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## **Libraries and archives need an international solution for today's copyright problems**

Libraries and archives, including the International Federation of Library Associations & Institutions (IFLA), have been advocating at the World Intellectual Property Organisation (WIPO) since 2009 for a binding international instrument that recognizes the importance of copyright exceptions and limitations to the services libraries and archives provide.

The IABD supports this campaign and firmly believes that:

- **National copyright laws are no longer enough**

Libraries and archives are increasingly operating in a borderless, global digital environment. They are looking to provide access to their collections online; respond to research requests from across country borders; and find ways of sharing collections and resources that are relevant to their partners in other countries. Copyright exceptions and limitations, however, stop at the national border. Libraries and archives looking to engage across national borders are finding themselves in a legal grey area – providing services at risk of infringing copyright, or deciding not to provide those services at all. In this regard, the IABD promoted the libraries' position in its answer to the EU Consultation on copyright reform.

- **Private licences are not equipped to solve these problems**

Libraries purchasing subscriptions for access to digital content often find themselves agreeing to licence terms and conditions that refer to overseas laws, and/or which override or restrict their own domestic copyright exceptions and limitations. In addition, no two licences are the same, meaning that libraries providing access to their licensed collections are operating under a myriad of private terms and conditions and overseas copyright laws. Institutions at WIPO are asking for an international basic standard of copyright exceptions and limitations that cannot be overridden by private contracts

- **These copyright exceptions and limitations are essential, because they enable libraries and archives to fulfill their missions – in both the print and digital environment**

To undertake preservation of any content, libraries and archives rely on a copyright exception that permits this. To supply copies of extracts of works for research and study, libraries need copyright exceptions. Copyright exceptions enable libraries and archives to provide access to education, to research and innovation, to cultural participation, social inclusion and new forms of creativity.

The WIPO General Assembly will consider the future work plan of its Standing Committee on Copyright & Related Rights (SCCR) in September 2014. Supporting IFLA and the other international library and archives associations, IABD would like to see:

- The existing work plan, being to undertake text based discussions towards concluding an international instrument or instrument(s) for libraries and archives, extended for a further two years; and
- Given equal time on the SCCR agenda alongside a proposed treaty for broadcasting; and
- Without any new items being added to the SCCR agenda.