



**International  
Federation of  
Library  
Associations and Institutions**

**Statement on Exceptions and Limitations, 11 May 2022**

I speak on behalf of IFLA, the International Federation of Library Associations.

Congratulations to the Chair and Vice Chair on your election!

To be clear: we do not see exceptions and limitations as being the only solution to the challenges we face around access to education, research and culture - and in particular, the chronic under-supply of accessible, affordable digital content. Yet on the agenda item we have, as agreed by Member States, exceptions and limitations do play an essential role in helping to guarantee this right.

Individual projects and goodwill are not and cannot be enough.

In our discussions, we also need to address that the transition to digital risks being an opportunity to roll back protections for key education, research and cultural participation activities. We must be wary of giving carte blanche for contract terms and digital locks, rather than law, to determine what libraries and users can do, to prevent a silent de-balancing of copyright systems, leaving libraries and library users facing confusion and frustration.

The world will not wait and has not waited. The shift to digital long pre-dates the pandemic. Climate change is a reality, putting collections at risk, from both sudden disasters and accelerated degradation over time. Preservation, and access to such preserved content on similar terms of access to originals, is essential, and is held back by the non-reform of copyright laws. This requires a response that provides direction, that facilitates work across borders.

The world's millions of libraries are not expecting this committee to do everything. They don't expect immediate or clear solutions – we know that this is hard. However, what they do expect is that this committee uses its potential to advance towards whatever tools will have the most effect, which we think is what the African Group proposal does. We hope that everyone will engage constructively and concretely with it.

To turn to our experts, I would like to ask for your ideas about the key unanswered questions and open challenges, especially those which have become clearer since we last met in person, which demand the sort of response that SCCR might be able to provide.

*Delivered by Stephen Wyber, Director of Policy & Advocacy*