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| To:             | Delegations  |
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Delegations will find in the Annex the final EU/Member States statements delivered at the above-mentioned WIPO meeting.

**48th session of the WIPO Standing Committee on Copyright and Related Rights (SCCR)  
(18–22 May 2026)**

**Protection of broadcasting organisations**

**Agenda Item 4**

Chair,

1. The Treaty for the Protection of Broadcasting Organisations remains a priority and continues to be of importance to the European Union and its Member States. Following the mandate given by the 2019 WIPO General Assembly to continue working towards convening a diplomatic conference, subject to certain conditions, we maintain our commitment to progressing towards the conclusion of a worthwhile Treaty ensuring effective protection of broadcasting organisations against signal piracy and responding to the technological realities of the 21<sup>st</sup> century.
2. We are thankful for the work done by the SCCR Chair, the Vice-Chairs and the facilitators in reviewing the text of the draft Treaty following the comments raised during the last SCCR session. We attach great importance to adequate rights to be granted, which would allow the necessary protection for broadcasting organisations against acts of piracy, whether they occur simultaneously with the protected transmissions or after these transmissions have taken place. In the context of the flexibility provided by the draft Treaty, which allows Contracting Member States to grant protection through alternative means to exclusive rights, it is important for the European Union and its Member States that the Treaty ensures legal certainty and effectiveness in preventing the unauthorised uses of the broadcasting organisations signals.
3. We believe that technical discussions can contribute to address the remaining questions and to ensure legal certainty, fairness and balance in the application of the Treaty, in particular due to the diverse means that Contracting Parties may use to grant protection against signal piracy. While further technical clarifications are needed, the EU and its Member States consider that this should not prevent progress towards concluding a Treaty that would help broadcasting organisations to fight against piracy of their signals at international level.

Thank you.

## **Limitations and exceptions for libraries and archives (Agenda Item 5) and**

### **Limitations and exceptions for educational and research institutions and for persons with other disabilities (Agenda Item 6)**

Chair,

1. The European Union and its Member States remain committed to a constructive discussion on Limitations and Exceptions. We strongly believe that libraries, archives, and museums play a crucial role in the dissemination of knowledge, information, and culture, along with the preservation of our history. We also attach importance to supporting educational and research institutions and people with disabilities, both in the analogue and digital worlds, within the existing international copyright framework.
2. As indicated in the past, we support an approach that focuses on the way in which limitations and exceptions can function efficiently within the framework of existing international treaties, while being mindful of the important role that licensing plays in many WIPO Member States. Full consideration should be given to the solutions already available to WIPO Member States under the current international framework.
3. In relation to the proposal by the African Group on Limitations and Exceptions (document SCCR/47/5), we would like to reiterate, as consistently expressed in the past, that the EU and its Member States cannot support work towards legally binding instruments at international level or any preparations in this regard. Nevertheless, we stand ready to engage constructively with the African Group and other delegations, mainly under the Work Program, to reflect further on other possible non-binding instruments that include objectives and principles as well as ways by which WIPO can best help to provide guidance and assistance to WIPO Member States to address the problems faced by cultural heritage, education and research institutions and people with disabilities, including through the introduction of meaningful and specific exceptions and limitations in the respective national laws.

4. We believe that the updated version of the “Objectives and Principles for Exceptions and Limitations for Libraries and Archives” and “Objectives and Principles for Exceptions and Limitations for Educational, Teaching, and Research Institutions” proposed by the United States can be useful to complement the discussion on objectives, principles and options. We stand ready to engage on the specific elements of these documents with other delegations, and more generally, on the type of uses, beneficiaries and conditions needed in relation to specific exceptions.
5. We thank the Secretariat and the experts for the new version of the Toolkit on access to copyrighted works in the collections of cultural heritage institutions (SCCR 48/5). We have shared several comments on the first version of the toolkit which in our opinion were not fully taken into account. Therefore, we will study the new document with great care and would be happy to share our new comments at a later stage.

Thank you.

**Additional statements delivered after the presentation of the Toolkit on access to copyrighted works in the collections of cultural heritage institutions (SCCR 48/5):**

6. We would like to thank the experts for their presentation as well as the work they invested in this new version of the Toolkit. We believe that this toolkit provides useful information to WIPO members on how to facilitate access to works held by CHIs.
7. As we indicated in our general statement, we have submitted several comments to the previous draft, many of them appear in the new text, however some of them were not or not fully taken into account. Without going into the details at this time, these comments were related to: certain specific aspects of the application of the three-step-test where we think that some further clarifications could be added throughout the document in order to properly reflect this important aspect when drafting national exceptions in line with the international legal framework. We also think that a better clarification should be made between the purpose of preservation activities of CHIs and them providing access.
8. We have always emphasized the importance of licensing, which should not be presented only as a risk mitigation technique but as means to provide access to protected works in full legal certainty. I would also like to point out that we offered also some more technical comments to the part on drafting an example statute. Thank you.

## **Other matters:**

### **Copyright in the Digital Environment**

#### **Agenda Item 7 (first indent)**

Chair,

1. The European Union and its Member States acknowledge the importance of exchanging views at SCCR sessions on the issue of copyright in the digital environment.
2. Generative AI and its relation to copyright is an emerging and very important topic which requires a proper understanding of the relevant and constantly evolving technological and market related aspects. Therefore, we welcomed the discussion that took place during the fourth Information Session on Copyright and generative AI. It is helpful that WIPO already provides a global forum to discuss the issues raised by generative AI with regard to copyright law and allows an exchange of information on this topic by Member States. We welcome that this Committee has agreed at its last session in December to launch a study on policy or regulatory approaches to the relationship between AI training and copyright and we are looking forward for the results.
3. We take note of document SCCR 43/7 which proposes to include “Copyright in the Digital Environment” in the standing agenda of the SCCR. We consider that achieving tangible progress on the two current standing agenda items - the draft Broadcasting Treaty and exceptions and limitations - should be the priority for this Committee. We would also like to point out that the EU’s long-standing position has been to support the Proposal from Senegal and Congo to add the artists’ resale right to the main agenda of the SCCR.
4. The European Union and its Member States stand ready to continue to engage with the GRULAC group on the revised “Draft Work Plan for Copyright in the Digital Environment” (SCCR 47/7). We are ready to further discuss the activities, in particular the studies proposed under this work plan, focusing on those which either complement the exchanges of information we had at the past few SCCRs with regard to copyright and generative AI or can contribute to further analyse some of the challenges faced by creators in the digital environment and the practices developed at national and regional level to address these challenges.

5. We take note of the new document (SCCR 48/4) from the delegation of Indonesia which complements their proposal SCCR 47/6. This new document is useful to better understand the objectives and the scope of the proposal which touches upon collective rights management in the digital environment. We need more time to study this proposal more thoroughly.

Thank you.

**Other matters:**

**Proposal from Senegal and Congo to include the Resale Right (*droit de suite*)  
in the Agenda of Future work by the SCCR**

**Agenda Item 7 (second indent)**

Chair,

1. The EU attaches great importance to the resale right, which is a helpful incentive for authors of original works of art. The resale right has formed part of the EU legal framework for more than two decades and there is dedicated legislation applicable.
2. The European Union and its Member States thank the delegations of Senegal and Congo for their proposal, and we support including the resale right (*droit de suite*) in the agenda, should the agenda be expanded to cover additional standing items in the future.
3. Against this background, and with regard to the ongoing process of internationalisation of the modern and contemporary art market, we welcome the recent activities carried out under this agenda item, including the regional conference organised since the last SCCR, and we continue to give our strong support for a constructive and forward-looking discussion and activities on the resale right both at the SCCR and among delegations and relevant stakeholders in order to promote this right to interested WIPO members.

Thank you.

**Proposal for a Study on the Rights of Audiovisual Performers and their payment mechanisms for the Exploitation of their performances**

**Agenda Item 7 (third indent)**

We would like to thank the African Group for their proposal SCCR 47/4 “Proposal for a Study on the Rights of Audiovisual Performers and their payment mechanisms for the Exploitation of their performances” which we are ready to support.

## **Proposal for Study on Copyright Protection of Technical Standards**

### **Agenda Item 7 (fourth indent)**

We would like to thank the delegation of Canada for their proposal SCCR/46/4/REV. We are interested in a purely factual, comparative and empirical WIPO study on this topic that could contribute to a better understanding of the different national approaches. We had suggested specific amendments to the proposal which have been accepted by the delegation of Canada and therefore we support the proposal.

**Proposal for a Study on the Impact of the Creative Industries on the Economic Growth of  
Member States**

**Proposal for a Study on Types of Business Models and Economic Opportunities Created by  
and Through the Implementation of Technological Protection Measures (TPMs)**

**Agenda Item 7 (fifth indent)**

We would like to thank the delegation of the United States for tabling these two proposals for studies included in documents SCCR 47/11 and SCCR 47/12. Both topics are interesting, and we stand ready to discuss these proposals with the United States and other delegations. We have a particular interest in the study proposal on Technological Protection Measures which could be launched first once delegations agreed. We are ready to submit some suggestions to better define its specific scope.

**Strengthening the Protection of Theatre Directors' Rights**

We take note of the suggestions from other delegations on this agenda item. At this stage we are not able to support this proposal and we need more time to discuss them.

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