

Standing Committee on Copyright and Related Rights

Thirty-Fifth Session
Geneva, November 13 to 17, 2017

**DRAFT ACTION PLANS ON LIMITATIONS AND EXCEPTIONS
FOR THE 2018-19 BIENNIUM**

prepared by the Secretariat

Draft Action Plans on Limitations and Exceptions for the 2018-19 Biennium (SCCR/36-39)

Draft Action Plan – Libraries

<p>1. Develop a typology of various existing legislative and other mechanisms related to the application of the limitations and exceptions regime to libraries. This work would be based largely on the <i>Crews Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised</i> (2017 Edition) (SCCR/35/6) and the <i>Chair's informal chart on limitations and exceptions for libraries and archives</i> (SCCR/34/5).</p>	<p>First half of 2018 (to be reported at SCCR/36)</p>
<p>2. Undertake a brainstorming exercise with professionals and stakeholders from the libraries, universities and research centers, publishers, and consumers, to identify subjects that would benefit from further work at the international level (e.g. cross-border e-lending), with particular attention to the <i>Crews Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised</i> (2017 Edition) (SCCR/35/6) and the <i>Chair's informal chart on limitations and exceptions for libraries and archives</i> (SCCR/34/5).</p>	<p>Second half of 2018</p>
<p>3. Conduct regional seminars (Africa, Asia and Pacific, Latin America, CACEEC, Group B) with SCCR Members and stakeholders. The objective would be to analyze the situation of libraries, as well as educational and research institutions, with respect to the limitations and exceptions regime, and to identify proposals or methods to address possible needs, considering soft law, contractual/licensing and normative approaches.</p>	<p>Second half of 2018 and first half of 2019</p>
<p>4. Hold a conference on libraries and copyright and related rights, gathering SCCR Members and stakeholders. The objective would be to consider the checks and balances of various international solutions to address the challenges identified, such as contractual arrangements, joint recommendations, treaties and/or other forms, as appropriate.</p>	<p>Second half of 2019 (to be reported at SCCR/39)</p>

Draft Action Plan – Archives

<p>1. Undertake a scoping study on the legal conditions with regard to limitations and exceptions under which archives currently carry out their missions:</p> <ul style="list-style-type: none"> • Focus on the following three areas: conservation/preservation; access (offline and online, including for education and research); and exploitation of works as well as objects of related rights (offline and online). • Use the information on limitations and exceptions for archives found in the <i>Crews Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised</i> (2017 Edition) (SCCR/35/6) as an initial basis for examining national legal regimes applied to archives in this regard. • Include a typology of archives. • Include a “mapping” of the different rights as well as limitations and exceptions related to the different types of archives in the three areas of conservation, access, and exploitation of works, particularly in the digital environment. • Identify and interview professionals and stakeholders in the archive world including archive personnel, creators and rights holders whose works are in archives, commercial users of archival works in the B-to-B context, academic or research users, and the general public. 	<p>Second half of 2018 (to report at SCCR/37)</p>
<p>2. Create a reference group of experts in the archive world including archive personnel, representatives of institutions holding archives, creators and rights holders whose works are held in archives, commercial users of archival works in the B-to-B context, academic or research users, and the general public. The group will identify areas for action, considering soft law, contractual/licensing and normative approaches.</p>	<p>Second half of 2018 and first half of 2019</p>
<p>3. Undertake the further work identified by the reference group of experts in order to explore solutions for the areas identified for action.</p>	<p>Second half of 2018 and first half of 2019</p>
<p>4. Adopt a further plan of action based on the solutions identified, including a possible conference.</p>	<p>Second half of 2019 (SCCR/39)</p>

Draft Action Plan – Museums

<p>1. Undertake a scoping study on the legal conditions with regard to limitations and exceptions under which museums currently carry out their missions:</p> <ul style="list-style-type: none"> • Focus on the following three areas: conservation/preservation; access (offline and online, including for education and research); and exploitation of works as well as objects of related rights (offline and online). • Use the information on limitations and exceptions for museums found in the <i>Crews Study on Copyright Limitations and Exceptions for Libraries and Archives: Updated and Revised</i> (2017 Edition) (SCCR/35/6) as an initial basis. • Include a typology of museums. • Include a “mapping” of the different rights as well as limitations and exceptions utilized by different types of museums in the three areas of conservation, access, and exploitation of works, particularly in the digital environment. • Identify and interview professionals and stakeholders in the museum world including museum personnel, creators and rights holders whose works are in museums, commercial users of museum works in the B-to-B context, academic or research users, and the general public. 	<p>For SCCR/36</p>
<p>2. Undertake a brainstorming exercise with museum representatives and stakeholders to identify areas for action.</p>	<p>Second half of 2018</p>
<p>3. Hold a conference to present and validate the results of the brainstorming exercise and discuss possible solutions for the areas identified for action, considering soft law, contractual/licensing and normative approaches.</p>	<p>First half of 2019</p>
<p>4. Report to SCCR/39 on solutions and possible areas for international cooperation identified during the conference.</p>	<p>SCCR/39</p>

Draft Action Plan – Educational and Research Institutions

<p>1. Develop a typology of various existing legislative and other mechanisms related to the application of the limitations and exceptions regime to educational and research institutions. This work would be based largely on the Seng <i>Updated Study and Additional Analysis of Study on Copyright Limitations and Exceptions for Educational</i> (SCCR/35/5) and the <i>Chair's informal chart on limitations and exceptions for educational and research institutions</i> (SCCR/34/6).</p>	<p>First half of 2018 (to be reported at SCCR/36)</p>
<p>2. Undertake a study on the digital issues at stake for the activities of educational and research institutions at the national and international level, with regard to limitations and exceptions. The study would cover areas such as the availability of e-learning modules and the development and operation of distance learning including MOOCs, and would identify possible areas for development and improvement at the international level.</p>	<p>Second half of 2018</p>
<p>3. Conduct regional seminars (Africa, Asia and Pacific, Latin America, CACEEC, Group B) with SCCR Members and stakeholders. The objective would be to analyze the situation of educational and research institutions as well as libraries, with respect to the limitations and exceptions regime, and to identify proposals or methods to address possible needs, considering soft law, contractual/licensing and normative approaches.</p>	<p>Second half of 2018 and first half of 2019</p>
<p>4. Hold a conference on educational and research institutions and copyright, gathering SCCR Members and stakeholders. The objective would be to consider the checks and balances of various international solutions to address the challenges identified, such as contractual arrangements, joint recommendations, treaties and/or other forms, as appropriate.</p>	<p>Second half of 2019 (to be reported at SCCR/39)</p>

Draft Action Plan – Persons with Other Disabilities

<p>1. Deepen understanding by updating and expanding the Reid/Ncube <i>Scoping Study on Access to Copyright Protected Works by Persons with Disabilities</i> (SCCR/35/3), adding results of additional Member State questionnaires as well as following suggestions for further work.</p>	<p>2018 (to be reported at SCCR/37)</p>
<p>2. Hold SCCR side event to demonstrate innovative accessibility solutions with special emphasis on education and audiovisual works, including reports on cutting-edge experimental solutions and current research approaches in this field.</p>	<p>SCCR/38</p>
<p>3. Undertake a brainstorming exercise with stakeholders on possible solutions for the improvement in the areas identified by the Reid/Ncube <i>Scoping Study on Access to Copyright Protected Works by Persons with Disabilities</i> (SCCR/35/3) and during the side event, considering soft law, contractual/licensing and normative approaches.</p>	<p>Second half of 2019</p>
<p>4. Report to SCCR/39 on solutions for the areas identified for improvement during the activities listed above.</p>	<p>SCCR/39</p>

[End of document]