

Legal Guidelines & Recommendations for AI in Broadcasting For ABU Members

Prepared by: ABU Legal Division

Executive Summary

Artificial Intelligence (AI) is transforming the broadcasting landscape, enabling automated content creation, personalized audience experiences, and operational efficiencies. However, these opportunities come with significant legal, ethical, and compliance risks, particularly around intellectual property, data privacy, liability, and regulatory compliance.

This document provides in-depth legal guidelines and practical recommendations for ABU members to implement AI responsibly, ensure compliance with regional and international laws, and maintain public trust. It draws on current AI legislation, IP frameworks, and ethical standards, providing a roadmap for broadcasters across the Asia-Pacific region.

Introduction

Broadcasting organizations increasingly adopt AI for tasks such as:

- Automated content generation (scripts, news summaries, subtitles)
- Personalized content recommendations
- Audience analytics and predictive programming
- Deepfake detection and fact-checking

While these applications drive efficiency and innovation, AI introduces complex legal questions:

1. Who owns AI-generated content?
2. How do privacy laws apply to AI training data?
3. How can broadcasters mitigate liability for AI errors?

4. What ethical obligations govern algorithmic decision-making?

These guidelines aim to bridge technology and law, empowering ABU members to deploy AI responsibly while reducing legal and reputational risks.

Key Legal Considerations

3.1 Intellectual Property (IP)

Challenges:

- AI-generated content may not have a human author, raising questions about copyright eligibility.
- AI tools may inadvertently reproduce copyrighted material.
- Licensing terms of AI platforms vary, and unclear contracts can create disputes.

Recommendations:

1. Ownership Agreements – Clarify in contracts whether IP rights of AI-generated content belong to the broadcaster, AI vendor, or content creator.
2. Copyright Compliance – Implement monitoring to prevent unauthorized use of third-party material. Consider tools for AI-assisted copyright screening.
3. Licensing Terms Review – Negotiate explicit commercial rights for AI tools, including sublicensing and derivative content use.

Example:

A broadcaster using an AI script generator must ensure that AI outputs do not contain substantial portions copied from third-party news content, and contracts with the AI vendor should specify that generated scripts are fully owned by the broadcaster.

3.2 Data Privacy and Protection

Challenges:

- AI relies heavily on large datasets, often containing personal information.
- Cross-border broadcasting raises data transfer compliance issues.
- Non-compliance can result in fines and reputational damage.

Recommendations:

1. Privacy Impact Assessments – Conduct regular assessments of AI systems that process personal data.
2. Consent Management – Ensure audience data collection complies with laws like [GDPR \(EU\)](#), [PDPA](#), and other local frameworks.
3. Data Minimization – Limit collection and storage of personal data to what is strictly necessary.
4. Cross-Border Transfer Protocols – Use Standard Contractual Clauses (SCCs) or equivalent safeguards when transferring data internationally.

Example:

If an AI recommendation engine personalizes video suggestions for viewers in multiple countries, broadcasters must track consent per jurisdiction and ensure algorithmic processing complies with local privacy laws.

3.3 Content Accuracy & Liability

Challenges:

- AI-generated content can be factually incorrect or misleading.
- Liability remains with broadcasters for defamatory or harmful content.
- Deepfake and synthetic media use poses serious ethical and legal concerns.

Recommendations:

1. Fact-Checking Protocols – Implement human-in-the-loop verification for all AI-generated outputs.
2. Transparency & Disclaimers – Clearly disclose AI involvement in content creation.
3. Legal Risk Management – Establish internal review processes to assess potential liability before publication.

Example:

A news broadcaster using AI to summarize international news must have editors review AI summaries to prevent factual errors that could lead to defamation claims.

3.4 Ethical & Regulatory Compliance

Challenges:

- AI algorithms may reflect or amplify biases.

- Regulatory frameworks are evolving; failure to comply may result in penalties.
- Ethical obligations include fairness, accountability, and transparency.

Recommendations:

1. Bias Audits – Regularly evaluate AI outputs for discriminatory patterns or unintended bias.
2. Regulatory Awareness – Stay updated on AI legislation, such as Singapore’s Model AI Governance Framework, Japan’s AI framework, EU AI Act, and local broadcasting laws.
3. Internal Governance – Establish an AI oversight committee with cross-functional representation (legal, editorial, IT).

Example:

AI tools for audience segmentation should be audited to ensure no demographic group is unfairly excluded from recommended content.

AI-Specific Copyright Principles for Broadcasters

To ensure AI systems respect broadcasters’ content and maintain public trust, ABU recommends adherence to four core principles:

a. Respect for the Opt-Out

Broadcasters may reserve exclusive rights to their content. AI systems must seek prior authorization before using such content, ensuring that exploitation aligns with the broadcaster’s policy and strategy.

b. Transparency

AI providers should disclose which copyright-protected content is used for training. Transparency allows broadcasters to verify lawful use and supports collaborative relationships.

c. Attribution

AI outputs derived from broadcaster content should credit the original source. Proper attribution preserves the broadcaster’s reputation and maintains public trust.

d. Fair Remuneration

AI systems using broadcaster content must provide fair compensation proportionate to the value of the content and any proceeds derived. This ensures that high-quality, trusted content is appropriately recognized and rewarded.

Practical Guidelines for ABU Members

Guideline	Implementation Steps	Expected Outcome
Develop AI Legal Compliance Framework	Conduct legal risk assessments, draft AI vendor contracts with clear IP and liability clauses	Reduced legal exposure
Train Staff on AI Risks	Workshops on copyright, privacy, and ethical AI	Increased awareness, fewer inadvertent violations
Monitor & Audit AI Systems	Regular audits for IP compliance, bias, and data protection	Continuous compliance assurance
Collaborate with Regulators & Industry	Participate in AI regulatory discussions, share best practices	Strengthened ABU leadership and influence
Transparency with Audiences	Label AI-generated content, provide disclaimers	Maintains audience trust and credibility

Implementation Roadmap

1. 0–1 Month:

- o Conduct internal AI inventory (tools, workflows).
- o Identify high-risk AI applications (content generation, audience profiling).

2. 1–3 Months:

- o Draft vendor contracts with IP and liability clauses.
- o Conduct privacy and data compliance assessments.

3. 3–6 Months:

- o Establish AI oversight committee.
- o Implement fact-checking and auditing procedures.

- o Begin staff training sessions.

4. **6–12 Months:**

- o Publish internal AI legal guidelines.
- o Share ABU best practices with members and regulators.
- o Review and update AI compliance framework annually.

Conclusion

AI presents unprecedented opportunities for broadcasters but also introduces complex legal and ethical challenges. ABU members who adopt these guidelines will:

- Minimize legal and reputational risks
- Enhance compliance with regional and international standards
- Demonstrate leadership in responsible AI adoption

By bridging technology, law, and ethics, ABU members can fully leverage AI while maintaining public trust and regulatory integrity.