



Get into...

The World Intellectual Property Organization (WIPO)

24 February 2024

The World Intellectual Property Organisation (WIPO), based in Geneva, is the United Nations agency responsible for copyright and other intellectual property issues. Established in 1967, its official mission is to lead the development of a balanced and effective international intellectual property (IP) system that enables innovation and creativity for the benefit of all.

IFLA has official observer status at WIPO, together with the International Council on Archives (ICA), the International Council of Museums (ICOM) and around 250 other non-governmental organisations. For libraries, WIPO is not only the primary focus of efforts to promote better copyright laws internationally, but also a potential partner in supporting the library field. Additionally, its meetings provide a good opportunity to meet with senior national officials who may otherwise be difficult to engage with.



How does it work?

WIPO deals with all types of intellectual property: copyright, patents, trademarks, industrial designs, geographical indications and traditional knowledge.

As well as preparing treaties (such as the Marrakesh Treaty for people with print disabilities), WIPO also produces research and guidance, conducts capacity-building programmes, offers advice, and helps to resolve disputes. It has 193 members and is largely funded through fees for filing patents.

Work takes place under the supervision of committees of national representatives. For copyright, the Standing Committee on Copyright and Related Rights (SCCR) is the most relevant, although copyright can also be discussed in meetings focused on development, indigenous knowledge, and enforcement.

SCCR usually meets twice a year for a week at a time. Member States are sometimes represented by an official from their capital, sometimes by a diplomat based in Geneva, or a mixture of the two. Not all Member States regularly attend, although all larger countries are usually there.

Member states coordinate within regional groups: Africa, Latin America and the Caribbean, Group B (industrialized countries), Asia-Oceania, Central Asia (CACEEC), and Central Europe and the Baltic States (CEBS). China is its own group. Often, only the group 'coordinator' speaks on behalf of the group as a whole.

NGOs, such as IFLA, can also have a place in the room, and are generally invited to speak, especially on areas where they have expertise. IFLA has official observer status.

Meetings of SCCR are typically focused on work on two key areas – a proposed Broadcasting Treaty, and work on limitations and exceptions for libraries, archives, museums, education and research institutions, and people with other disabilities. The Broadcasting Treaty has been on the table for many years, but a draft text is in place. Work on limitations and exceptions faces objections from some to the idea that there should be a legal text, and so work focuses more on bringing out the issues. There is also time for other issues brought up by Member States.

How does engaging in WIPO help?

WIPO, as a UN agency, is the main forum for adopting global legal instruments on the topic of copyright. The WIPO Copyright Treaty of 1996, and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled are two examples.

Both instruments have led to accelerations in national reform programmes and are the only sure means of responding to concerns about cross-border application of exceptions to copyright. This is necessary work – too many countries either have no provisions at all that help libraries fulfil their missions, while others only have outdated or highly limited ones.

Libraries' presence on the agenda at SCCR provides a very visible platform from which to argue to governments the case for effective exceptions and limitations to copyright in all countries. It is also the only venue capable of addressing the challenge of how to share information and collaborate across borders. In short, the model of the Marrakesh Treaty is powerful, and we believe that it could be usefully replicated for other areas of library work.

However, WIPO also offers many other opportunities, including training programmes, regional workshops, guidelines, best practices and research. The Crews studies on limitations and exceptions for libraries and archives ([2008](#), [2015](#), [2017](#)) – originally commissioned at the urging of IFLA - are a good example, providing an authoritative survey of copyright laws worldwide affecting libraries.

Overall, being present at WIPO allows IFLA to educate decision-makers about the needs of libraries when establishing copyright policies, to push for stronger laws and guidance internationally, and to advocate for WIPO-supported capacity building. IFLA's presence also serves as a critical counter-weight to the voices of those who oppose change or promote the weakening of exceptions and limitations. To guarantee our continuing impact effect, a persistent and strong library voice is needed, in particular at a national level, in order to ensure maximum support in Geneva for better policies for libraries.



Why should you get involved?

While it may not be possible to bring lots of people to Geneva, the success of IFLA's work there depends strongly on engagement at the national level. An official who knows that the national library community is mobilised and supportive of progress is more likely to work with IFLA. It is also true that in many cases, organisations that would prefer to restrict or remove exceptions to copyright are already lobbying. It is vital to balance this message.

As well as helping IFLA, your engagement can also advance your own objectives, providing an excuse to be in touch with the national copyright office on a regular basis. You can also ask the IFLA team to talk with people from your government attending SCCR. WIPO events in your country can provide a useful opportunity to communicate with ministers and experts.


As well as helping IFLA, your engagement can also advance your own objectives, providing a valuable rationale for being in touch with the national copyright office on a regular basis. You can ask the IFLA team to talk with people from your government attending SCCR. WIPO events in your country can provide a useful opportunity to communicate with ministers and experts.

What is happening at the moment?

As highlighted above, the two main agenda points are on broadcasting, and on limitations and exceptions.

On broadcasting, there is the text of a potential Treaty on the table, but this remains stuck due to questions around its scope and relevance nowadays. The Treaty dates from a pre-digital age, and a key question is around how far it also applies to webcasting and on-demand video services such as Netflix. Another concern is around 'post-fixation rights' – i.e. control over what is done with recordings, and how to ensure a strong limitations and exceptions framework so as not to restrict the work of libraries and others.

On limitations and exceptions, after many years of little movement, the leadership of the African group has meant that there is an action plan on the table which calls for the development at least of objectives and principles on preservation, digital education and more. While not international law, this would have value in supporting governments when taking decisions about how they want to do their own copyright law.



While there is significant support from some, there is also opposition to progress here. Among civil society, this is led by publisher and collective management organisations, whose priority is to maximise revenues from copyrighted work, regardless of the costs this has in terms of access, or the harm that it does to library activities.

Their arguments often focus on how licensing can solve everything (which the evidence suggests is simply not the case, and also denies the fact that unremunerated uses of work are clearly permitted in international law), as well as, behind the scenes, implying that reforms to copyright law will lead to piracy. These arguments have little basis in fact, and often deliberately mischaracterise the work of libraries and others.

Beyond this, and while not a core agenda item, Brazil in particular has long pushed for work to understand the situation of artists in the digital environment. This has focused on the practices of platforms and producers, in order to understand what may be restricting flows of money to creators themselves. In parallel, discussions around the role of artificial intelligence and its impact on copyright industries have also come into the foreground, reflecting discussions taking place a lot at the national level.

Finally, other issues on the table include public lending right (where we argue that this is an inefficient and potentially harmful way of supporting creativity – better options are available), the rights of theatre directors, and artists' resale rights.

Outside of the Committee, there are also relevant initiatives, including a toolkit setting out different approaches to preservation statutes in copyright laws, as well as guidance on the governance of collective management organisations. Behind the scenes, WIPO also does a lot of work to advise national governments on copyright reform, as well as to establish collective management organisations and others, an issue which we believe could benefit from more transparency. Finally, WIPO also funds specific projects, under its Development Agenda, looking at specific topics.

What can you do?

First of all, it is valuable for libraries to follow debates and developments about copyright nationally. You can ensure that you are on relevant mailing lists, and have contacts within the ministry or agency responsible for copyright issues.

For WIPO, the below offers some suggestions of how to get involved:

- **Read more** in the chapters on WIPO and the Marrakesh Treaty in our [Copyright Reader](#)!
- **Follow IFLA** on [social media](#) during SCCR meetings (the next is on 15-19 April 2024)
- Apply to join the **IFLA CLM Network**, a world-wide group of experts on copyright and libraries. You can share news on copyright reforms in your country, as well as receiving updates on our work with SCCR, and find many allies ready to help you in your own advocacy work!
- Identify your national representatives to SCCR. Every UN member state is represented at WIPO, although not all attend. If you can't find out from your copyright office, ask IFLA who went to the previous meeting (if anyone). You can also find a list of copyright offices on the [WIPO website](#).
- Write to the government ahead of SCCR meetings, highlighting what libraries are doing and what's at stake. Make sure they have heard about the concerns of the library sector.
- Let IFLA know if there are any issues to raise with your representatives in Geneva. It may be difficult to contact senior officials at home, but within WIPO it can be easy. IFLA is happy to make points for you during SCCR sessions in Geneva.
- Become an Observer at WIPO. A number of library associations have official observer status. This is useful for IFLA, as it enables us to make more interventions in meetings, and to ensure that governments hear multiple, informed voices. To become an observer, you should submit [this form](#).
- Let IFLA know what you've done! Share your stories [with us](#)!