

WHAT THEY SAID ABOUT LIBRARIES...

QUOTES FROM MEMBER STATES AT THE 36TH MEETING OF THE
STANDING COMMITTEE ON COPYRIGHT AND RELATED RIGHTS,
WORLD INTELLECTUAL PROPERTY ORGANISATION



ARGENTINA

“ Concerning the uniformity of exceptions and limitations [to copyright for libraries and archives] we see that there may be some difficulties with this. However, as the cross-border traffic of works is an important issue, we need to have a balanced system that will allow knowledge to circulate.



BRAZIL

“ The work in our Committee has the potential to make a great contribution to the copyright system. However, there is a continuous need to clarify the scope of legitimate use of positive protected works under exceptions and limitations for libraries and archives, education and research institutions and persons with other disabilities. Taking in to account the dramatic changes brought by the digital environment, this will provide users of those exceptions and limitations with the legal certainty that they need to implement their important activities.



BOTSWANA

“ Mr. Chairman, limitations and exceptions [to copyright for libraries and archives] are critical to ensuring effective and balanced copyright systems with benefits for the firths holders and the larger society to access protected works for fundamental aspects of life, such as education and research and others. We wish to engage extensively and objectively on the topic towards a balanced outcome for the benefit of all.



CHILE

“ The question of exceptions and limitations for educational establishments and research institutions and persons with other disabilities is of great importance to Chile. We continue to hold debates in order to have an international result.



COLOMBIA

“ The National Government is demonstrating its interest in the importance of flexibility and the need to maintain a balance between the rights of rightsholders and the public. This law updates the normative framework in our country which has not been changed since 1993. [...] This law is technically balanced because it allows these rights and also the needs of different types of users. It has included a significant number of exceptions and limitations [to copyright for libraries and archives], particularly based on the rules of the conventions which Colombia is part of. It is important that we continue the work on exceptions and limitations, on libraries, archives, museums, teaching and research institutions and for persons with other disabilities.





 **COTE D'IVOIRE**

“ What type of society would we like to see when we do not have a good balance of interests when some parties deny the interests of others and see the profits of others increasing exponentially? In this grey area, the SCCR has a role to play to re-establish balance as this has been the case with many Treaties such as the Marrakesh Treaty to facilitate access of visually impaired and blind to printed text. With a collective spirit, we must continue our work towards creating a global Intellectual Property system that is accessible to all.

Beyond the purely economic aspects, the global security depends on it.



ECUADOR

“ We recognize the importance of this Committee in order to find practical solutions in the area of exceptions and limitations [to copyright for libraries and archives] and we feel that this Committee will find concrete results in order to attend to the needs of the populations where knowledge, education, promotion of culture as such are fundamental elements for its development.



EGYPT

“ As to the topic of exceptions and limitations [to copyright for libraries and archives], this is a priority for Developing Countries. [...] we should find consensus as to exceptions and limitations in the field of copyright, so that copyright protection is not an impediment to providing channels for the general public to acquire knowledge.



EL SALVADOR

“ Another point that we wish to raise is that of the need to safeguard the principles of transparency and inclusion in all the activities carried out within the framework of the Committee. For this reason, in connection with the brainstorming exercise to which reference is made in 4, we wish to know if provision is made for an open inclusive format.



INDIA

“ We understand that while the protection of intellectual property rights is crucial for rightsholders, at the same time intellectual property rights is seen as a driver of access to knowledge worldwide. We support the promotion of balanced copyright regime, which ensures an environment to learn, create and innovate by all. Attainment of the right to education and access to knowledge for

all should be the guiding principle for our work on exceptions and limitations [to copyright for libraries and archives]. It is also necessary that libraries and archives are able to work internationally, in the interest of international research and cultural heritage.



INDONESIA

“ Exceptions and limitations [to copyright for libraries and archives] have the role to ensure access to knowledge and education for all. Many Developing Countries are often hampered due to lack of access to relevant educational and research material. (on behalf of the Asia-Pacific group)

“ Indonesia believes that the issue of exceptions and limitations [to copyright] is one of the most significant issues on the agenda of this committee. And we need the constant reminder that the one main intended purpose of the copyright system is to advance culture, science and education. This Delegation strongly believes that we should take into account commercial interest in copyright and rightsholders and also should take into account other competing interest in



copyright including the public interest in scientific, cultural and social progress. Particularly education, research and access to information. SCCR should continue to substantively discuss the issues on exceptions and limitations [to copyright for libraries, archives, research and educational institutions and people with other disabilities] to find a common ground for normative work towards establishing an effective internal framework to facilitate the lawful exercise of limitations and exceptions [to copyright for libraries and archives].



MALAYSIA

“ To this end [finding balance] my Delegation underscores the important role of exceptions and limitations in the copyright system [for libraries and archives] in ensuring the access to knowledge and the attainment of quality education to enable sustainable development and inclusivity of societies. The SDGs gives impetus to the urgency of our task at hand to ensure that knowledge and education reach the furthest first. Our work on this agenda item is linked, for example, to SDG 1 on ending poverty, SDG 4 on quality education and SDG 5 on gender equality and SDG 9 industry innovation and infrastructure and SDG 10 on reducing inequalities achieved through SDG 17 partnerships for the goals.



“ Mr. Chair, this is the committee that gave us the Marrakech Treaty on which exceptions and limitations [to copyright for libraries and archives], which has allowed visually impaired persons around the world to benefit from limitations and exceptions to copyright rules to access the materials in formats designed to be accessible to the VIPs, and to permit exchange of this works across borders. My Delegation hopes that we can replicate the same constructive spirit as we make progress on the remaining exceptions and limitations [to copyright for libraries and archives].



MOROCCO

“ The African Group reaffirms its willingness to work in a constructive manner on the issue of exceptions and limitations [to copyright for libraries and archives] and will be pleased to support the draft action plans which take in to consideration its concerns. [on behalf of the African Group]



IRAN

“ We are of the strong conviction that the work of the Committee on limitations and exceptions [to copyright for libraries and archives] is not intended only to reach a common understanding among Member States and for sharing experience or best practices. Rather it is mandated to carry legal framework for exceptions and limitations [to copyright for libraries and archives].



Based on the mandate even to the Committee by the GA and bear in mind the notable progress achieved under the discussions on all subject matters my Delegation is strongly supports establishing a legally binding instrument in the area of limitations and exceptions [to copyright for libraries and archives]. We are of the opinion that norm setting is the only way to ensure that WIPO Member States provide a basic level of harmonized limitations and exceptions for such institutions.



SENEGAL

“ My Delegation would like to reiterate the importance that it continues to attach to limitations and exceptions for research and educational institutions, libraries and archives and persons with other disabilities. These exceptions and limitations [to copyright for libraries and archives] play a particularly positive role in striking the necessary balance in rightsholders and the interest of the public at large. These limitations and exceptions allow us to

foster access to knowledge and teaching tools. The contribution to the SCCR in this regard is very much appreciated.



SOUTH AFRICA

“ South Africa considers limitations and exceptions [to copyright for libraries, archives, museums and education and research institutions] to be critical for a balanced copyright system. As a developing country we appreciate the importance of access to education and information as well as the exploitation of culture integral elements to development and socioeconomic growth. Library archives, museums and education and research institutions play a critical role in providing access to information and in the dissemination of knowledge, and in empowering individuals to make well informed decisions.



TUNISIA

“ Even more critical, is to treat libraries and archives and museums or LAMS in a holistic manner as you have just suggested. While the entities in the past might have been quite different, they are experiencing the same convergence that we see in other sectors. It is this convergence that drives our view that they have common functionalities that need to be permitted in a common legal framework.



UGANDA

“ Several WIPO commissioned studies have shown that exceptions and limitations [to copyright for libraries and archives] are treated disparately across different Member States. This calls for international harmonization. Chair, Sustainable Development Goal No. 4 enjoins all global players to establish equitable education and promote lifelong learning opportunities for all. A number of Developing

Countries still lag behind and this is due to act of access to affordable materials. Quality education for all will require increasing efforts. We underline the importance of the work of the SCCR on exceptions and limitations for libraries and archives, museums, education and research institutions and for persons with disabilities. Uganda ratified the Marrakech Treaty in March 2018 and will come in force in July of 2018.



VENEZUELA

“ We would like to stress the importance for our country of exceptions and limitations for libraries and archives. We [...] will continue to contribute in order to achieve the goals established and with regards to the Marrakesh agreement, we would like to remind that we are currently working on our ratification of that Treaty.

