



Brussels, 7 May 2014

Open letter

**Mr. José Barroso, President of the European Commission,
Mr. Michel Barnier Internal Market and Services Commissioner,
The Greek Presidency and Members of the Council of the European Union,
Members of the European Parliament,**

The undersigned international and European creative sector organisations urge the European Union and its Member States to join them in requesting that WIPO's Standing Committee on Copyright and Related Rights (SCCR) clarifies its mandate before committing to further work with regard to copyright limitations and exceptions.

A broad range of divergent views exists among WIPO Member States. This fact was abundantly evident during the discussion at last week's 27th session of the SCCR. The future direction of the SCCR may have far-reaching implications for the international copyright framework in relation to the 11 topics of the working document on limitations and exceptions for libraries and archives, and the 24 topics of the working document on limitations and exceptions for educational, teaching and research institutions and persons with other disabilities. Many of the topics, which a number of Member States wish to deal with through a legally binding international instrument as well as certain WIPO Member States' request for the extra-territorial application of mandatory exceptions at the international level go well beyond the *acquis communautaire* and risk severely prejudicing Europe's creative industries and wider European interests.

We agree with the EU, other Group B and Central European and Baltic States (CEBS) countries that WIPO Member States first need to agree on principles and objectives before engaging in further discussions about a possible international instrument.

The preferred approach to undertake an exchange of national experiences and technical cooperation based on the existing international copyright framework — which indeed allows for appropriate and balanced copyright limitations and exceptions — is sensible, realistic and indispensable to the aim of maintaining requisite balance and flexibility in the existing international copyright framework.

WIPO's goal should be to establish a framework, which facilitates the exchange of experiences as well as technical cooperation and assistance, maintaining an appropriate balance between exceptions and corresponding exclusive rights.

Our firm position is that WIPO needs to strive for a balanced and effective international copyright framework. We believe that the European Union and its Member States should have a fair and clear approach on the matter and we stand ready to assist in this matter of critical importance to European and international creative sectors.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Olav Stokkmo', with a stylized, cursive script.

Olav Stokkmo
CEO of IFRRO on behalf of

Australian Copyright Council (ACC)

CISAC (Confédération Internationale des Sociétés d'Auteurs et Compositeurs)

European Writers Council (EWC)

FIA (International Federation of Actors)

Federation of European Publishers (FEP)

GESAC (European Grouping of Societies of Authors and Composers)

IFRRO (International Federation of Reproduction Rights Organisations)

IFPI representing the recording industry worldwide

International Federation of Film Producers Associations (FIAPF)

International Federation of Journalists (IFJ)

International Publishers Association (IPA)

International Video Federation (IVF)

Motion Picture Association (MPA)

International Association of Scientific, Technical and Medical publishers (STM)