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Delegations will find in the Annex, for information, a set of statements made at the above-mentioned WIPO meeting on behalf of the European Union and its Member States.

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Statement by the European Union and its Member States

24th Session of WIPO Standing Committee on Copyright and Related Rights

(Geneva, 16 July – 25 July, 2012)

Opening Statement

Mr Chairman,

The European Union and its Member States would like to start by thanking the WIPO Secretariat and the WIPO Member States for the very constructive consultations and hard work during the successful reconvening of the Diplomatic Conference on the Protection of Audiovisual Performances which took place in Beijing, China, last month. In this respect we would especially like to thank China for facilitating the conference and its successful outcome. The European Union and its Member States find that this agreement is a very important step with regard to the international copyright framework. The EU and its MS remain committed to taking part in future work on the basis of transparent and inclusive working methods that have always been a feature of the functioning of this Organization.

The European Union and its Member States would like to thank you and the WIPO Secretariat for the work carried out to prepare this Twenty-Fourth Session of the Standing Committee. We hope that participants will be able to agree to a constructive way forward on all the issues on the agenda for these eight days.

As regards to the issues on the agenda of the SCCR 24 we find that all of these issues are important to the European Union and its Member States. At the beginning of the week, we are looking forward to having a fruitful discussion, in line with the conclusions of the SCCR 21, on limitations and exceptions for Educational and Research institutions and to having an exchange of views on the national experiences in this area. Later this week we will participate constructively in the debate that we started at the last session in this Committee on limitations and exceptions for Libraries and Archives. Based on this debate The European Union and its Member States have submitted a document which clarifies some of exceptions and limitations that exist in European legislation.

The European Union and its Member States also come ready to achieve further convergence in our discussions on a possible international instrument on exceptions and limitations for the visually impaired. The European Union and its Member States have appreciated the opportunity for informal consultations with delegations from other countries and believe that there is a much better understanding now of the key issues we need to address in order to progress in our discussions.

Finally, the European Union and its Member States look forward to making progress on the file on the protection of Broadcasting Organizations. A WIPO treaty on this matter remains a high priority for the European Union and its Member States.

Mr Chairman, you can count on our willingness and commitment to work constructively throughout this session.

Thank you.

Statement by the European Union and its Member States

24th Session of WIPO Standing Committee on Copyright and Related Rights

(Geneva, 16 July – 25 July, 2012)

Agenda item: 5

Limitations and exceptions: educational and research institutions

Educational and Research institutions play an important role in our society with regard to dissemination of knowledge, culture and information. Furthermore these institutions are essential for the globalised economy and vital to permit the full exercise of fundamental freedoms, such as the right to education.

The European Union and its Member States find it important that the copyright framework enables these institutions to fulfil these roles both in the analogue and digital world. Thus, the European Union and its Member States are ready to debate and have an exchange of views on this file and to have an exchange of views on the national experiences in this area.

In the European legislation there is a range of possibilities for the Member States to establish exceptions to copyright and related rights in national law for the benefit of educational establishments and for teaching purposes or scientific research. The framework for these exceptions and limitations is largely provided by Directive 2001/29/EC on the harmonisation of certain aspects of copyright and related rights in the information society. The exceptions all have an optional character and allow for a degree of flexibility which is particularly important in view of the different legal systems and traditions of the 27 Member States. Moreover, licensing also plays an important role, either alongside the application of an exception or instead of the application of exceptions.

The European Union and its Member States look forward to discussing limitations and exceptions for educational establishments, teaching purposes and scientific research and the systems in which these limitations and exceptions function in Europe and in the rest of the world and how they are used in practice.

Thank you.

Statement by the European Union and its Member States

24th Session of WIPO Standing Committee on Copyright and Related Rights

(Geneva, 16 July – 25 July, 2012)

Agenda item: 6

Limitations and exceptions for visually impaired persons

Mr Chairman,

The European Union and its Member States would like to thank you and the WIPO Secretariat for the work on exceptions and limitations for visually impaired persons.

Mr Chairman, in the last 12 months we have made considerable progress to find a solution to this very specific problem with a very specific objective - to remove barriers which prevent the access of the visually impaired persons to books in accessible formats and to help, in a secure manner, the cross border distribution of such special formats. The European Union and its Member States find it important to make further progress and thus find solutions on this high priority file.

At the last session in this Committee we had fruitful discussions on a new proposal for an international instrument on limitations and exceptions for persons with print disabilities prepared and tabled by the Chair. Based on the comments made by delegations and Regional Groups during the debate and the following drafting exercise the Secretariat prepared the working document SCCR/23/7. We believe that this document is an important contribution to the future work.

In between sessions of the SCCR the European Union and its Member States have participated in informal consultations with delegations from other Regional Groups. These consultations have been joined by an increasing number of Member States and the European Union and its Member States welcome this widening of consultations. We have found these consultations very useful and look forward to continuing the discussions and contributing in a constructive manner.

The European Union and its Member States consider that the way to make further progress on this file is to continue working on a solid text that enhances the availability of works in accessible formats to visually impaired persons, while being mindful of the need to have effective protection of the rights of creators. The European Union and its Member States are ready to achieve further convergence in our discussions and believe such an effective, balanced and flexible text should be within reach.

Thank you.

Statement by the European Union and its Member States

24th Session of WIPO Standing Committee on Copyright and Related Rights

(Geneva, 16 July – 25 July, 2012)

Agenda item: 8

**Contribution of the Standing Committee on Copyright and Related Rights (SCCR)
to the Implementation of the Respective Development Agenda Recommendations**

Mr. Chairman,

The European Union and its Member States note that some recommendations of the Development Agenda are relevant to the SCCR, in particular Recommendation 15, which mentions inter alia "taking into consideration a balance between costs and benefits" for norm-setting activities. Such an approach is particularly relevant when discussing anew topics for which instruments in whatever form are envisaged, like limitations and exceptions for libraries and archives or limitations and exceptions for educational and research institutions. Taking into account also the different levels of development, the committee should carefully look into the socio-economic dimension and potential impact of such possible instruments.

The EU and its MS are satisfied of the progress made in this committee in the past year, first and foremost the conclusion and adoption of the Beijing Treaty on the protection of audiovisual performances. Important tasks remain ahead of us, including as regards VIP and broadcasters.

This Committee should strive in the future to adopt a balanced and inclusive work program. In this respect, the EU and its Member States stand ready to make concrete and constructive proposals.

I thank you Mr. Chairman.

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