

Statement by the Chartered Institute of Library and Information Professionals (CILIP)

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Report of the Standing Committee on Copyright and Related Rights (SCCR)

CILIP is the main UK professional association for librarians, information and knowledge managers, representing a community of some 14,000 British information management professionals.

The SCCR Chairman's report indicates, as was the case last year, that the SCCR was not in a position to make any recommendations to the General Assembly concerning the work on limitations and exceptions for libraries and archives.

CILIP supports the consolidated document SCCR/29/4 put forward by the African Group, Brazil, Ecuador, India and Uruguay and thanks these Member States and the regional groups with which they work for their understanding and strong support for the library and archive case here at WIPO - and by extension their support for culture, education, scientific research and learning, which is what libraries and archives are all about.

It is to be hoped that SCCR's discussions on limitations and exceptions for libraries and archives will focus on identifying those issues that would need an international approach to finding a solution to ensure national laws can work with each other on the internet, and which issues might better be achieved through national level legislation with technical assistance from the WIPO Secretariat working together with library and archive organisations. We support the SCCR Chair's Non-Paper as the means to achieve this.

It is worth considering the example of the European Union, which is working to modernise its own copyright framework so it can support a European Digital Single Market that will, for many activities and services, sweep away national borders in the online world within the EU and the wider European Economic Area. It is clear from European Commissioners' statements that facilitation of cross-border information transfer and services is the driving force for European copyright reform and that such reform must include the work of libraries and archives. Indeed, achieving this may lead to the EU imposing firmer norms for copyright exceptions and limitations on all its Member States by means of a Regulation in areas where diversification of approach at national level would not be enough to achieve the objectives of a Digital Single Market.

WIPO's own recently updated research study by Prof Kenneth Crews has shown that a national law approach alone is inadequate for libraries and archives to fully provide the information services across national borders that users demand. Interventions by the library and archive community at SCCR meetings have illustrated the problems their users now face with the continuation of an exclusively national approach to library and archive copyright exceptions. It is clear that national approaches to certain topics don't work on the internet unless common global norms are established that all adhere to, which is what the SCCR discussions should be about. Research, education and learning are all two-way streets so both developed and developing countries need to pull together to find the right approaches.

We urge this Assembly to support SCCR as it addresses the complex problems libraries and archives are experiencing in a global online context so they find solutions that enable substantive discussions on libraries and archives to proceed without prejudice at this stage as to the nature of the vehicle or vehicles that might deliver the outputs.