



IFLA Statement on Core Principles on Libraries and Copyright

This statement frames IFLA's work on copyright, and in particular that of the Advisory Committee on Copyright and other Legal Matters. It complements existing IFLA materials and work related to copyright, not least concerning Open Access and access for persons with print disabilities, as well as IFLA statements on other issues, such as freedom of access to information and freedom of expression.

Introduction

- Copyright law is a key determinant of how libraries can use their collections and, thus, directly shapes how libraries deliver on their missions.
- Education, research, and a vibrant cultural sector are all embodied in the purpose of copyright aligned with the interests of creators.
- The updating of copyright law for the digital age is essential. Libraries historically enjoyed protections and possibilities that must continue, evolving in alignment with new technologies. Without this evolution, there is risk that the transition to digital functionally undermines longstanding protections that are designed to support libraries' missions.
- Libraries support creators and respect the role of copyright supporting creativity – but are concerned that excessively strong copyright, or that which fails to evolve, may serve to undermine the long-term education, research, and cultural goals it claims to support.
- Copyright should be an enabler, not a source of fear, or a driver of transaction costs that draw resources away from delivery.
- There is often an unbalanced relationship between large rightsholders, who seek to restrict access and use in order to maximise revenues, and libraries, who seek to facilitate access to use now and into the future.

What matters for IFLA

- Libraries need to be able to preserve; making copies for preservation should be uncontroversial.
- Libraries need to be able to facilitate access to and use of materials for education, research, and wider public interest goals.

- Libraries need to be able to make use of new and emerging technologies to allow for remote access.
- Exceptions must be flexible enough to allow us to respond to new use cases while following key principles of fairness and respect for copyright law.
- There should be permissive approaches to out-of-commerce works, particularly orphan works given the risk that these works may be lost to future generations and the lack of obvious harm from their use to rightsholders.
- Exceptions should work across borders.

What kind of reform is needed?

- Copyright law should include technology-neutral limitations and exceptions to be effective and efficient.
- These limitations and exceptions should be protected from contract override. Contract terms should not be able to be used to circumvent protections otherwise extended to libraries and their users.
- Technological protection measures (TPMs) that prevent the enjoyment of limitations and exceptions otherwise extended to libraries and their users should not enjoy protection. We need practical tools to allow for removal/circumvention as needed to permit fulfillment of the library mission.
- Libraries should benefit from limitations on liability for copyright infringement when acting reasonably and in good faith, as well as wider protections against unfair contract terms.
- There should be exploration of possibilities to address situations where libraries are denied access to materials under reasonable terms, given that this is a necessary condition for the enjoyment of exceptions and limitations.
- Copyright enforcement efforts should be proportionate, recognise the public interest role of libraries, and recognise the benefits of access.
- Outside of copyright and related law, the functioning of information markets should receive greater focus from competition and market authorities, given their impacts on research, innovation and other goals, and the power given to rightsholders to restrict access.
- Libraries support efforts to ensure fair distribution of copyright revenues to creators.

Agreed by the IFLA Governing Board, 4 April 2025