WIPO GOES TO THE REGIONS
Global Copyright Discussions

IFLA Webinar on the WIPO Asia-Pacific regional meeting

#Copyright4Libraries
WIPO GOES TO THE REGIONS
Global Copyright Discussions

ASIA-PACIFIC
Singapore
April 2019

AFRICA
Nairobi, Kenya
June 2019

LATIN AMERICA AND THE CARIBBEAN
Santo Domingo,
Dominican Republic
July 2019

#Copyright4Libraries
Why WIPO?

- Standing Committee on Copyright and Related Rights (SCCR)
- International Treaties
- Research, training and other documents

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Why WIPO?

- Obsolete copyright law for the digital age
- Globalisation and cross-border exchange
- Need for global discussions

#Copyright4Libraries
An International Treaty

A Treaty on Copyright Exceptions for Libraries, Archives and Museums (TLAM)

Encourage change at the national level

Facilitate cross-border activities

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An International Treaty

Preamble:

The Contracting Parties,

1) Considering that libraries, archives, and museums are distinctive guardians of the public trust, specifically designated worldwide as institutions necessary for serving the global public interest with regard to preserving the diverse forms of expression used by societies over time, for facilitating access to and dissemination of knowledge goods, and to further facilitate intellectual interchange accomplished primarily by means of library, educational, scientific, and cultural materials, analogue, digital or any other format to be known;

2) Aware of the critical role of libraries, archives, and museums in achieving the United Nations’ Sustainable Development Goals, particularly Goal 4 Quality Education, Goal 5 Gender Equality, Goal 9 Industry, Innovation, and Infrastructure and Goal 10 Reduced Inequalities;

3) Recognising that exceptions and limitations, which are an integral part of national copyright systems, play a critical role in enabling libraries, archives, and museums to meet the information needs of the public, helping individuals to achieve their full potential and engage with others;

4) Recognising that exceptions and limitations for libraries, archives, and museums help these institutions to assist individuals in seeking, receiving and imparting information so that they may participate meaningfully in public life.

5) Recognising that exceptions and limitations also advance knowledge by preserving and providing access to the world’s cultural, artistic, and scientific heritage;

6) Recognising that both affirmative protections for authors and exceptions and limitations, including those for library, archival and museum services, are vital to

- parallel importation
- cross-border uses of works
- library lending
- library document supply
- preservation of library and archival materials
- use of works for education, research and private study
- use of works for personal and private purposes
- orphan works
- obligation to respect contractual clauses
- overriding exceptions to copyright
- possibility to bypass technological protection measures that block use of exceptions
- limitation on liability for libraries and archives

1) Draws on SCCR22/12 proposal by the African Group (Draft WIPO Treaty on Exceptions and Limitations for the Persons with Disabilities, Educational and Research Institutions, Libraries and Archives); SCCR/26/8 presented by the United States (Objectives and Principles for Exceptions and Limitations for Libraries and Archives); SCCR/35/8 (Cross study)
The WIPO regional seminars

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- Representatives from the region's copyright offices
- WIPO officials
- NGOs

"(...) to analyse the situation of libraries, archives and museums as well as educational and research institutions, and areas for action, with respect to the limitations and exceptions regime and the specificities of the region"
The WIPO regional seminars

Objectives:

- Make the case for an international treaty
- Raise awareness of the challenges faced by librarians
- Show that exceptions and limitations offer a balanced approach
The WIPO regional seminars

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ASIA-PACIFIC  AFRICA  LATIN AMERICA AND THE CARIBBEAN

INTERNATIONAL CONFERENCE

October, 2019
Geneva

"The objective would be to consider the opportunities and challenges provided by various international solutions including soft law, contractual/licensing and normative approaches, as appropriate"

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Copyright for libraries in the Asia-Pacific region

- Countries with no E&Ls at all for libraries
  - Laos
  - Tuvalu
  - Yemen

- Very few E&Ls and other library provisions in most countries (out of 41)
  - Library lending: 1
  - Reproduction and supply: 6
  - Preservation: 25
  - Orphan works: 3
  - Translations: 1
  - Technological protection measures: 21. Only 3 exclude libraries
  - Limitation of liability: 1

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Copyright for libraries in the Asia-Pacific region

• Provisions not adapted to the digital world
  • Limiting the number of copies for preservation (14 out of 25)
  • Reference to "works in the permanent collection"
  • "Reprographic" means of copying (or other limitation in format)
  • Transitory copies
  • Contract override

• Laws unchanged for over 20 years
  • Myanmar 1911
  • Iran and Iraq 1970
  • Yemen 1994
  • Brunei Darussalam, Fiji & Kuwait 1999
  • Papua New Guinea and Vanuatu 2000

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The WIPO regional seminars: what IFLA is doing
The WIPO regional seminars: how to get involved

- Identify your national representatives to SCCR (government officials)
- Write to the government
- Share examples of how copyright impacts your work
- Learn more by watching our webinar and following IFLA on social media by using the hashtag #Copyright4Libraries
- Apply to join the IFLA CLM Network

#Copyright4Libraries
Thank you!

• A recording of the webinar and slides will be available on our website

• Please get in touch with us for any further questions or comments:
  
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