. As such, we find the stated goals of WSIS laudable and associate with the Summit’s ambition to help deliver a more equitable and dynamic framework for access to the benefits of the Information Society the world over and, in particular, amongst the developing countries.

However, as creators, producers and distributors of programmes and films, we are aware that it is our content and not the infrastructures and networks themselves that will ultimately determine the success or failure of WSIS’ generous vision. We are therefore very concerned about both the tone and substance of the Summit’s preparatory meetings and the official drafts of the Declaration of Principles and the Action Plan which will serve as the basis for discussions between Heads of States in Geneva.

The draft Declaration of Principles makes only one passing reference to the role of copyright in the deployment of the information society. The Action Plan also fails to put any emphasis on this aspect of the Summit’s agenda. During prepcoms, some organisations also suggested that copyright served only to foster worldwide inequalities, a statement both misguided and inflammatory.

All countries, regardless of their level of development need to ensure makers of creative content enjoy protection for their work and can receive economic returns from their use. In the absence of such a framework, the considerable financial resources required to develop, produce, advertise and circulate such works will fail to materialise and the ambitious goals of WSIS will remain pious intentions. The outcome will also be a weakening of cultural diversity.

With the first WSIS Summit now fast approaching, we urge the government to adopt a robust position in favour of re-prioritising copyright and content protection as part of the WSIS process. In particular, we ask that the Declaration of Principles and subsequent documents should be unambiguous in recognising that established international copyright protection standards, which have been adapted for the electronic environment, already provide the requisite balance between public interest and the need of content creators for adequate protection. The standards include WIPO’s Copyright Treaty (WCT) and Performances and Phonograms Treaty (WPPT treaties), the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement and the European Union’s Copyright directive.

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