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STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

Third Session
Geneva, November 16 to 20, 1999

AGENDA ITEM 4: PROTECTION OF DATABASES;
PROTECTION OF THE RIGHTS OF BROADCASTING ORGANIZATIONS

STATEMENT ADOPTED AT THE REGIONAL ROUNDTABLE FOR COUNTRIES OF
ASIA AND THE PACIFIC ON THE PROTECTION OF DATABASES AND ON THE
PROTECTION OF THE RIGHTS OF BROADCASTING ORGANIZATIONS,
HELD IN MANILA, FROM JUNE 29 TO JULY 1, 1999

*submitted by Bangladesh, China, Fiji, India, Indonesia, Mongolia, Pakistan, Philippines,
Singapore, Sri Lanka, Thailand and Viet Nam**

* Received on August 27, 1999.

STATEMENT ADOPTED AT THE REGIONAL ROUNDTABLE FOR COUNTRIES OF ASIA AND THE PACIFIC ON THE PROTECTION OF DATABASES AND ON THE PROTECTION OF THE RIGHTS OF BROADCASTING ORGANIZATIONS, JUNE 29 TO JULY 1, 1999

1. The Regional Roundtable for Countries of Asia and the Pacific on the Protection of Databases and on the Protection of the Rights of Broadcasting Organizations was held in Manila, Philippines, from June 29 to July 1, 1999.
2. The Regional Roundtable served as a venue for participating countries to discuss and consult on issues relating to updating the rights for broadcasting organizations and the question of the protection of databases.
3. The following countries were represented at the Roundtable: Bangladesh, China, Fiji, India, Indonesia, Mongolia, Pakistan, Philippines, Singapore, Sri Lanka, Thailand and Viet Nam.
4. A representative of Australia and one from the Japan Electronic Industry Development Association (JEIDA), an international non-governmental organization, took part in the Roundtable as observers. About 53 Filipino participants from relevant government agencies and private sector attended and participated in the discussions.
5. International experts invited by WIPO presented the various issues relating to the rights of broadcasting organizations and the protection of databases. The issues presented inspired an active and wide-ranging exchange of views among the representatives of participating countries. Following extensive discussions and consultations, the government representatives present adopted the following statement:

I. PROTECTION OF THE RIGHTS OF BROADCASTING ORGANIZATIONS

6. The countries present agreed that there was a need to study the possibility of updating the rights of broadcasting organizations, taking into account the technological changes that have occurred between the adoption of the Rome Convention in 1961 up to the present. In any such study, it is important to strike a balance between the interests of the different stakeholders (i.e. the big and small broadcasting organizations, the authors, the performers, the producers and the public). At the same time, the interests of the developing and least developed countries should be a primary concern. In this context, the special circumstances of least developed countries should be kept in mind.
7. It was also stressed that there should be no derogation from the rights and obligations conferred under other international treaties/agreements.
8. It was the consensus that discussions of the rights of broadcasting organizations should continue, taking into account concrete proposals received by the WIPO Standing Committee on Copyright and Related Rights.

II. PROTECTION OF DATABASES

9. With regard to the protection of databases, it was the consensus that the need for additional protection whether at the national, regional or international level had not been established at this point. A variety of concerns were raised including those relating to scientific and educational fields and as to whether protection should extend to data in the public domain. It was, therefore, felt that more information is needed with respect to the conferment of protection to databases. In this connection, the participating countries look forward to the study to be commissioned by WIPO on the economic impact of the protection of databases on developing countries with special emphasis on the impact on least developed countries.

10. The participants thanked the host country for the excellent arrangements made for the conduct of the Regional Roundtable and in providing assistance in the drafting of the Statement. The participants likewise expressed their appreciation to the WIPO for organizing the Regional Roundtable.

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