

Assemblies of the Member States of WIPO: Fifty-Sixth Series of Meetings

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AGENDA ITEM 11

REPORT ON THE STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS

INTERNATIONAL NGO:

EIFL.NET

I speak on behalf of Electronic Information for Libraries (EIFL), that works with libraries in developing and transition countries.

We thank member states for engaging with libraries and archives at SCCR.

Today much of the best research takes place as a result of international collaborations. Think of climate change or the treatment of chronic diseases.

Libraries are expected to support the information needs of researchers working across disciplines and borders. But evidence shows that inadequate and incompatible national exceptions stand in the way.

The updated WIPO study on limitations and exceptions for libraries and archives, presented by Prof. Crews at SCCR/30, shows that 17% of member states have no provision for libraries in their domestic copyright law. Nearly half do not explicitly allow libraries to make copies for research or study. In countries that have amended their copyright laws in the last five years, digital copying is expressly barred in over one third of them, even for preservation. As the delegate from Egypt mentioned, the national context does not suffice.

At SCCR/32, extensive evidence of information denied when exceptions stop at the border, or when licensing fails, was presented by librarians and archivists from 14 organizations representing thousands of institutions across the globe.

Mr. Chairman, we are pleased that the European Union recognizes the cross-border problem. While there are, in our view, flaws in the copyright reform package launched by the European Commission in September, we are pleased that it includes mandatory, cross-border exceptions in three areas: preservation by cultural heritage institutions, text and data mining and online education.

The objective is, I quote, “to guarantee the legality of certain types of uses in these fields, including across borders” because I quote, “the current lack of copyright law consistency across the EU affects scientific progress”.

And the EU invests a lot in scientific progress – the global budget for Horizon 2020, the EU framework programme for research and innovation, is 88 billion dollars.

Mr. Chairman, as countries are moving ahead, we believe that the multilateral system must also address the issues so as not to widen the digital divide.

Only an international, normative solution can set a basic standard for exceptions across all jurisdictions. And only international action can properly enable cross-border exchange.

As a concrete next step, we call on member states at SCCR/33 to support the holding of regional meetings to review the findings of the updated Crews report, to identify regional priorities for libraries and archives, and to work towards consensus on text-based solutions.

Thank you.