

Diplomatic Conference on the Protection of Audiovisual Performances

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The WIPO Diplomatic Conference on the Protection of Audiovisual Performances took place in Geneva, from 7 to 20 December 2000. The participants at the Conference considered a number of different proposals for the substantive provisions of a legal instrument on the Protection of Audiovisual Performances, but the divergence between the United States of America and Member States of the European Union concerning the right of transfer, (namely the question of whether the producers will acquire the performers' rights by law or agreement) could not be reconciled.

The Diplomatic Conference concluded with a provisional agreement on 19 articles under the title "WIPO Audiovisual Performances Treaty". The Provisional agreement covers: national treatment, moral rights and economic rights including the right of reproduction, the right of distribution, the right of rental and the right of broadcasting and communication to the public. On the one hand the protection of audiovisual performances which was not part of WPPT (see IRIS 2000-2: 15) would now be provided and on the other hand, the rights of performers which are already protected by WPPT would be enhanced by the provisional text.

In order to reach an agreement on the outstanding issues, it has been recommended that the WIPO Member States, which will meet in September 2001, should reconvene the Diplomatic Conference.

List of documents concerning the Diplomatic Conference on the Protection of Audiovisual Performances

<http://www.wipo.org/eng/document/iavp/index.htm>

WIPO Press Release PR/2000/251. Geneva, December 20, 2000. Available at:

<http://www.wipo.org/pressroom/en/releases/2000/p251.htm>

