



International Federation of  
Library Associations and Institutions

## **IFLA Position on the Anti-Counterfeiting Trade Agreement**

The International Federation of Library Associations and Institutions (IFLA) is the global voice of the international library community. Libraries play an essential role in fostering equitable access to information and cultural expression while ensuring compliance with copyright principles and regulations within their communities. IFLA is also committed to the principles of freedom of access to information and the belief that universal and equitable access to information is vital for the social, educational, cultural, democratic, and economic well-being of people, communities, and organizations.

In this context, IFLA understands and respects the role that copyright plays in information creation and dissemination around the world. IFLA recognizes that copyright grants creators and content providers certain rights to the commercial exploitation of information and cultural expression, but also believes that these exclusive economic rights must be balanced by fair limitations and exceptions as well as access to the public domain in order to allow for a vibrant civil society. Copyright must provide for a fair and profitable balance between the needs of information users and society at large and the commercial imperatives of creators and content providers. In this spirit, IFLA is concerned that the recent non-transparent negotiations regarding the Anti-Counterfeiting Trade Agreement (ACTA) pose a threat to the balance of copyright. IFLA believes that the best forum for these discussions is the World Intellectual Property Organization (WIPO) to ensure the participation of a wide range of stakeholders in this important issue.

While IFLA and the international library community commend international efforts to combat commercial counterfeiting, especially in situations where such counterfeiting places the public's health and safety at risk, IFLA is deeply troubled by reports emerging from the ongoing negotiations surrounding ACTA. These reports suggest that ACTA's objectives and methods endanger the balance of copyright, and seriously conflict with the library community's commitments to equitable access to information and cultural expression.

On 25 January 2010, delegates from Australia, Canada, the European Union, Japan, Jordan, Mexico, Morocco, New Zealand, the Republic of Korea, Singapore, Switzerland, the United Arab Emirates, and the United States met in Mexico City, Mexico for the seventh round of ACTA negotiations. Despite numerous requests from legislators, the press, and the public that ACTA's delegates break with their past precedent and conduct the negotiations in public, the meeting nonetheless remained closed and the text of the Agreement remains secret.

IFLA and its members are gravely concerned by the extreme secrecy surrounding the ACTA negotiations and the complete lack of transparency related to ACTA's procedures, provisions, and priorities, which is unprecedented for a global-norm setting activity among democratic

nations. The issues involved have many facets and should be discussed in an open and fair manner at WIPO, the appropriate forum for such topics.

IFLA and the international library community urge a robust and open debate on ACTA. This requires that its provisions be disclosed and that its negotiation process be openly conducted within WIPO. We applaud those legislators around the world who have demanded the same, and we encourage legislators in every jurisdiction to insist that ACTA's terms be revealed and that all future negotiations are conducted in public.

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