

WIPO GOES TO THE REGIONS
Global Copyright Discussions

**IFLA Webinar on the
WIPO Asia-Pacific
regional meeting**



#Copyright4Libraries

IFLA.org

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

Why WIPO?



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



Why WIPO?



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

An International Treaty



PROPOSED FRAMEWORK TREATY ON LIBRARIES, ARCHIVES AND MUSEUMS

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

Preamble¹

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 literary, 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 the 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

¹ 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/26/8 presented by the United States (Objectives and Principles for Exceptions and Limitations for libraries and Archives); SCCR/35/6 (Crews study).

- A Treaty on Copyright Exceptions for Libraries, Archives and Museums (TLAM)
- Encourage change at the national level
- Facilitate cross-border activities

An International Treaty



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- 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

The WIPO regional seminars

#Copyright4Libraries



- 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

#Copyright4Libraries



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

#Copyright4Libraries

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

#Copyright4Libraries

Copyright for libraries in the Asia-Pacific region



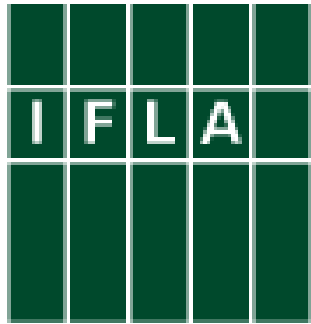
- Countries with no E&Ls at all for libraries
 - Laos
 - Tuvalu
 - Yemen
- Very few E&Ls and other library provisions in most countries (out of 41)
 - Library lending: 1
 - Reproduction and supply: 6
 - Preservation: 25
 - Orphan works: 3
 - Translations: 1
 - Technological protection measures: 21. Only 3 exclude libraries
 - Limitation of liability: 1

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

The WIPO regional seminars: what IFLA is doing



ICOM



knowledge without boundaries



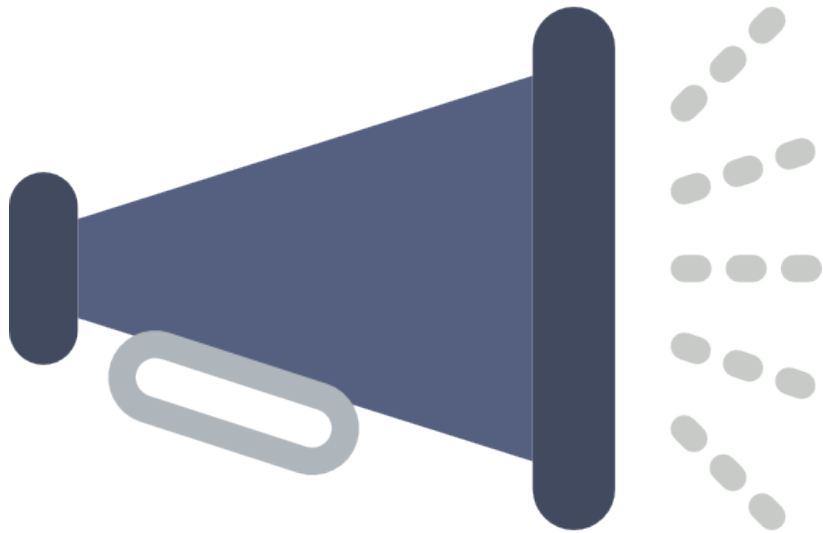
Education International
Internationale de l'Éducation
Internacional de la Educación
Education International



ICA

International Council on Archives
Conseil International des Archives

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 be using the hashtag #Copyright4Libraries
- Apply to join the IFLA CLM Network

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
 - Ariadna Matas: Ariadna.Matas@ifla.org