

**Statement by EIFL at SCCR/23**  
**Agenda item 5: Limitations and exceptions: libraries and archives**

Thank you, Mr Chairman. I am speaking on behalf of Electronic Information for Libraries, an NGO that works with libraries in more than 45 developing and transition countries in Africa, Asia and Europe.

We thank the Committee for the opportunity to focus on libraries and archives during this session.

We appreciate the comments by many delegations recognizing the role of libraries and archives in advancing knowledge, and the role of limitations and exceptions in enabling libraries to carry out our public service function.

Ladies and gentlemen, libraries on the continent of Africa are working hard to facilitate access and to disseminate knowledge for education, learning, creativity and development. We thank the African Group for their proposal on a Draft WIPO Treaty on Exceptions and Limitations that includes libraries and archives (document SCCR/22/12). It is an excellent starting point for discussions.

I will highlight three important activities covered in SCCR/22/12.

Article 11 Supply of works enables an activity called inter-library document supply. Inter-library document supply occurs between two institutions to provide access to specific materials on request e.g. a copy of a journal article that is not available in the user's home institution. This well-established practice can occur between libraries within a country or cross-border. International requests are on the rise, especially among libraries serving researchers where collaboration is increasingly interdisciplinary and global. With the shift from copyright law to licence agreements to establish use permissions, and the questioning of international resource sharing by some publishers, it is essential to reaffirm an important channel of access in support of research, teaching and learning. Article 11, together with Article 12 Cross-border uses, aim to achieve this.

Article 14 Preservation of library and archival materials. Preserving the memory of the world and holding it in trust for future generations is a unique responsibility held by libraries and archives. This exception would enable a library or archive to copy, format-shift and migrate to different platforms as part of the technical preservation process. The article also covers other activities, such as teaching and research. We respectively suggest to re-focus the scope solely on preservation, a distinct and important activity in itself, and to delete sub-paragraph three because libraries and archives are already defined as non-profit establishments in the definitions.

As mentioned previously, the international library and archive communities have developed a text with core provisions that is designed to complement SCCR/22/12. Article 8 of the text might provide a useful model in this regard.

Finally, Mr Chairman, SCCR/22/12 would support implementation of certain key Recommendations of the Development Agenda. We look forward to working with all Member States in a positive dialogue to enable fair and equitable access to knowledge by libraries in developing countries through a development-friendly international framework.

Thank you for your attention.

Delivered by Awa Cissé (original language French).