

IFLA Statement on “Objectives and Principles for Exceptions and Limitations for Libraries and Archives”

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By Winston Tabb, International Federation of Library Associations and Institutions

Thank you, Mr Chair. I am speaking on behalf of IFLA to the general issue of “support for research and human development,” although the two activities involved also relate to national exceptions and to exceptions in a digital environment.

First, no library within a country can own every book, journal or published work. It is customary practice for libraries to supply one another other with material on a non-commercial basis, in response to requests from their users, in order to provide the widest access to knowledge and the best service to their patrons. The collaborative system of resource sharing is commonly known as interlibrary loan for print material and interlibrary document supply for digital material. Interlibrary arrangements are an essential, long-accepted means for ensuring richness and diversity in collections and for maintaining robust library services that allow for resource sharing while protecting the legitimate interests of rights holders. Such sharing cannot, however, be limited only to “certain” materials or solely to national repositories and also provide access to the “cumulative knowledge of the world’s nations and people.”

The second activity is the supply of copies of individual items to individual users for research, study or other private purposes. This is one of the most widely accepted exceptions and limitations to the right of reproduction in national copyright laws. The need for a person to make copies for a variety of non-commercial creative, educational and information purposes is confronted daily by librarians who encounter the real needs of individuals. But it would be impractical and hamper the free flow of information if permission had to be obtained for each and every copy, whether the material is in a national or foreign repository; so a trans-national solution is required.

These common, cross-border library and archives activities are essential for support for research and human development. As Neelie Kroes, Vice President of the European Commission, said yesterday, copyright reform and more harmonized exceptions are required to end the irritating, anachronistic barriers hampering access to content across borders to the detriment of researchers, cultural heritage, and the human right of access to knowledge.

Thank you, Mr. Chair.