



IFLA Statement on the Protection of Broadcasting Signals

23 July 2012

Thank you, Madame Chair. I am speaking on behalf of the International Federation of Library Associations and Institutions (IFLA), Electronic Information for Libraries and the Library Copyright Alliance (LCA).

We continue to believe that there is no compelling public policy reason for an international instrument on the protection of broadcasting signals. Enforcement measures under existing laws and treaties adequately protect against the piracy of broadcast signals. We are concerned that an additional layer of rights in this area distorts the balance between adequate rights for creators of content, and fundamental rights of libraries, archives, the visually impaired and people with print disabilities, and educational institutions to make use of and provide access to content, that we are discussing during this meeting.

Nevertheless, since discussions are continuing, we wish to raise our concerns again regarding protection of re-broadcasts. We note that Article 3 of South Africa and Mexico's updated proposals in SCCR/24/5 indicates that mere retransmissions of broadcast signals are not covered. We maintain that the scope of application of any treaty should explicitly state that protection of broadcast signals extends only to the first transmission of content. Otherwise, broadcast organizations may re-new protection over a work simply by re-broadcasting it. In this way broadcasting organisations may acquire control of works that outlasts the protection given to authors and performing artists. Libraries have practical experience of this problem. At the SCCR/23 we have given an example of this.

Furthermore we urge that a specific provision be made to ensure that any protection for broadcast signals is not allowed to undermine copyright limitations and exceptions.

We have heard the Committee talk about a treaty for protection of broadcasting signals for over 10 years, yet discussions on an instrument ensuring access to works for the world's visually impaired and print disabled people began over 30 years ago at WIPO. It is now 2012, and agreement on an instrument ensuring access to copyright works for the world's blind is very close. We urge the Committee to make it the priority of this meeting to present a recommendation for a diplomatic conference in 2013 on a treaty for visually impaired and print disabled people to the General Assembly this year.

Libraries are committed to ensuring equal access to the world's information and culture for all users, including the provision of essential services to blind people to facilitate access to information. We understand that this session's focus should be to progress the instrument for the blind and visually impaired, diverting time from discussions on libraries and archives. However, we hope and fully expect that the Committee will safeguard substantive time to discuss exceptions for libraries and archives at SCCR 25.

Ellen Broad, CLM committee member