

WIPO Diplomatic Conference on the Protection of Audiovisual Performances

Beijing, China – June 20-26, 2012

Opening statement by the International Federation of Actors (FIA)

Thank you Mr. President for giving the floor to the International Federation of Actors. As this is the first time we have addressed this Diplomatic Conference, may we congratulate you as well as your Vice Chairs, Main Committee I and II, Credential and Drafting Committees' Chairs and Vice Chairs on your respective elections. It is abundantly clear that your skilful leadership is guiding us collectively to a very successful outcome.

My name is Simon Burke, I am an actor and President of Actors Equity Australia, but today I am speaking on behalf of the almost one hundred unions, guilds and professional associations in more than 75 countries around the world that make up our federation. I'm representing the audio-visual performers whose names you see in the credits of every film and television production. All kinds of performers from big marquee names to the hundreds of thousands of other artists who have one thing in common: the great gift and special talent to bring stories alive – stories for each and every one of you and billions more around the world to enjoy. We do this as part of the audiovisual industry, helping to employ millions of people and to share the immense variety of our cultures.

It is fair to say that without performers, there would be little or no audiovisual content – apart from a few wildebeests on National Geographic Channel. And yet, in the 21st century, audiovisual performers are still denied intellectual property rights at the international level and have very little to bargain with in too many countries around the world. In this era of media convergence, it is only right to put an end to this anachronism and provide protection to all performers. The time has come to grant us proper recognition, a better future, and to make history by adopting a WIPO audiovisual performances treaty.

As my performer colleagues from around the world so eloquently reminded us yesterday morning, this treaty is for all audiovisual performers, regardless of nationality, language, medium or celebrity. It will protect artists whose work inspires us, even as they struggle to make a living for themselves and their families. And it will do so whilst providing a framework for the development of the audiovisual industry around the world.

We would like to express our appreciation for the extraordinary progress made so swiftly by Main Committee I earlier today – namely the approval of the 20 draft articles of this treaty. The twelve-year impasse on the thorny issue of the transfer of rights is now behind us, thanks to a remarkable collective effort by performers and producers and many committed governments and it seems that we are effectively bringing to an end the longest coffee break in WIPO history.

We now urge the WIPO member States to add the finishing touches to the treaty, in a way that is most consistent with existing WIPO treaties in this field. While seeking to clarify legitimate concerns, the last Agreed Statements and Preambular provision must honour the delicate balance that was so carefully achieved on the 20 substantive articles of this treaty that have just been approved.

We are so, so unbelievably close to a truly historic achievement, which would allow all performers to enjoy meaningful benefits from a combination of economic and moral rights.

The time is now. We look forward to the successful conclusion of this Diplomatic Conference and the momentous occasion of witnessing the birth of this Beijing Treaty.

Thank you.

*Beijing, China
June 21, 2012*