

European Broadcasters common position paper on the Third Revised Draft Text of the WIPO Broadcasting Organizations Treaty

European broadcasters, through the Association of Commercial Television and Video on Demand Services in Europe (ACT), the Association of European Radios (AER) and the European Broadcasting Union (EBU), which represent both commercial and public service broadcasters (radio and television) as well as video-on-services operators, greatly support the work of the World Intellectual Property Organization (WIPO) and the WIPO Standing Committee on Copyright and Related Rights (SCCR) in view of adopting a WIPO Broadcasting Organizations Treaty.

Protecting broadcasting organizations from illegitimate actors has never been more important: global piracy significantly undermines the commercial value and exploitation of live and premium content. This content is a core pillar of broadcasters' programmes, so they must be able to act quickly and efficiently to fight piracy worldwide.

The adoption of a WIPO Broadcasting Organizations Treaty would harmonise the protection granted to broadcasting organizations by setting minimum standards internationally. It would be an effective anti-piracy instrument to protect programme-carrying signals on a global scale.

The Third Revised Draft Text of the WIPO Broadcasting Organizations Treaty (SCCR/44/3) is a balanced instrument aimed at protecting the programme-carrying signal. The amendments made to the text have enhanced overall the level of protection and ensure the correct implementation of the Treaty obligations, independently of the means of protection adopted at the domestic level.

The ACT, the AER and the EBU are of the opinion that the Third Revised Draft Text of the WIPO Broadcasting Organizations Treaty covers the principles necessary for the legal protection of programme-carrying signals; and, therefore, represents an adequate basis for finalising the text of the WIPO Broadcasting Organizations Treaty in view of convening a Diplomatic Conference for the adoption of said Treaty.

In this context, they call upon WIPO Member States (i) to reach a consensus on key outstanding issues, and (ii) to recommend the WIPO General Assembly to convene a Diplomatic Conference for the adoption of the WIPO Broadcasting Organizations Treaty.

Contacts:

Association of Commercial Television and Video on Demand Services in Europe (ACT)

Miruna Herovanu

Director

mh@acte.be

Association of European Radios (AER)

Francesca Fabbri

Director

francesca.fabbri@aereurope.org

European Broadcasting Union (EBU)

Michele Evangelista

Senior IP Counsel

evangelista@ebu.ch

Vincent Sneed

Senior EU Policy Adviser

sneed@ebu.ch