

WIPO GOES TO THE REGIONS
Global Copyright Discussions

**IFLA Webinar on the
WIPO Latin America and
the Caribbean
Regional Meeting**



#Copyright4Libraries

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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 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



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Why WIPO?



80 cent WIPO service stamp featuring the WIPO Headquarters in Geneva. © WIPO.
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- The Marrakesh Treaty
- Guidance – and Reassurance – for Member States
- Cross-border uses
- Complementing, not replacing markets

An International Instrument



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).

- 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

An International Instrument



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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



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

The WIPO regional seminars

#Copyright4Libraries



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 WIPO regional seminars

#Copyright4Libraries

ASIA-PACIFIC



AFRICA



**LATIN AMERICA AND
THE CARIBBEAN**



**INTERNATIONAL
CONFERENCE**



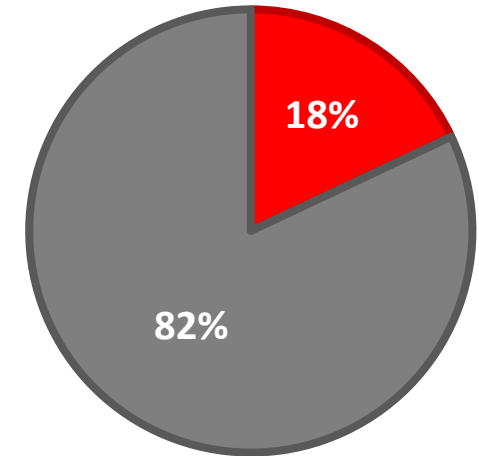
**October, 2019
Geneva**

// 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

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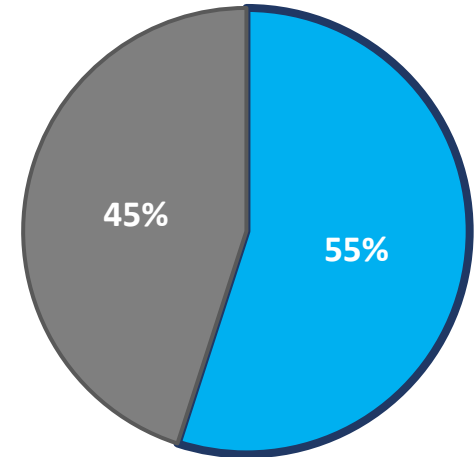
Copyright for libraries in the Latin America and the Caribbean region

**No library
exception(s) at all**



Copyright for libraries in the Latin America and the Caribbean region

**Libraries can take
copies for
research purposes**



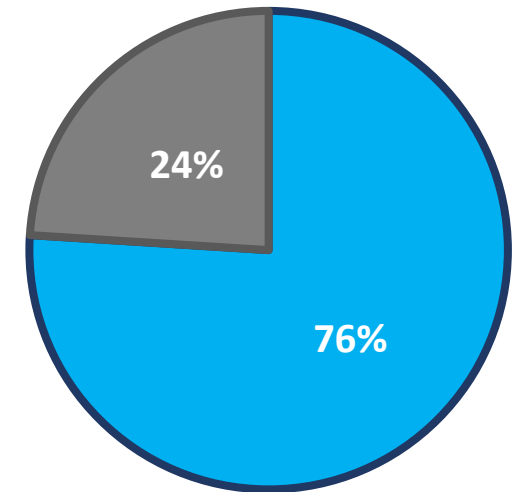
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Copyright for libraries in the Latin America and the Caribbean region

**Libraries can take
preservation
copies**



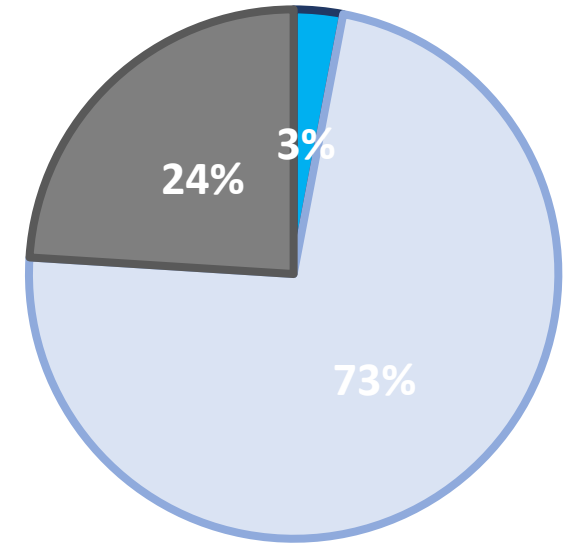
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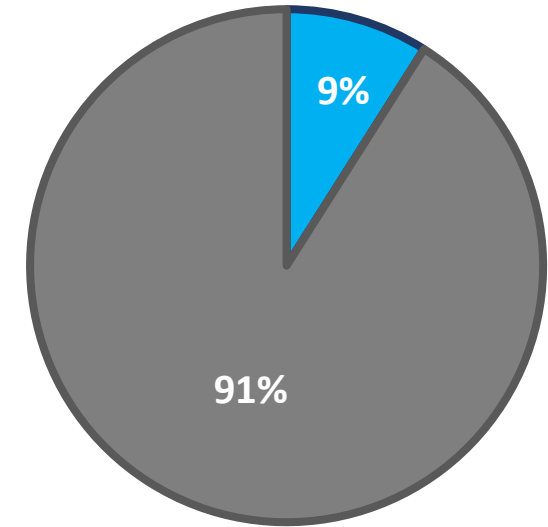
AN EXCEPTION EXISTS THAT IS ADAPTED TO DIGITAL USES: ■

AN EXCEPTION EXISTS, BUT ISN'T ADAPTED TO DIGITAL USES: ■

NO EXCEPTION EXISTS: ■

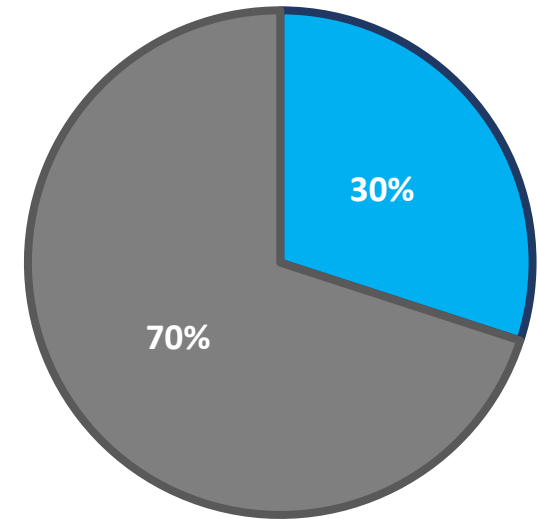
Copyright for libraries in the Latin America and the Caribbean region

**Libraries can
carry out inter-
library loans**



Copyright for libraries in the Latin America and the Caribbean region

Libraries can supply documents to users via other libraries



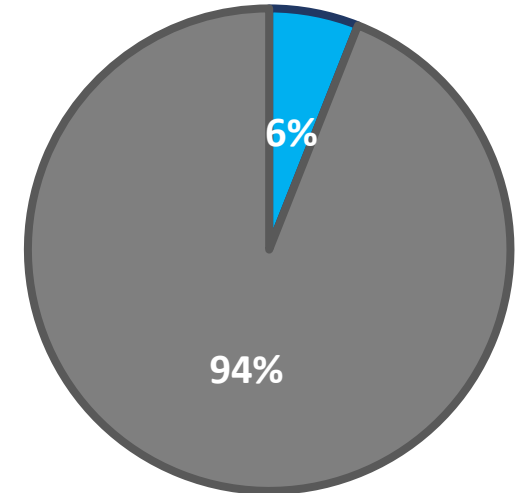
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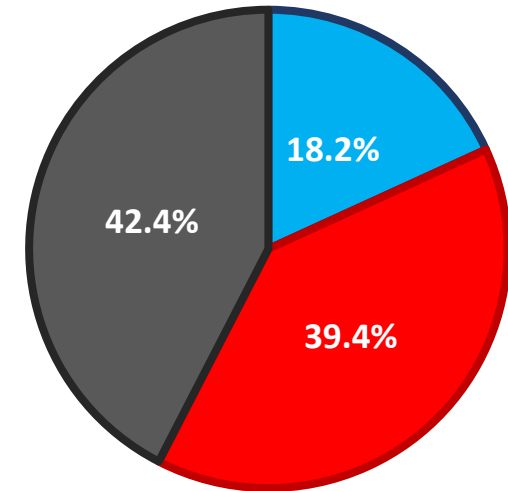
Copyright for libraries in the Latin America and the Caribbean region

Libraries can give access to digitised works on dedicated terminals



Copyright for libraries in the Latin America and the Caribbean region

**Libraries can
circumvent
digital locks to
carry out their
missions**



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The WIPO regional seminars: what IFLA is doing



ICOM



knowledge without boundaries



Education International
Internationale de l'Éducation
Internacional de la Educación

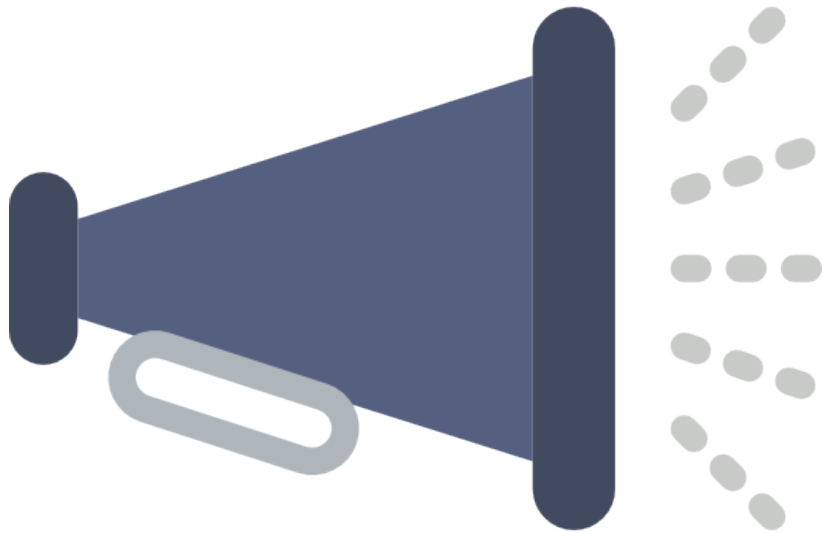
Education International



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)