



WIPO Standing Committee on Copyright and Related Rights

31st session, 7-11 December 2015

**Statement by the International Council on Archives/Conseil international des archives on the
Museums Study**

Thank you for the opportunity to speak on behalf of the International Council on Archives, a cultural heritage organization dedicated to the preservation, care and use of the world's archival heritage through its representation of archives professionals across the globe. On behalf of the ICA, I wish to thank the Chair for his skilled leadership and the staff of the Secretariat for their hard work in preparing for this meeting. We look forward to contributing to the rich array of expertise assembled here.

Museums, archives, and libraries live comfortably together under the cultural heritage umbrella. They share similar functions, and many museums hold archival and library materials in addition to their wide-ranging collections of objects. The Museums Study identifies a number of issues of common interest requiring copyright exceptions, particularly the need to make copies for preservation or research, and the orphan works problem. However, the study also raises issues such as the resale right, a particular concern of art museums, but not of the many other types of museums, nor of archives.

Exceptions for libraries and archives have been on this committee's agenda since the matter was first introduced by the African Group at SCCR22. The committee has identified eleven topics requiring exceptions. That we have not yet reached agreement on a predictable and consistent international framework is evidence of the complex nature of these topics. Nonetheless, the discussions have deepened our understanding of these issues, and we are embarked on a systematic process to work through them.

The Museums study explains well the functions of museums and identifies certain copyright issues that present obstacles to their mission. However, the study does not present a comprehensive list of specific issues and possible solutions. Indeed, due to lack of time, the study omitted certain topics, some of which (such as Technological Protection Measures) are already to be considered by SCCR. We are concerned that a detailed consideration of the Museums study not disrupt the progress that has been made on limitations and exceptions for libraries and archives, which have been on SCCR's agenda for so many years.

In order to maintain our forward momentum and at the same time accommodate the interests of a sister profession, the ICA stands ready to work with the International Council on Museums and the International Federation of Library Associations to assist in identifying our common issues so that museums may benefit from the work already done by SCCR.