

Consolidated conclusions

SCCR 36/WIPO lunch time side event

Towards and international copyright framework: How WIPO can contribute to achieving the right to education

The panel stressed that WIPO as a specialized agency within the UN system, has an important role to play in contributing to Sustainable Development Goal 4 on quality and equitable education for all.

The SCCR, WIPO's lead committee on examining matters of substantive law or harmonization in the field of [copyright and related rights](#), can advance the goal by working towards a balanced international copyright framework that broadens access to and use of works in education institutions around the world. This includes the facilitation of cross-border collaboration that is urgently needed for the provision of modern quality education in the digital age.

The Indonesian teachers' union (PGRI) has 3 million members across the country- in the city, villages, and remote areas. For Indonesia, as a developing country, access to quality and affordable teaching and learning materials plays a pivotal role in increasing quality education. In order to facilitate this, PGRI promotes increasing access to Open Educational Resources, but also advocates for fair access to and use of copyrighted materials.

It was discussed how a key failure of outmoded copyright exceptions for education is a lack of applicability to fair uses of all kinds of works (e.g. including digital), by all kinds of users (e.g. both teacher, student and institution) for the full scope of activities that take place through educational settings.

Representatives of education unions, authors, researchers and civil society agreed that exceptions and limitations for education and research purposes are in the interest of creators and users alike and that is important to find a balanced approach that fosters creativity and learning for all- not just the economically privileged.

On the creator's side, limitations and exceptions in the educational setting can promote authors' goals of advancing knowledge, help them to build reputational capital, and increase the impact of their works.

The panel expressed concern that copyright debates are increasingly dominated by for-profit interests that undermine the public interest and fair access to and use of works for education activities.

The presentation on licenses in Europe showed how licenses for access to e-resources often subordinate limitations and exceptions for the benefit of license holders.

The presentation on the Canadian situation showed that flexible fair dealing provisions can enhance educational outcomes without harming publishers and authors. Despite claims to the contrary, the Canadian experience indicates that fair dealing can co-exist with a successful commercial publication market. Since Canadian reforms were enacted in 2012, there has been increased spending on copyright licensing by educational institutions and larger profit margins for publishers.

The panel concluded that it will be important to keep the discussion on education exceptions and limitations high on the SCCR agenda and that it will be essential that the forthcoming consultations and negotiations are transparent and based on an inclusive consultation of all relevant stakeholders.