



# EMERGENCIES AND COPYRIGHT TIPS FOR LIBRARIANS

## How to provide access to printed resources when institutions are closed

For print material in the library's collection, especially textbooks and other resources in local languages, licensed electronic versions are often not available. In the absence of an electronic version, what are the options when students and teachers need access to physical collections during emergencies, such as COVID-19 lockdowns? Can the library supply a digital copy?

### **STEP 1. Check if your copyright law allows librarians or educators to digitize (scan) materials, and make them available to teachers and/or students.**

- \* Find your copyright law in [WIPOLex](#), and look for 'Limitations and Exceptions' or references to permitted uses by libraries, educational institutions or teachers.
- \* Consult the WIPO studies on Copyright Limitations and Exceptions For Libraries and Archives ([2017](#)) and Educational Activities ([2017](#)) that set out national exceptions country-by-country.
- \* Get advice from a local academic who teaches IP law or a specialist copyright lawyer.
- \* Get advice from your [National Copyright Office](#).

### **STEP 2. If the law does not permit librarians or educators to digitize (scan) materials, and make them available to teachers and/or students, try to obtain permission from the local reproduction rights organization (RRO), if it exists, or directly from the publisher.**

- \* Check the [International Federation of Reproduction Rights Organisations \(IFRRO\)](#) membership list.

### **STEP 3. If the above steps don't help, request government support.**

- \* Explain the problems to the ministry responsible for libraries in your sector, the ministry for education and the National Copyright Office. Ask for help in resolving the issues that might include initiating steps to amend the copyright law.
- \* Ask to invoke Article 73 of the WTO TRIPS agreement, known as the '[security exception](#)' that can be used in times of war or other global emergency (such as a pandemic). For example, in order to support online education during COVID-19, enforcement of copyrights could be temporarily waived to bridge gaps in the copyright law.
- \* [Least Developed Countries \(LDCs\)](#) already benefit from a general waiver that exempts governments in LDCs from implementing TRIPS obligations with regard to the protection and enforcement of IP rights, including copyright - ask your government to utilize it!

Librarians in EIFL partner countries can request support from EIFL's Copyright and Libraries Programme.  
Contact the Copyright and Libraries Programme Manager - [teresa.hackett@eifl.net](mailto:teresa.hackett@eifl.net)