

Statement by the International Federation of Library Associations and Institutions (IFLA) during SCCR35

<i>Agenda Item 6 – Exceptions and Limitations for Libraries and Archives</i>
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<i>Wednesday, November 15, 2017</i>

<i>Language: English</i>

Thank you, Mr. Chair. I speak on behalf of ILA, EIFL, ICA and ICOM. I will be brief, as we are eager to hear the presentations of those experts who have been asked to report on various areas of limitations and exceptions.

First, we are very grateful to those Member States that have been committed for many years to action on limitations and exceptions, as an integral part of balanced copyright law. Studies commissioned by WIPO, particularly - for us - the three studies on L&Es for libraries and archives by Professor Crews, have been invaluable in demonstrating not only what is possible, but also gaps that make cross-border information exchange in the digital age very difficult, if not impossible.

Second, we are also grateful to the Secretariat for focusing on action – on results! - as progress on L&Es is needed and long overdue. To that end, we support the proposed regional seminars including all stakeholders: but we also are hopeful that Member States, noting and drawing on the extensive exploration of L&Es over the past decade, will agree to consolidate, simplify, and accelerate the draft action plans so that the Member States of SCCR are prepared to fulfill SCCR'S mandate to determine the form and content of an appropriate legal interment in regard to limitations and exceptions for libraries, archives and museums as early as SCCR37.

As the global voices of libraries, archives and museums, IFLA, ICA and ICOM commend the focus of WIPO and its Member States on copyright frameworks that support our members' public interest work.

Exchanges between delegates over a number of years, supported by world-class research, have already brought to light extensive evidence of the challenges faced. In doing so, they have underlined the strong similarities between our work.

In terms of our goals, we all work to record and safeguard information, knowledge and works of the imagination, for the benefit of current and future generations. At the level of practice, all of our institutions rely on copyright exceptions that allow us to preserve, share, copy and disseminate works, increasingly across borders. Libraries, archives and museums collect the world's knowledge and cultural heritage thematically, regardless of institutional title. It has become increasingly commonplace that libraries and museums contain archival collections, museums and archives house libraries, and archives hold library and museum materials.

Current trends only reinforce this sense of commonality. Digital technologies have broken down barriers that existed previously. They have also created new and exciting opportunities for cross-border cooperation, which our members are keen to seize.

In the light of these shared goals, practices and even locations, IFLA, ICA and ICOM strongly believe that WIPO can best serve the public interest by approaching the work of libraries, archives and museums together, rapidly, and with a strong focus on how to facilitate cross-border cooperation, acquisition and use. This will not only streamline the work of the committee, but also ensure that professionals undertaking the same tasks can follow and benefit from the same rules, recommendations or standards.

Such an approach, we believe, will both bear fruit for WIPO, and for our millions of institutions and their users.