



# International copyright reform for libraries and archives held back by EU

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Once again, the European Union (EU) has blocked progress by the World Intellectual Property Organization (WIPO) Standing Committee on Copyright & Related Rights (SCCR) towards copyright laws that would aid libraries and archives in fulfilling their missions in an international digital environment.

Jukka Relander, President of EBLIDA, the European Bureau of Library, Information and Documentation Associations expressed his disappointment: "The EU is introducing copyright reforms in 2015 as part of the Digital Single Market priority. They have recognized that the opportunities of the digital world must be addressed to advance European countries. At WIPO, they have shown that they plan to prevent international activity that promotes the same objective."

## Member states discussion at SCCR

Representatives from libraries and archives worldwide attended the 30th meeting of the SCCR from June 30 - July 3, 2015 prepared for substantive discussion to help ensure the continued ability of libraries and archives to fulfil their missions as the world shifts increasingly into a digital environment.

Library and archive associations observed the European Union refuse to engage in meaningful discussions that would benefit library and archive users around the world and ensure access to information and the preservation of cultural heritage into the future. The European Union position at this international forum appears to contradict the European Commission's own initiatives under the Digital Single Market Strategy, about which Jean-Claude Juncker, President, European Commission recently commented: "We will need to have the courage to break down national silos... in copyright... I intend to take... ambitious legislative steps towards a connected digital single market...by modernising copyright rules in the light of the digital revolution."

Delegations from every other region around the world, outside of Europe, demonstrated their willingness to participate in international discussion on concrete proposals that support libraries and archives. Countries from "Group B," which includes the United States, Canada, Australia and Japan along with the EU's 28 member states, that began by aligning with the EU countries ultimately expressed their individual support for moving towards discussion of the issues.

After two days of discussion of a treaty on the protection of broadcasting issues, library and archive delegations were deeply disappointed to have only a few hours to begin the conversation on copyright issues for libraries and archives.

## **Libraries and archives respond**

Sinikka Sipilä, President of the International Federation of Library Associations & Institutions (IFLA) commented: "The position of the EU in Geneva is inconsistent with EU policy on copyright and out of step with the European Parliament, as recently demonstrated by their vote on the JURI report. The EU recognises that copyright exceptions for libraries are essential, and must be harmonised in order to facilitate innovation; however, their position at WIPO is holding back momentum demonstrated from countries around the world."

David Fricker, President of the International Council on Archives (ICA), observed: "The records held by archives underpin administrative transparency, democracy, accountability and good governance. They also safeguard and enrich individual and community memory. Restricting access to the unpublished primary sources in archives will limit the development of new knowledge and deny individuals their rights and entitlements. Withholding access to archives on copyright grounds will also inhibit economic development in the information age."

Limitations and exceptions for libraries and archives have been on the agenda of SCCR since 2009. Member states will consider the issue of limitations and exceptions at the WIPO General Assemblies from October 5-14, 2015. Prior to discussions at SCCR 31, library and archive organizations will continue to seek progress towards an international instrument on copyright exceptions and limitations for libraries and archives.

Libraries and archives around the world were represented at SCCR/30 by the International Federation of Library Associations and Institutions (IFLA), the International Council on Archives (ICA), the European Bureau of Library, Information and Documentation Associations (EBLIDA), Electronic Information for Libraries (EIFL), the Chartered Institute of Library and Information Professionals (UK), the German Library Association, the Scottish Council on Archives, the Society of American Archivists, and the Canadian Library Association.

### **Additional quotes from SCCR/30 participants:**

*"The European Union's position at SCCR is preventing progress towards digital access by Europeans to materials held in libraries in other countries, and by people in other countries from accessing library collections in Europe. This impedes global research and perpetuates a burdensome environment that prevents users worldwide from taking advantage of digital opportunities."*

**Rima Kupryte, Director of EIFL, Electronic Information for Libraries**

*"British and European libraries and the people we serve now operate in a borderless online environment. We need to have effective global norms for copyright exceptions and limitations that remove international barriers to research and learning in the UK and Europe. Our community is working hard to ensure that these principles are reflected in international agreements, and the European Community's position appears to run counter to our collective interests and the idea of sustainable development."*

**Nick Poole, CEO of CILIP, the Chartered Institute of Library and Information Professionals (UK)**

*"[William Maher] expressed frustration with the intransigence of the EU's delegation to the SCCR, noting that because SAA's members manage primary source works from throughout the world, they need uniform, global standards that can only come through the sort of work that the EU's delegation is blocking."*

**William Maher, the Society of American Archivists (SAA) delegate to WIPO**