



• **ABU**

ASIA-PACIFIC BROADCASTING UNION
- Kuala Lumpur, Malaysia

• **ASBU**

ARAB STATES BROADCASTING UNION
- Tunis, Tunisia

• **AUB**

AFRICAN UNION OF BROADCASTING
- Dakar, Senegal

• **CBU**

CARIBBEAN BROADCASTING UNION
- St. Michael, Barbados

• **EBU**

EUROPEAN BROADCASTING UNION
- Geneva, Switzerland

• **IAB**

INTERNATIONAL ASSOCIATION OF
BROADCASTING
- Montevideo, Uruguay

• **NABA**

NORTH AMERICAN
BROADCASTERS ASSOCIATION
- Toronto, Canada

Non-WBU member also in support
of this statement

• **ACT**

ASSOCIATION OF COMMERCIAL
TELEVISION AND VIDEO ON DEMAND
SERVICES IN EUROPE
- Brussels, Belgium

WIPO Secretariat
Copyright Unit
By email copyright.mail@wipo.int

Dear Madam/Sir,

The WBU represents broadcasting organizations from all regions of the world. This comment supplements our statement issued before SCCR 42 and oral interventions of WBU members during the SCCR meeting.

The WBU members are pleased with the progress made at the SCCR on the Broadcasting Treaty text and look forward to the revised version. Particularly in the context of a hybrid meeting, the presentation of the text, and explanation through question and answers and the constructive interventions, illustrates the deep interest of member states in concluding a treaty. There is regret for the missed opportunity of a second meeting this year to accelerate the progress on this matter, and we would welcome any reconsideration of this point.

The WBU members support the text presented in SCCR 42/3 as the basis for ongoing work. This approach, with options for implementation, provides the basis for consensus by updating protection of broadcast signals while respecting differences in national copyright law.

As regards Limitations and Exceptions, the WBU supports Article 10 as drafted. It is appropriately consistent with the provisions in modern WIPO treaties, including the WIPO Performances and Phonograms Treaty (WPPT) which like the Broadcasting Treaty is an update of the Rome Convention, as well as with the WIPO Copyright Treaty (WCT) and the Beijing Treaty on Audiovisual Performances. The core aspect of different proposals on Article 10 relate to access to content. The Broadcasting Treaty is about access to the broadcast signals, not content. This principle, which has underpinned all negotiations on the treaty since they began, is set out in the preamble to the current text which prescribes that updating broadcast signal protection be achieved *without compromising copyright in works and related rights in other protected subject matter incorporated in the programme-carrying signals, as well as the need for broadcasting organizations to acknowledge these rights.*

Limitations and Exceptions is an important issue for many Member States and as such it is prominently on the agenda of the SCCR as a separate matter, to be discussed in a broader, cross cutting context that is necessary, with participation of all rights owners and other stakeholders.

The WBU looks forward to continuing to work with the Committee on the Broadcasting Treaty and would be pleased to lend its assistance and expertise as broadcasters to support the Committee.