WIPO GOES TO THE REGIONS
Global Copyright Discussions

IFLA Webinar on the WIPO Latin America and the Caribbean 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 copyright?

- The basis of modern publishing
- Risks linked monopoly powers
- Why we need exceptions
- Why we need a modern framework
Why WIPO?

- Created 1967, 191 Member States
- Provides services, training and capacity building
- International law-making
Why WIPO?

- The Marrakesh Treaty
- Guidance – and Reassurance – for Member States
- Cross-border uses
- Complementing, not replacing markets

#Copyright4Libraries
An International Instrument

PROPOSED FRAMEWORK TREATY ON LIBRARIES, ARCHIVES AND MUSEUMS

PROPOSAL FOR A FRAMEWORK TREATY ON COPYRIGHT EXCEPTIONS FOR LIBRARIES, ARCHIVES AND MUSEUMS (EPLM)

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 libraries, 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) Recognizing 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) Recognizing 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) Recognizing 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

• Libraries on the agenda since 2007
• Consensus on the importance of libraries... but not on the action to take
• We need an international instrument
• Business as usual is not enough

#Copyright4Libraries

IFLA.org
An International Instrument

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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

*Draws on SCCR/22/12 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/48/6 presented by the United States (Objectives and Principles for Exceptions and Limitations for Libraries and Archives); SCCR/35/8 (Crimes 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

Asia-Pacific Seminar: 29-30 April, Singapore

• 3 out of 4 groups called for an international convention or treaty

• General recognition of the need for change in order to support libraries, archives, museums, education and research

• Powerful contribution from national and local voices

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The WIPO regional seminars

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**Objectives:**

- Make the case for international action
- Raise awareness of the challenges faced by librarians
- Show that exceptions and limitations offer a balanced approach
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.
No library exception(s) at all

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Libraries can take copies for research purposes
Copyright for libraries in the Latin America and the Caribbean region

Libraries can take copies for research purposes

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Copyright for libraries in the Latin America and the Caribbean region

Libraries can take preservation copies

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Libraries can take preservation copies

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Libraries can carry out inter-library loans
Libraries can supply documents to users via other libraries.

Copyright for libraries in the Latin America and the Caribbean region

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Libraries can give access to digitised works on dedicated terminals.
Libraries can circumvent digital locks to carry out their missions.

Copyright for libraries in the Latin America and the Caribbean region:

- 42.4%
- 39.4%
- 18.2%

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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: Stephen Wyber (Stephen.Wyber@ifla.org)