



International Federation of
Library Associations and Institutions



**WIPO STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS, 24th Session
Geneva, 16-25 July 2012**

**Joint intervention by
IFLA: International Federation of Library Associations &
EIFL: Electronic Information for Libraries &
CLA: Canadian Library Association**

Agenda item 5: Limitations and exceptions: Educational and Research Institutions

Thank you, Mr. Chairman. Congratulations on your election as chair. I am speaking on behalf of IFLA, the International Federation of Library Associations, with the support of eIFL, Electronic Information for Libraries, and the Canadian Library Association. We thank the Secretariat for having commissioned and published interesting and informative studies on exceptions for education three years ago. These studies highlighted the role of libraries in supporting education.

Education and libraries go hand in hand - indeed many libraries are embedded in education institutions. An excellent education service depends on good libraries, which are not only physical spaces but also provide 24/7 digital learning environments; libraries are usually the source of teaching and learning materials. In high income countries, there is already little distinction between physical and virtual classrooms. This is because the use of virtual learning environments in education is now so common that it can no longer be treated differently from traditional forms of delivery. As technical infrastructure improves, many developing countries will expand online teaching especially for distance learning.

Among the copyright issues arising that also have a profound impact on the role of libraries supporting education, are:

- making copies of extracts from films, sound recordings and broadcasts for study and research;
- communication to the public / storing and making available images/films/sound recordings and broadcasts in a secure online environment;
- making past exam papers available online;

- allowing for the inclusion of third party content in study projects, dissertations and theses made available online;
- text and data mining for research;
- copying for class handouts;
- licenses for educational materials undermining copyright exceptions when publishers have not licensed works under an open education resource license as recommended in UNESCO's 2012 Paris Declaration;
- restrictions to content distribution across borders for distance learning and courses run by multi-institutional partnerships.

Education and lifelong learning are key public policy issues which can only properly be addressed through international norms. Libraries benefit from statutory exceptions for educational purposes in many countries. Therefore there is a strong interaction between the two. As the Library Copyright Alliance noted, it is clear that most library exceptions as outlined in the proposals discussed at SCCR23 by the Africa Group, Brazil, Ecuador, Uruguay, and the US, have a strong impact on libraries' ability to support educational needs.

Finally, we urge this Committee to move forward expeditiously to recommend a diplomatic conference on the treaty for visually impaired and print disabled people, as well as on the proposals made by Member States concerning libraries and archives and education in the order of their maturity.

Thank you for your attention.