



## Country Report - MOLDOVA

Annual report to the IFLA CLM committee

Singapore 2013

This report is a short account of the activities of the Committee on Legal Matters and Copyright issues from the Library Association from Moldova and branch of eIFL IP program from Moldova.

### **New legislation**

During 2012-2013 no new legislative action related to copyright was taken by the Moldovan Parliament.

### **Proposed legislation**

Revisions dated in 2011 to the Law No. 139 on copyright and related rights were proposed to be amended and supplemented, in the major following directions:

- calculation the amount of remuneration for exploitation copyrighted works and amount of remuneration of private copy and reprographic reproduction;
- modification of the mechanism used to ensure rights in the online environment, taking into account the technical possibilities, not to prejudice any rights to any of the parties. In particular, the amendments concern exemption from liability internet-providers, considering that they only facilitates access to internet without the physical possibility to control, restrict, block traffic and / or interfere with changes in the information.

Details: [http://agepi.gov.md/pdf/law\\_projects/proiect-lege-modif-LDA.pdf](http://agepi.gov.md/pdf/law_projects/proiect-lege-modif-LDA.pdf)

### **Pending legislative issues**

The *Regulation on collective management of copyright and related rights* prepared by the State Agency on Intellectual Property in 2012 still not yet in force. This document lays down the conditions and procedure related to conduct collective management organization of copyright and / or related rights, rules and procedures for monitoring and controlling the activities of the collective management organization, relations with its members, with users or with other similar organizations, and the calculation of remuneration for exploitation of copyrighted works and related rights (Document can be accessed at [http://agepi.md/pdf/law\\_projects/proiect-reg-ogc.pdf](http://agepi.md/pdf/law_projects/proiect-reg-ogc.pdf) )

### **Legal Matters**

#### **New legislation**

New amendments for the Law on Libraries have been proposed to the Ministry of Culture, but still were not approved yet.

### **Law cases**

During 2012 – through 2013 have been five decisions of courts related to copyright and related rights issues, but none of them have been connected to libraries.

### **Advocacy/Lobbying activities**

During 2013 the National Strategy for the Development of Information Society “Digital Moldova 2020” was developed and proposed to the Moldovan parliament to review and approval. New priorities of the Moldova Digital Agenda are: creating a new stable regulatory framework in the field of broadband services; new infrastructure for digital public services through the Connecting Europe facility; launching coalition for promoting competences and employment in the digital domain; develop proposals on a strategy and a cyber-security directive at the EU level; updating the EU framework on copyright; boosting the "cloud computing" system based on the public sector purchasing power; and launching a new industrial strategy in electronic field. The text can be accede here:

[http://www.mtic.gov.md/img/d2011/proiecte/md2012/Digital\\_Moldova\\_2020\\_draft\\_Strategy\\_Eng-01.04.2013.pdf](http://www.mtic.gov.md/img/d2011/proiecte/md2012/Digital_Moldova_2020_draft_Strategy_Eng-01.04.2013.pdf).

During 2012 it was developed and approved by the Government the *National Intellectual Property Strategy until 2020* and the *Action Plan for the implementation of the Strategy for 2012-2014*, Of the most important goals of the Strategy were mentioned: encouraging the creation, protection and use of intellectual property as a key tool in creating the conditions for country’s transition to the innovational model of economic growth; continuous improvement of the legal framework in the field, including by harmonizing its legislation with the EU legislation, implementation of international treaties to which the Republic of Moldova is party and Moldova’s integration into the European and international intellectual space; strengthening the institutional capacities of relevant bodies with functions and responsibilities for the protection and enforcement of intellectual property rights, etc.

### **Educational activities**

September 3, 2012 - Mariana Harjevschi, EIFL IP country coordinator, made a presentation on Mass digitization initiative in Moldova at the roundtable organized by the National Library and State Agency on Intellectual Property Protecția dreptului de autor, în contextul noilor provocări a digitalizării cărților/ Copyright protection in the context of the new challenges of digitization of books from libraries ([http://www. Bnrm.md / news.php p = 13?](http://www.Bnrm.md/news.php?p=13?)).

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