

IFRRO Board Report 2019

This report covers the period 1 July 2018 – 30 June 2019.

1. Organisational Overview

1.1. Board Representation

In the period under review, the Board of Directors was comprised of:

Presidency: Rainer Just (VG Wort), President; Yngve Slettholm (Kopinor), First Vice President and Tracey Armstrong (CCC), Second Vice President and Treasurer.

Directors: Sandra Chastanet (CFC), Vincent van den Eijnde (Stichting Pictoright), Dora Makwinja (COSOMA), Mat Pfleger (CLA), and Eefke Smit (IPRO).

Substitute Directors: Ana María Cabanellas (IPA), Edward Hasbrouck (NWU/IFJ), Samantha Holman (ICLA). One RRO Substitute Director position remained vacant throughout the period, as a result of Dora Makwinja's appointment to fill a casual vacancy in a RRO Director position.

In the period under review, Caroline Morgan served as CEO and Secretary General.

The Board met three times in the period under review: 24 October 2018, in Athens Greece, 26 February 2019, in Geneva Switzerland and 4 June 2019 in Dublin Ireland.

1.2. Membership

As at 30 June 2019, IFRRO has 151 members in 85 countries. One hundred and one members are RROs, of which 27 are Associate RROs and 14 Provisional RRO members. There are 50 Creator or Publisher Association Members.

In the period under review, two organisations became members of IFRRO: PICSEL and COSOTA, and one organisation, KOPITAN resigned its membership of IFRRO. Collected fees by RROs remained steady, at around €979 million.

2. Policy and Strategic Developments

The Strategic Plan, adopted in 2018, guided IFRRO's activities and operations during the period under review. The Strategic Plan has two objectives, to **Advocate for Copyright and the Creative Sector** and to **Build a Strong and Resilient RRO network**. A copy of the Strategic Plan is available on the [Members Only](#) section of the IFRRO website.

2.1. Author and Publisher Participation in RROs

Cooperation between authors and publishers, and the understanding that each have a right to share in remuneration for the secondary reproduction of published works, is fundamental to the successful operation of RROs.

In previous Annual Reports, we commented on the challenges facing the current RRO model of operation as a result of the decision of the Court of Justice of the European Union (CJEU) in the litigation between HP Belgium and Reprobel, and that of the German Federal Court of Justice in the Vogel case against VG Wort.

In April 2019, the EU's Copyright in the Digital Single Market ("DSM") Directive ([2019/790](#)) was finally adopted, including Article 16, which clarifies that Member States may allow for publishers as well as authors to receive a share of collective management compensation schemes. In the period leading up to the adoption of the Directive, IFRRO continued to lobby for the adoption of this Article (originally known as Article 12). In doing this, the IFRRO Secretariat worked closely with the Article 12 Task Force, comprising Kurt Van Damme (Reprobel); Jukka-Pekka Timonen (Kopiosto); Sarah

Faulder (PLS); Samantha Holman (ICLA); Malin Koch / Myriam Diocaretz (EWC); Rene Viljoen (STM); Anke Schierholz (Bild Kunst); Robert Staats (VG Wort) and Tracey Armstrong (CCC).

The EU decision-makers crucially rejected proposals to delete / restrict the application of Article 16 to only certain Member States and the idea of having a cut-off date for the application of the provision. The final text importantly ensures that all Member States may allow for publishers as well as authors to receive a share of collective management compensation schemes.

The Task Force has been disbanded following the successful adoption of Article 16 of the Directive. The IFRRO Board thanks the members of the Task Force and other members who contributed to this important campaign.

Outside the EU, the participation of both authors and publishers remains the norm in RROs' activities and distribution, including for those RROs that administer private copying and reprography levies.

2.2. Exceptions and Limitations

A key issue being faced by rightsholders and RROs is the coordinated campaign at an international, regional and national level to expand the range of uses of copyright content that can be done for free by libraries and educational institutions.

In the collective management sector, the campaign is focused on expanding unremunerated exceptions to copyright and the payment of lower licensing fees. The justification being advanced for this campaign is that this wider unpaid access to copyright content is necessary in the public interest, and that this access is consistent with and supports the UN's Sustainable Development Goals (see [here](#)).

In responding to this campaign, IFRRO is working closely with its member associations representing authors, publishers and visual artists. IFRRO and the activities of its RRO members, demonstrate that collective licensing solutions guarantee affordable access to works and at the same time reward the creativity of authors and publishers.

2.2.1. WIPO

The two WIPO SCCR (Standing Committee on Copyright and Related Rights) meetings held during the year under review saw continued discussions on exceptions and limitations, with a focus on education, and libraries and archives. IFRRO participated in each of these SCCR meetings.

In addition to discussions at SCCR meetings, WIPO began implementation of the [two action plans](#) on exceptions and limitations which were agreed at the SCCR meeting in May 2018. One of the action plans concerns activities in respect of libraries, archives and museums and the other activities in respect of educational and research institutions and persons with other disabilities.

The action plans comprise a combination of studies and reports on the issues being experienced in these sectors in accessing and using copyright content, including a study (see [here](#)) being conducted by Raquel Xalabarder and Monica Torres on the issues for educational institutions with regard to limitations and exceptions, including distance learning and MOOCs. The objective of the study is to identify possible areas for development at an international level. IFRRO and its members have provided information to the researchers on the solutions offered by collective management to these issues in different countries around the world.

In the field of libraries and museums, studies are also being conducted, including a typology analysis of Copyright Limitations and Exceptions by Yaniv Benhamou (see [here](#)). In addition to the studies and reports, WIPO has also held three regional conferences to more closely analyse the situation of libraries, archives, museums and educational and research institutions and identify areas for action. Representatives from WIPO Member States were invited to these seminars as well as observers. Over two days the participants at the seminars engaged in discussions with the researchers and shared information about the situation in their countries.

IFRRO worked closely with our stakeholder organisations, IAF, IFJ and IPA to ensure that authors and publishers were represented at each of the meetings along with RRO representatives, to

ensure the views of the creative sector were heard and the role of collective management and licensing in providing access to works was understood by participants.

The regional seminars were held in:

Singapore on 29 and 30 April 2019, attended by representatives of 37 WIPO Member States, and 15 observer organisations, including IFRRO, and IFRRO members IPA, AAP, Copyright Agency, CLNZ, HKRRLS and CLASS. IFRRO was represented by the CEO. Further information about the Seminar is available at: https://www.wipo.int/meetings/en/2019/regional_seminar_aspac.html.

Nairobi on 12 and 13 June 2019, attended by representatives of 47 WIPO Member States, and three regional African intergovernmental organisations (ARIPO, OAPI and UEMOA). The observer organisations included IFRRO, and IFRRO members IPA, IFJ, IAF, DALRO, ZARRSO, CopyGhana, COSBOTS, and Kopiken. IFRRO was represented by the CEO and Manager for Policy and Regional Development. Further information about the Seminar is available at: https://www.wipo.int/meetings/en/2019/regional_seminar_nairobi.html.

Santa Domingo on 4 and 5 July, attended by representatives of 28 WIPO Member States, and 29 observer organisations, including IFRRO, and IFRRO members IPA, IFJ, ABDR, CDR, CADRA, CEMPRO, Jamcopy, SEA, CCC, CEDRO and AAP. IFRRO was represented by the CEO. Further information about the Seminar is available at: https://www.wipo.int/meetings/en/2019/regional_seminar_santo_domingo.html.

The next activities in the action plans involves a further meeting on exceptions and limitations in Geneva on 18 and 19 October 2019, to review the outcomes of the three Regional Seminars, and to discuss the considerations arising from the Seminars for the attention of the SCCR.

2.2.2. European Union

The EU Copyright in the Digital Single Market (“DSM”) Directive ([2019/790](#)) was adopted in April 2019. It contains a number of exceptions, including for: text and data mining (TDM) by research organisations for the purposes of scientific research (Art. 3); general TDM for other purposes (Art. 4); digital use of works and other subject matter for ‘illustration for teaching’, although Member States may make its application subject to the availability of licences (Art. 5); and, finally, to allow cultural heritage institutions to make copies of any works or other subject matter that are permanently in their collections for the purposes of preservation (Art. 6).

There are also provisions in the Directive to facilitate the digitisation and dissemination of out of commerce works by cultural heritage institutions via licensing mechanisms, with a “fall back” exception applying where no “sufficiently representative” CMO exists (Arts. 8-11).

Following the publication of the European Commission’s proposal for the DSM Directive in 2016, IFRRO was active in lobbying for a more balanced text. In previous Annual Reports we have highlighted some of IFRRO initiatives in this regard, including the adoption of a [Resolution](#) concerning copyright exceptions in 2017, urging EU decision-makers to avoid risking conflict with normal exploitation and unreasonably prejudicing the legitimate interests of authors and publishers. The Content for Education campaign launched in 2018 (www.contentforeducation.org), also reinforced particular concerns relating to the exception for teaching.

The final text of the DSM Directive took into account various (although not all) concerns raised by IFRRO. For example:

In the Recitals relevant to Article 5 (illustration for teaching exception), it states: “In most cases, the concept of illustration would, therefore, imply the use only of parts or extracts of works, which should not substitute for the purchase of materials primarily intended for the educational market.” It is also clarified in the text that Member States may provide that the exception does not apply to material which is primarily intended for the educational market or sheet music.

There are also important safeguards included in relation to Article 8, the digitisation of out of commerce works. For example, “rightholders may, at any time, easily and effectively, exclude their

works or other subject matter from the licensing mechanism set out in paragraph 1 or from the application of the exception or limitation provided for in paragraph 2, either in general or in specific cases, including after the conclusion of a licence or after the beginning of the use". Recital 32 also clarifies that "lack of an agreement on the conditions of a licence should not be interpreted as a lack of availability of licensing-based solutions".

IFRRO welcomes the final adoption of the Directive and in particular the fact that it supports many of the innovative licensing solutions that IFRRO members provide - and are continuing to develop - for a variety of users. The Directive also provides opportunities for our sector to further innovate to provide seamless access to content for the different user groups in Europe.

While it remains to be seen what the full impact of the Directive will be, it is clear that it will have a direct impact on the future of licensing and collective management in Europe. IFRRO will be working closely with its members on the upcoming national implementation of the Directive.

2.2.3. National Developments

IFRRO has worked with members in a number of countries to counter proposals to amend national law to widen unremunerated exceptions and limitations, including Armenia, Canada, Ireland, Singapore, South Africa, Turkey and Ukraine.

In respect of **South Africa**, IFRRO forwarded the resolution passed by the 2018 IFRRO Annual General Meeting to oppose the law reform proposals to relevant government representatives (see [here](#)) and also joined with other groups representing the cultural and creative industries to make several representations to the government of South Africa against the Bill.

These submissions included a joint letter [here](#) to the chairs of the government Select Committees reviewing the Bill. On 29 January IFRRO, together with South African and international rightsholders associations, including DALRO, IAF, IPA, PASA, CISAC, IFPI and MPA, co-signed two letters protesting the unbalanced copyright reform in South Africa. The letters are available [here](#) and [here](#).

IFRRO also made a further [submission](#) on various aspects of the Bill in 2019 and provided financial support through the Development Fund for rightsholder participation in an expert panel which was convened early in 2019 to review the Bill. Despite a negative report by the expert panel, the Bill has progressed through the parliament and is currently awaiting signature by the President of South Africa. IFRRO continues to work closely with national and international rightsholder representatives to oppose the Bill.

In **Canada**, the first instance decision in the York University case in July 2017, in which the judge held that York University's fair dealing guidelines do not meet the test for fair dealing established by the Supreme Court of Canada, was appealed by York University on 31 July, 2018 with the appeal hearing taking place in March 2019. At the time of writing the decision of the Appeal Court has not been handed down and it is expected towards the end of the 2019 calendar year.

In November 2018 Copibec announced that it had reached an out-of-court settlement with Laval University, ending the legal dispute between the two parties. Laval University also signed a comprehensive licence agreement applicable to Quebec universities. In a joint press release Copibec and Laval said that they are "pleased that their dispute has been resolved through a solution that meets the needs of the university community and respects the right of copyright owners to receive fair compensation for the use of their content." See [here](#)

Two committees of the Canadian government undertook reviews of the Copyright Act in Canada during the year under review. IFRRO made submissions to each review, which are available [here](#).

A summary of Mihaly Ficsor's opinion that as a result of the Supreme Court decision in the CCH Case (*CCH Canadian Ltd. v. Law Society of Upper Canada 2004 SCC 13*) Canada is in breach of the international obligations contained in the Berne Convention was prepared for IFRRO by Marjon Esfandiary of PLS and approved by Mihaly Ficsor in December. A copy of the summary is available [here](#). The summary was also made available to the two Canadian copyright law review committees.

Each of the committees has issued its report, (see [here](#) and [here](#)). IFRRO's members Access Copyright and Copibec have each responded to the reports (see [here](#) and [here](#)).

2.3. Public Lending Right

The Steering Committee managing the activities of *PLR International* continued its work throughout the year under review.

The term of appointment of the initial Steering Committee expired in November 2018, and a new committee was appointed in February 2019. Due to his retirement, Christian Roblin, who had represented RROs on the Committee stepped down from the Committee in November 2018, as did Trond Andreassen and Anne Salomaa, who had served as author representatives on the Committee. We thank the retiring Steering Committee members for their contribution to the work of PLR International.

The current members of the Steering Committee, appointed in February 2019, are Barbara Hayes (Chair), Carola Streul, and Myriam Diocaretz representing authors, José Borghino and Anne Bergman-Tahon representing publishers and Kurt Van Damme and Caroline Morgan representing RROs. Jim Parker is engaged as the PLR administrator responsible for carrying forward the activity plan and objectives of *PLR International*.

PLR International has two main objectives:

- Supporting the establishment of PLR systems in EU Member States which have not yet met their obligations under the EU Lending Right Directive, and provide support to improve the operation of existing systems in the EU,
- Outside the EU, provide support for campaigns for PLR that are already underway and publicise the benefits of PLR more widely.

The PLR International website is at <https://www.plrinternational.com/>.

Participation in WIPO meetings is an important way for PLR International to develop awareness of the benefits of PLR amongst national government representatives. During the year under review, PLR International applied for and was granted observer status at WIPO.

PLR International also held a well-attended and very successful “side event” during the November 2018 WIPO Standing Committee on Copyright and Related Rights (SCCR) meeting on 28 November 2018. The side event was chaired by Andrew Staines, UK Ambassador and Deputy Permanent Representative (Economic Affairs) to the United Nations, Geneva, and panellists included Dora Makwinja, who highlighted the recent introduction of a PLR system in Malawi. Other panellists included the Malawi Minister of Justice, Samuel Tembenu, Heikki Karjalainen, a Finnish author, Ayeta Wangusa, Executive Director, Culture and Development, East Africa and Katarzyna Slaska of the National Library of Poland.

Following the side event, IFRRO met with the African group of national government representatives to talk with them further about PLR and the role of collective management more generally.

PLR International is also focused on increasing pressure on those European governments that have not yet met their obligations under the EU Lending Right Directive and met with the European Commission in June 2019 to express concerns about implementation in Bulgaria, Romania, and Portugal.

As part of this work, the Steering Committee visited Bucharest in March 2019, to meet with representatives of rightsholders, RROs and government to review the implementation of the PLR Directive in Romania. Following the visit to Romania, the Steering Committee wrote to the government of Romania highlighting the need to correctly implement the Directive, and pointing out deficiencies in the current implementation of PLR in Romania.

Positive movement in the implementation of PLR was made in both Greece and Spain during the year. In Greece the government completed its review and consultation on the implementation of PLR, and an approach to implementation was agreed amongst the various stakeholders. In Spain, regional local governments will now be responsible for the payment of PLR, rather than individual libraries, which will make the system more effective.

Outside Europe there were also positive developments in the adoption of PLR, with the introduction of PLR planned in both Algeria and Zanzibar in the coming year.

Another focus of activity by the PLR Steering committee during the year was a survey into the approach of the different systems to payments to visual artists. The results of the survey will be launched at the biannual PLR International Conference, which will be held in London on 26 and 27 September 2019. <https://plrinternational.com/upcoming-events>

Following discussion of *Controlled Digital Lending* at the Legal Issues Forum and the PLR Forum in Athens, IFRRO signed the Appeal opposing Controlled Digital Lending, which was coordinated by Edward Hasbrouck, on behalf of the NWU. Thirty seven organisations, including several IFRRO members representing authors, visual artists and publishers also signed the Appeal, which is available [here](#).

2.4. Visually Impaired

The [Marrakesh Treaty](#) entered into force on 30 September 2016. There were 57 Contracting Parties at the time of writing (see [here](#)), including the EU and the USA.

IFRRO has been monitoring implementation of the Treaty. We launched a survey in autumn 2018 to assess its implementation in EU Member States as a result of EU Directive 2017/1564 implementing the Treaty.

IFRRO is an active participant in the [Accessible Books Consortium \(ABC\)](#), which plays a practical role in implementation of the Marrakesh Treaty. Caroline Morgan represents IFRRO on the Advisory Board of ABC, which is chaired by the WIPO Director General Francis Gurry, and also includes representatives from IPA, IAF, publishers, organisations representing people with print disabilities, including the World Blind Union, and libraries serving the print disabled.

ABC has three main activities:

- (i) Inclusive publishing, to increase the number of works published in accessible formats through encouraging enhanced use of the latest version of EPUB3,
- (ii) Sharing of technical skills and know-how through a technical assistance and capacity building programme, primarily directed towards countries under development.
- (iii) Further development of the international database and book exchange hosted by WIPO.

At the time of writing, 68 Authorised Entities had joined the ABC Global Book Service, contributing over 510,000 titles in 76 languages to the database. The Board encourages RROs to play an active role in assisting authors and publishers, when they require it, to facilitate the making available of accessible format copies of their works, including the clearance of rights for uploading to the ABC database.

IFRRO has developed a [Guide for RROs on facilitating access to works for print disabled persons](#), which was launched at the IWC in Athens in October 2018. It provides a practical overview of the Marrakesh Treaty and the work of the ABC including examples of how RROs can be involved in facilitating access to works by the print disabled. It is available, along with other tools and resources, on IFRRO's dedicated web page on [print disability issues](#).

2.5. Governance and Transparency

Good governance and transparency are important for RROs as collective management becomes an increasingly important means of access to content. National governments are also looking to regulate the collective management sector, with several reviews underway or announced. An example is Singapore which in January 2019, announced that a regulatory scheme for CMOs would be introduced.

WIPO has, with IFRRO's assistance, developed the *WIPO Good Practice Toolkit for CMOs*. The toolkit brings together examples of legislation, regulation and codes of conduct in the area of collective management as an overview of how countries around the world regulate collective management. It is available [here](#).

In the period under review IFRRO has participated in WIPO events focused on developing good governance in collective management organisations in Armenia, Kyrgyzstan (via videoconferencing), Senegal, the United Arab Emirates and Ukraine.

3. Member Relations, Stakeholders and Communication

The Board recognises that IFRRO's communication activities must enable IFRRO and its members to defend the principles of copyright and authors' rights, embrace the digital environment, and communicate the importance of collective management.

3.1. Communication and Engagement

In the period under review, IFRRO attended or spoke at awareness raising activities and events with national and international audiences in over 20 countries including:

- Seminars for **government officials and stakeholders**, in Armenia, Kenya, India, Malaysia, Senegal, Singapore, Romania, Russia, Santo Domingo, Tunisia, Zambia, Zanzibar
- Workshops and seminars for **RROs, publishers and authors** in Barbados, Ghana, Hungary, Mexico, South Korea, Switzerland, Tanzania, Tunisia, United Arab Emirates

In respect of the proposed Copyright in the Digital Single Market ("DSM") Directive, IFRRO has developed various position papers, as well as co-signing position papers and statements together with other organisations, in order to communicate concerns to the key EU decision-makers.

The Content for Education (C4E) [campaign](#) – launched with the support of IFRRO member CFC, and European organisations representing authors and publishers - was an effective means of creating awareness about the need for a balanced exception for 'illustration for teaching'. The C4E campaign called on EU decision makers to future-proof educational practices by not allowing for the unlimited and unremunerated copying of content for educational purposes. A well-attended event in the European Parliament in September 2018 brought together IFRRO's C4E partners (EVA, EWA, EFJ and FEP), expert speakers and representatives from the European Commission, Members of the European Parliament and Member States' representatives to debate the issue.

IFRRO also joined with 271 other creative industry-related organisations, including several IFRRO members, to launch the "**Yes2Copyright**" [campaign](#) (see [here](#)) in early 2019, in order to demonstrate the widespread support for the adoption of the Directive from authors, publishers and others in the creative sector. This was an important counter-balance to campaigns against the Directive.

3.2. Member Relations

IFRRO continues to support members in responding to national issues of concern, including proposals to amend the copyright law in different countries, or other proposals that would impact negatively on our sector.

During the period under review, IFRRO made submissions on proposed legislation in Armenia, Burkina Faso, Ireland, Kenya, Morocco, Romania, Singapore and South Africa. We also made submissions to assist the European Union in its trade negotiations with Turkey and in assessing the compliance of the copyright legislation of Bulgaria with EU law.

IFRRO also supported members through participating in national events and meetings with national government representatives and rightsholders. IFRRO wrote to the governments of Bosnia and Herzegovina, Kenya, Romania and Zambia on specific issues of concern, often joining with other international associations.

In the year under review, IFRRO made presentations to the Boards of Directors of three member organisations, ALCS, Kopinor and EVA, to explain the role of IFRRO and the importance of international engagement in developing the RRO network.

Over one hundred representatives from over 50 IFRRO member organisations attended the mid-term meetings in Dublin from 4 – 6 June 2019. Meetings held included a full day meeting of the European Group, and a roundtable meeting for emerging RROs in Europe. Other meetings included the Legal Issues Forum, the Equipment Levy Forum, the Public Lending Right Forum, the Newspapers and Periodicals Working Group, the Visual Working Group and the Musical Forum.

The agendas for Board meetings are posted on the Board Zone (Members Only section of the IFRRO website) one month prior to the meetings, and Executive News informs the membership's executives and boards of the most important Board decisions.

The IFRRO Newsletter was published five times while monthly issues of the Information Alert were produced so members can be reminded of important deadlines and information that has been disseminated by IFRRO, and to share links to articles and events. The IFRRO website is updated on a regular basis, as are social media channels such as Twitter and LinkedIn.

4. Business Models and Approaches

4.1. Business Models

The IFRRO International Conference programmed by Tracey Armstrong (CCC) enables the exchange of best practices and discussion to stimulate development of RRO business models, and for the communication and exchange of views on the digital future.

The 2018 Conference, in October in Athens, explored how technology and digitisation are reshaping society, with a focus on the development of artificial intelligence and blockchain technologies. The conference reviewed the impact of these technologies on various sectors of the creative industries and speakers discussed how collective management organisations can support rightsholders as they respond to these developments.

Sylvie Forbin, Deputy Director General of WIPO gave a keynote address, highlighting the projects that WIPO and IFRRO were working on together to develop collective management infrastructure around the world.

Other speakers explored the intersection of education and technology and discussed innovations in collective licensing and content delivery in education. The conference also focused on news and technology, considering the role of technology in news delivery.

The Conference theme was: *Connecting the Dots - the Future of Collective Management*. A copy of the program and the presentations are available [here](#).

4.2. Agreements between RROs

In June 2016, the Board convened the IFRRO *Sample Bilateral Agreements Task Force* which continued its work through 2018 – 19, chaired by Martin Kyst (COPYDAN).

Key areas to update encompass data exchange, compliance with the CRM Directive, and the mechanism for information exchange between RROs in a digital environment.

Given the importance of data exchange to relations between RROs through bilateral agreements and the introduction of the GDPR (General Data Protection Regulation, the new EU data protection regime, that has extraterritorial impact), the secretariat obtained legal advice for the IFRRO membership from Benjamin Docquir, a partner at Osborne Clark in Brussels. We then prepared a sample variation or supplementary agreement to existing bilateral agreements, to refer to the GDPR. These clauses are available on the IFRRO website (see [here](#)).

The TF decided that the most useful way to present its work to members was a '**toolkit approach**'. The toolkit proposal was presented by Caroline Morgan at the LIF on 29 May 2018 (see [here](#)).

Karen Pitt, IFRRO's external consultant, with the input of the IFRRO secretariat and the TF, has prepared a draft of the toolkit, together with an accompanying Sample Agreement ("SA") setting out sample bilateral clauses which members may consider drawing upon when negotiating

agreements. The toolkit reviews each aspect of a bilateral agreement, explaining why it is important, what key considerations arise in negotiating it, introduce other IFRRO instruments that may be relevant and indicates which sample clauses could be appropriate - and be further adapted for individual situations.

The toolkit and SA are now being finalised by the TF and will be circulated to IFRRO members and presented at the next Legal Issues Forum meeting in November 2019.

4.3. Technical Standards

EDItEUR - IFRRO is a member of EDItEUR, which is responsible for several standards of interest to IFRRO members, including ONIX for RROs, and administers the ISTC and ISNI International Agencies. Caroline Morgan represents IFRRO on the Board of EDItEUR.

ISNI (International Standard Name Identifier)- Michael Healy (CCC) chairs ISNI-IA (ISNI-International Association) on behalf of IFRRO. Caroline Morgan is actively involved in the ISNI work for IFRRO, also sitting on the Board. The ISO certified global standard number (ISNI) aims to identify the millions of contributors to creative works and those active in their distribution. ISNI's mission is to assign to the public name(s) of a researcher, inventor, writer, artist, performer, publisher, etc. a persistent unique identifying number to resolve the problem of name ambiguity in search and discovery and diffuse each assigned ISNI across all repertoires in the global supply chain so that every published work can be unambiguously attributed to its creator, wherever that work is described. The [ISNI database](#) is contributed to by 52 major national and research libraries, institutions and databases. CEDRO, COPYRUS, ICLA and PLS are ISNI members. There are now over 10.88 million ISNIs, including 9.97 million individuals, of which 2.89 million are researchers and 904,445 organisations.

In May 2019, IFRRO facilitated a presentation by ISNI to a WIPO workshop on name standardization organized by the Standards Division of WIPO, which develops standards to assist national and regional IP offices to manage and exchange information amongst themselves.

5. Strategic Relationships

5.1. WIPO

IFRRO's strong cooperation with WIPO continued in the year under review. Sylvie Forbin, the Deputy Director General, responsible for the Cultural and Creative Industries' sector at WIPO, participated in the IFRRO International Conference in Athens on 23 October 2018, presenting on *Copyright and Collective Management in the 21st Century* and highlighting the ongoing cooperation between IFRRO and WIPO.

In conjunction with the IFRRO Board meeting in February 2019, Sylvie Forbin and her team collaborated in a strategy meeting with the IFRRO Board. During the meeting, the Board shared information about IFRRO's strategy, and communicated IFRRO's position on issues such as the role of collective management organisations in the digital economy. The two organisations also shared information about future development activities and priorities.

At a dinner meeting with Francis Gurry, WIPO Director General, also in February 2019, the IFRRO Presidency discussed a range of issues of common concern, such as the impact of technology developments on the copyright system and the importance of the development agenda in copyright.

IFRRO participated in three WIPO Heads of Copyright Offices meetings during the year. The Asia Pacific meeting was held in Seoul, Republic of Korea on 15 – 17 April 2019, attended by representatives of 25 governments. At that meeting, IFRRO participated in a panel on the publishing industry, presenting on the importance of collective management in the text and image sector. IFRRO was also present at the African Heads of Copyright Offices meeting on 10 and 11 June, attended by representatives of 42 governments and the Latin American Heads of Copyright offices on 1 to 3 July 2019, attended by representatives of 19 governments.

IFRRO also participated in a panel discussion on Digital Inclusion and Infrastructure at the [WIPO Global Digital Content Market conference in New Delhi](#), India on 14 and 15 November 2019.

WIPO continues to engage with stakeholders on building a strong collective management sector. During the year, IFRRO participated in WIPO led seminars on good governance and transparency in Armenia and Kyrgyzstan (via videoconferencing). In this activity IFRRO works closely with the Copyright Management Division of WIPO, headed by Benoît Müller.

A new focus in this cooperation with WIPO are targeted joint development projects, in which IFRRO and its members contribute sectoral expertise and experience.

In Tunisia, WIPO, at the request of government, engaged a consultant to work closely with the local representatives in establishing RRO activities within the multipurpose CMO. IFRRO and our members CFC, ProLitteris and SACD-SCAM provided practical advice, support and training. The project successfully concluded in December 2018 with the signature of a first licensing agreement. WIPO, the Tunisian CMO, IFRRO and IFRRO members will continue working together to further develop licensing activities.

In a related project with WIPO, in September 2018 ProLitteris trained representatives of three African RROs, including Tunisia, on their distribution method and worked with them to develop distribution rules tailored to their specific national circumstances.

A new initiative of WIPO is the Publishers Circle, arising from the Conference on the Publishing Industry in Africa held in Yaoundé Cameroon, in November 2017. The Publishers Circle is a project aimed at fostering cooperation and developing links between public and private partners to develop a globally connected publishing sector in Africa. In February 2019, IFRRO signed the Charter of the Publishers Circle, an expression of commitment to the objective of the project.

In April 2019, at the request of the government of the United Arab Emirates, IFRRO and WIPO co organised an Expert Mission to the UAE, meeting with representatives of government and the private sector to explore the different aspects of collective management, as the UAE takes steps to establish collective management in the text and image sector.

Efforts continue to have Resale Royalty added to the formal agenda of the SCCR. Despite support from many Member States, and observers such as IFRRO, the topic has not yet become a standing item on the agenda of the SCCR.

5.2. European Union

The IFRRO Secretariat has remained in close contact with key decision-makers in the EU Institutions over the last year, in particular, in order to raise awareness of our concerns about the proposed Copyright in the Digital Single Market Directive:

European Parliament: IFRRO continued its outreach with key policy and decision-makers in the European Parliament, with a particular focus on MEPs and advisors in the lead committee, the Legal Affairs (JURI) Committee. IFRRO also attended and intervened in several events in the European Parliament.

Council of the European Union: IFRRO maintained contact with all 28 Member States' permanent representations to the EU, in particular Austria and Romania, which held the 6-month Council Presidency in 2018 (July-December) and 2019 (January-June) respectively. IFRRO was invited to speak at an event concerning the DSM Directive, which was organised by the Romanian Presidency of the EU, in Bucharest, in June 2019. IFRRO participated in a panel discussion regarding out of commerce works.

European Commission: Following a meeting with Commissioner Gabriel in July 2018, IFRRO stayed in contact with her cabinet and the Commission's Copyright Unit, in particular on key aspects of the DSM Directive.

The Secretariat is also in contact with the European Commission's Directorate General for Trade as copyright/IPR is an important element of the EU's bilateral trade discussions. During the year under review, the Secretariat made a submission to the European Commission regarding copyright and collective management in Turkey. IFRRO was also invited to make a presentation at the

annual EU-China High-Level IP Dialogue meeting. We continue to monitor the negotiations with Australia, China, Turkey, Canada, Kazakhstan, South Korea, Azerbaijan, Taiwan and Hong Kong. We also follow the ongoing implementation of the Action Plan on Euro-Mediterranean Co-operation On The Fight Against Piracy And Counterfeiting, in which both the European Commission and CMOs in the Arab World are involved and that touches on a number of Intellectual Property issues.

5.3. ARIPO

IFRRO works closely with ARIPO (*African Regional Intellectual Property Organisation*), the representative copyright organization for nineteen English and Portuguese-speaking Sub-Saharan African countries.

The ARIPO strategic plan includes a workstream on developing a model law which IFRRO has reviewed and provided comments and suggestions. The Strategic Plan also includes a focus on CMO development and governance, and consequently IFRRO partners with ARIPO on RRO development projects in their member states.

ARIPO was represented at the African Development Committee meeting in Lusaka in July 2018, and at the IFRRO Congress in Athens in October 2018.

5.4. OAPI

OAPI (*Organisation Africaine de la Propriété Intellectuelle*) is the regional IP organisation for seventeen Member States in West and Central Africa. The Director General of OAPI has communicated that he will re-focus OAPI's copyright activities on capacity building.

In November 2018, IFRRO met with Solange Dao-Sanon, Head of Copyright and Collective Management at OAPI. We discussed how to contribute to OAPI's 2019 workplan on copyright and agreed to explore how the two organisations can strengthen their cooperation.

In the second half of 2019, OAPI will launch a training programme on the collective management of rights. IFRRO has agreed join this initiative to ensure that the collective management of reprography is effectively included in the study programme.

5.5. Other Intergovernmental Organisations

During the year under review, IFRRO also provided speakers for events organised by, or further developed our relationship with, other intergovernmental organisations. In September 2018, IFRRO was represented by Paul Wee, of CLASS at an ASEAN USPTO Workshop on promoting excellence of CMOs in the ASEAN region.

In Africa, IFRRO has initiated contact with the West African Economic and Monetary Union (UEMOA), an organisation of eight mainly francophone West African States. UEMOA was established to promote economic integration in the region and is becoming increasingly active in cultural and copyright policies. During the year IFRRO also renewed its ties with the African Union and the League of Arab States.

5.6. IFLA

The IFRRO CEO attended the IFLA General Assembly and Congress and participated in strategic partner discussions in Kuala Lumpur, Malaysia in August 2018. At that meeting, a further full day meeting of IFLA's strategic partners was proposed by IFLA, to discuss areas of joint interest and explore possible areas for cooperation.

Caroline Morgan and Rainer Just participated in the meeting on behalf of IFRRO, held in January 2019 in The Hague. Other organisations involved included WIPO, IPA, IAF, STM and representatives of the international associations of museums and archives.

Through a series of breakout sessions, the meeting explored cooperation in key areas of IFLA's strategic framework for the future, the [Global Vision](#).

Action was agreed on several projects as diverse as a joint statement on intellectual freedom, and further work on the uptake of the use of digital identifiers such as ISBN and ISNI.

IFLA's Secretary General Gerald Leitner participated in the IFRRO IWC in Athens, making a presentation on IFLA's Global Vision at the Special Session following the AGM on 24 October 2018.

5.7. Author Representative Organisations

IFRRO engages with the author representative organisations in membership of IFRRO to identify common concerns and to share information. It is important for IFRRO and its members to understand the concerns and priorities of authors, including new and developing business models, such as self-publishing and the impact of technologies such as framing on author's ability to earn an income from their work. This dialogue also enables authors to better understand the role of collective management in countering demands by users for access to copyright works through exceptions. Several meetings of an informal group, which includes IAF, EWC, EVA, IFJ and EFJ have taken place at which copyright and collective management issues of joint concern and interest are discussed.

During the year, IFRRO also was invited to make a presentation to the EVA Board of Directors, on the role of RROs, reprography licensing and its importance to visual artists. We have also this year commissioned a study on Best Practices in distribution to visual artists by RROs, which will be published in 2020. IFRRO supports the inclusion of resale royalty on the formal agenda at WIPO, and during the SCCR meeting at WIPO has made statements in support, as well as making a statement opposing exceptions for museums, at the 38th SCCR meeting in April 2019.

We work closely with international authors associations at WIPO. A key project this year has been ensuring that authors were directly represented in important WIPO discussions about exceptions and limitations. IFRRO supported the participation of author representatives from both IAF and IFJ at the WIPO Regional Seminar in Nairobi in June and Santo Domingo in July. IFRRO also reaches out to local authors associations during RRO-related activities in their countries, for instance this year in Senegal, Tunisia, and in Tanzania.

IFRRO works with IAF and EWC through PLR International to build awareness of PLR around the world, and to improve the functioning of PLR systems in Europe. IFRRO has also worked closely with our American member, the National Writers Union in opposing Controlled Digital Lending and in drawing the issue to the attention of other IFRRO members, who also signed the Appeal.

In the context of the Copyright in the Digital Single Market Directive, IFRRO worked closely with EWC and EVA in particular as part of its work to counter negative proposals concerning exceptions. EWC, EVA and EFJ were also valued partners in IFRRO's content for education campaign, which was aimed at getting a balanced exception for education.

5.8. Publisher Representative Organisations

IFRRO also engages with the publisher representative organisations in membership of IFRRO to identify common concerns and to share information. In developing new licensing models, it is important for IFRRO and its members to understand publishers' concerns and priorities and for the RRO licences to complement their primary markets. It is also important for publishers to better understand the role of collective management in countering demands by users for access to copyright works through exceptions.

IFRRO has collaborated closely with publisher organisations, including FEP, STM, ENPA and EMMA, in relation to key issues arising in the context of the Copyright in the DSM Directive, and in particular as regards proposed exceptions. FEP was also a valued partner in IFRRO's content for education campaign.

IFRRO attended the STM Frankfurt Conference and met with national and international publishers' groups at the Frankfurt Book Fair and the London Book Fair. IFRRO also attended IPA's Copyright Committee meetings at each of the Frankfurt and London Book Fairs. IFRRO also worked closely

with publishers' organisations as part of its development work, for instance by developing a joint strategy to support CMOs in Africa with the African Publishers Network (APNET).

On 14 and 15 June 2019, IFRRO attended the IPA Seminar, Africa Rising, at which a progress report on the Lagos Action Plan was given. The Lagos Action Plan includes as one of its objectives - *Making Africa's Copyright Framework Fit for the Digital Era*. In 2020, IFRRO will hold our midyear meetings in Oslo, just prior to the 2020 IPA Congress in Lillehammer on 28 – 30 May.

5.9. Kopinor

Kopinor actively supports the text and image sector in Africa, developing the publishing industry (through the Malawi School Book Project, in which Kopinor is working with local rightsholders and government to help develop a domestic market for schoolbooks) and also in working directly with RROs in Africa to build their collective management capacity. As part of this support program they hold an annual meeting of RROs to exchange experiences and build their skills. IFRRO participates in this program and works closely with Kopinor on capacity building activities across the continent.

IFRRO participated in Kopinor's Regional RRO Seminar in Dar es Salaam, Tanzania in March, 2019. RROs and authors associations from Malawi, South Africa, Tanzania, Uganda and Zambia were also involved in the meeting.

5.10. Other International Federations

IFRRO continues to engage with other rightsholder representative organisations through discussion and information exchange. Issues of common interest, such as the implementation of private copying levies, regulation of the collective management sector and the international discussion on exceptions and limitations are the focus of this cooperation.

In the year under review, practical cooperation with **CISAC** to implement private copying levies continued to develop, with the joint organisation with WIPO, of a regional seminar on private copying and reprography levies in Dakar Senegal in September 2018. CMOs in 15 African countries attended, as did representatives from regional governmental organisations. The focus of the seminar was the drafting of national action plans to implement copyright levies in participating countries.

In December 2018, IFRRO made a presentation at the CISAC regional development seminar for Europe, on remuneration for reprography and the challenges faced by CMOs in the print sector. IFRRO also cooperated with CISAC on making submissions advocating private copying levies in Armenia and Bulgaria, accreditation of CMOs in Ukraine, and support for the multipurpose CMO in Georgia.

IFRRO was invited by CISAC to speak at their African Committee meeting in Tunisia in 2019 on the role of IFRRO and collective management in text and images. With many African CMOs being multipurpose, it is important for these organisations to be aware of the role and importance of collective management in the text and image sector.

In April 2019, IFRRO was invited to attend and speak at the **IPQuorum** conference in Russia, a three-day event organised by the Russian IPChain association and the Confederation of Rightsholders' Societies of Europe and Asia (CRSEA). IFRRO also spoke at the Annual General Meeting of CRSEA, a regional grouping of CMOs from Armenia, Azerbaijan, Belarus, China, Kazakhstan, Kyrgyzstan, Moldova, Mongolia, Turkey and Russia.

In June 2019, IFRRO also spoke at a seminar organised by Europeana on the implementation of the out of commerce works provisions of the Copyright in the Digital Single Market Directive.

5.11 NORCODE

NORCODE, the Norwegian Copyright Development Association, is an initiative of several Norwegian CMOs which undertakes training projects in Asia, Africa and Latin America to develop collective management infrastructure. IFRRO participates, along with the other international federations, in NORCODE's training programs for government and CMO staff, including RROs.

In November 2018, NORCODE organised their first regional training program on collective management of rights in the digital environment for representatives of CMOs from 10 countries and territories in the Caribbean. Along with IFRRO, other partners in the event were CISAC, IFPI, SCAPR and the Association of Caribbean Copyright Societies (ACCS). The training took place in Barbados and among the 16 participants were representatives of IFRRO's members in Belize, Jamaica, and Mexico.

In May 2019, the NORCODE African programme took place in Ghana. IFRRO attended the training programme and shared expertise on reprography, working more specifically with those students that had chosen an RRO related study project, from Botswana, Burkina Faso, Cameroon and Ghana. Representatives from 15 African countries were in attendance, and other federations such as CISAC, IFPI and SCAPR also joined the programme.

6. Regional Activities and Development

During the year, working closely with the Chairs of the different regional groups, IFRRO continued to actively engage in establishing RROs, and to develop the emerging RROs in membership of IFRRO.

In this work, we coordinate closely with our national and international members, national author and publisher groups, other creative sector organisations such as IFPI and CISAC, and also with our strategic partners, such as WIPO.

6.1. Asia Pacific

There are 14 RROs in membership of IFRRO in the Asia Pacific region. There is also one creator and publisher association member in the region – KOSA (Korea) and one Music RRO, MCSC (China). IFRRO's Asia Pacific Committee (APC) is chaired by Sarah Tran, Copyright Agency.

The APC met twice in the period under review – in Athens on 25 October 2018 and in Singapore on 24 and 25 April 2019. There were 30 attendees at the Singapore meeting, including observers from both Thailand and Myanmar. The meeting was opened by Mr Chee Hong Tat, Senior Minister of State, Ministry of Trade and Industry and Ministry of Education. Mr Chandra Darusman, Deputy Director of the WIPO Singapore Office, also participated in the meeting and made a presentation on current WIPO activities including the actions being taken on exceptions and limitations.

As well as National Reports, matters discussed at the meeting included licensing innovations in the region, including the new compulsory multi repertoire licence for education in Japan, and panel discussions on government engagement and lobbying, and data collection and distribution.

As we have previously reported, the situation faced by our member IRRO, in India is challenging. In November 2018, IFRRO visited Delhi and met with IRRO, the Federation of Indian Publishers and government representatives to discuss the situation and possible solutions.

There have been positive developments in other countries in the region however, with HKRRLS entering into new 5-year licence agreements with schools' groups in Hong Kong and CLASS in Singapore also expanding its schools licensing to include private schools.

In Japan, a new compulsory multi repertoire licence for education has been introduced and will be managed by a new collective management organisation, SARTRAS. Collections under this licence will begin in 2020. All three of IFRRO's Japanese members expanded their licensing activity during the year, launching new services and expanding their digital licensing offerings.

In Korea, most government managed educational institutions are now licenced, and KORRA has launched a new licence targeting copy shops.

CLNZ in New Zealand has launched a new licensing scheme for visual arts, focused on NZ visual artists, and also extended all tertiary licences until the end of 2020.

6.2. Africa

There are 15 RRO members of IFRRO in the African region and one Creator and Publisher Association member, PASA, the Publishers' Association of South Africa. The African Development Committee (ADC) is chaired by Dora Makwinja, COSOMA.

In July 2018, the African Development Committee met in Lusaka, Zambia. A seminar for universities was held at that time and attended by over 70 representatives from universities and other learning institutions in Zambia at which a number of institutions confirmed their intention to start negotiating licences with ZARRSO. A joint IFRRO-ZARRSO [press release](#) was subsequently issued to welcome the decision of the Zambian government to publish a public notice directing all institutions and businesses that carry out the reproduction of works to obtain a licence from ZARRSO.

A number of positive developments in terms of licensing and collective management of copyright levies were highlighted at the Lusaka meeting, and the work done by developed RROs to assist emerging ones, such as the mentoring of the new CMO in the Gambia undertaken by CopyGhana and Cosoma, was welcomed. The meeting also adopted a Resolution commending the Zambian schools, colleges and universities that have entered into licensing agreements with ZARRSO.

The Committee met again in October 2018 as part of the IFRRO World Congress.

In Botswana, where the Copyright Society of Botswana, COSBOTS, became a member of IFRRO in June 2018, work on implementing educational licensing is progressing. COSBOTS met with the government, universities and users, and is in the final stage of negotiating a licensing agreement with the Government. Its proposed licensing tariffs were approved by the Copyright Office in mid-2019.

In Tanzania, the Copyright Society of Tanzania (COSOTA), a multipurpose CMO, began reprography activities late last year, and became a member of IFRRO in June 2019, replacing the former RRO known as KOPITAN. A plan to start licensing universities has been implemented and we understand that six universities have already entered into licences.

Work on the implementation of private copying levies in Africa remains high on the agenda. Since the last Annual Report, COSOMA (Malawi) has started collecting from the private copying levies. The IFRRO-CISAC-WIPO program that was launched in Senegal in September 2018 aims at supporting the implementation of levies in around 15 countries in Africa, through a partnership agreement with other government and regional organisations such as OAPI and UEMOA.

6.3. Europe

The European Group (EG) met twice during the year under review, in October 2018 in Athens, and in June 2019 in Dublin. At elections held in October 2018, Samantha Holman (ICLA) was elected as Chair of the Group, with Robert Staats (VG Wort) and Valtteri Niiranen (Kopiosto) elected as Vice Chairs. The Chair and Vice Chairs will serve a three-year term, expiring in 2021.

The key focus of the work of the EG in the period under review was discussing IFRRO's position / members' concerns relating to the Copyright in the Digital Single Market ("DSM") Directive, both before its adoption (in April 2019) and following its adoption.

Dr. Irini Stamatoudi, a lawyer, Professor at the University of Nicosia (Cyprus) and former General Director of the Greek National Copyright Office gave a presentation on the EU agenda and proposed DSM Directive in Athens in October 2018, while *Dr. Silke von Lewinski*, Senior Research Fellow in Intellectual Property and Competition Law at the Max Planck Institute, gave a comprehensive overview of the newly-adopted DSM Directive at the EG meeting in Dublin.

The EG has discussed - and will continue to discuss - the key areas of the Directive impacting RROs and licensing opportunities. These relate to in particular to Art. 5 (illustration for teaching exception), with educational licensing representing a large part of the licencing undertaken by IFRRO members; Arts. 8-11 (licensing of out of commerce works); Art. 17 on the use of protected content by online content-sharing service providers (we anticipate that CMOs in the text and image sector will negotiate the licences, as they do in other sectors); Art. 12 which enables Member States

to allow CMOs to conclude licences covering rights of non-members under certain conditions; Art. 15 (press publishers' neighbouring right); the text and data mining exceptions (Arts. 3 and 4) and Art. 16 (claims to compensation), which provides the opportunity for Member States to allow publishers as well as authors to share in collective management compensation schemes.

IFRRO will continue to provide opportunities for the exchange of information and best practices among members on various aspects of implementation of the Directive, both at IFRRO's regular meetings as well as via ad hoc meetings on specific aspects of the Directive, that members can join according to their particular interests.

IFRRO is also working on providing practical guidance on aspects of the implementation of the Directive, further to the aforementioned exchanges of information and best practices. For example, we are developing an IFRRO Guide on licensing of out of commerce works, drawing upon current 'best practices', which should be published before the end of this calendar year.

The EG also continues to follow implementation of – and discuss - other important EU legislation, such as the General Data Protection Regulation (GDPR) 2016/679, the « CRM Directive » 2014/26/EC and [Directive](#) 2017/1564 on certain permitted uses of certain works protected by copyright and related rights for the benefit of persons who are blind, visually impaired or otherwise print- disabled (which implements WIPO's Marrakesh Treaty).

The EG has also turned its focus to the EU Institutional changes taking place in 2019, namely the newly elected European Parliament and the new European Commission, which is set to start work in November 2019. An external speaker, Christian Hierholzer from Hanover, Brussels, gave his analysis of the Parliamentary elections to the EG in June 2019. The high turnover of MEPs, with around two thirds being completely new to the system, means that IFRRO and its members will need to raise awareness about the sector and its concerns with many new policy and decision makers.

Following the dissolution of the European Development Group, European development activities have come under the umbrella of the European Group. IFRRO held roundtable meetings for emerging RROs in Europe in Athens in October 2018, where RRO members in Georgia, Slovenia and Romania shared experiences with other developing RROs in the region, and in Dublin in June 2019 with discussions on educational licensing and levies and a presentation by Copyright Polska on their model for distribution to foreign rightsholders.

These roundtables will become a fixture of the IFRRO Calendar and will continue to be coordinated with meetings of IFRRO's European Group to enable emerging RROs in Europe to also participate in those meetings.

Further regional development in Europe remains a priority for IFRRO, and we are working closely with WIPO and other partners such as CISAC to build collective management infrastructure in the region. During the year, IFRRO participated in WIPO events in Armenia and in Kyrgyzstan, supported members in the Czech Republic, Georgia, Bulgaria, Ireland, Turkey, Moldova and Romania, and contacted governments in Kosovo and in Ukraine.

In Ukraine, IFRRO was closely involved in the process leading to the adoption of a new law on collective management in 2018. During the year IFRRO has been in contact with both the Ministry of Economic Development and Trade of Ukraine, which is supervising collective management, and with Ukrainian CMOs wishing to be accredited to manage reprography.

6.4. Latin America and the Caribbean

There are 13 RRO members of IFRRO in the region. As ECCLA is a sub-regional RRO for six Eastern Caribbean States, the 13 RROs in Latin America and the Caribbean cover 17 countries. Ana Maria Cabanellas (CADRA) chairs the IFRRO Latin American Committee.

The Committee met twice during the period under review, during the IWC in Athens in October 2018, and in Mexico City, Mexico in March 2019. The March meeting was hosted by CEMPRO to mark its 20th anniversary and a seminar at the Anthropologie Museum was also held to mark the

occasion. In 2018, CEMPRO, also hosted the copyright seminar at the Guadalajara Book Fair for the first time.

The Board is pleased to note the continuing progress in the activities of CADRA and CDR, and the recognition by the Costa Rican government of the activities of ACODERE (Costa Rica). A current focus is on providing assistance to SEA (Panama) to develop licensing activities.

During the year under review, significant progress has been made on the CARROSA initiative in the Caribbean. CARROSA aims to overcome the issues of scale encountered by our members in small Caribbean nations by putting into place a single back office and a regional licensing facility. Negotiations during the year have seen close to final agreement on a Caribbean wide licensing programme for the University of the West Indies.

In addition to the LAC meetings, Ana Maria Cabanellas represented IFRRO at a WIPO regional meeting for copyright offices in Peru and in the Dominican Republic. Magdalena Iraizoz (CADRA) represented IFRRO at a WIPO regional meeting in Panama, and also spoke at the CEMPRO organised copyright seminar in Guadalajara. IFRRO also sponsored and took part in copyright seminars for authors and publishers in Costa Rica, Argentina and Panama.

7. Technical Working Groups and Fora

7.1. Equipment Levy Forum (ELF)

The Equipment Levy Forum is an informal forum open to all IFRRO members for the exchange of information amongst RROs administering Text and Image (TI) levies. It met twice during the period under review and is chaired by George Zannos from OSDEL. A number of practical issues, such as the sharing of the levy among groups of rightholders, the application of VAT, or the re-export of devices that have been levied, continue to be discussed at ELF meetings and between members.

Private copying and reprography levies are of growing interest in many countries. In September 2018, IFRRO co-organised with CISAC and WIPO a programme for 15 African countries focusing on the practical implementation of private copying levies. In December 2018, IFRRO joined CISAC's Regional European Committee for two days of work on the same issue. Both in Africa and in Europe, there are an increasing number of RROs collecting private copying and reprography levies, with Bosnia and Herzegovina and Malawi recently making their first levy collections.

Raising awareness about the benefits of levy systems remains a priority, in particular in the European Union, and for that reason a Levy Task Force was set up in June 2019 to work with the Secretariat and prepare documents and position papers.

7.2. Legal Issues Forum (LIF)

The LIF, chaired by Martin Kyst (Copydan Writing), is a forum open to all IFRRO members for the exchange of information on legal issues. In the period under review the LIF met twice. Members were updated on the project to revise the current IFRRO sample bilateral agreement and prepare an accompanying "toolkit", which Karen Pitt (an external adviser) has been developing for IFRRO. The secretariat also presented new suggested sample bilateral agreement clauses relevant to the General Data Protection Regulation (GDPR).

In addition, LIF participants had an update from Anita Huss, Counsellor in the Copyright Management Division of WIPO, on WIPO's activities in the field of collective management, including tools such as WIPO's Good Practice Toolkit for CMOs. Other topics discussed included the campaign against "Controlled Digital Lending" (CDL) and the Cambridge U. Press v. Georgia State University case.

7.3. Musical Forum (MF)

The MF chaired by Marc Hofkens (SEMU) met once during the year under review, in Dublin in June 2019. Members discussed challenges they are facing at national level and discussed possible approaches to the licensing of sheet music.

7.4. Newspaper and Periodicals Working Group (NPWG)

The NPWG, chaired by Sandra Chastanet (CFC), met twice during the year under review. The NPWG focuses in particular on the development of business models regarding the licensing of newspapers and periodicals in the business sector, media monitoring as well as education. A strong emphasis is given to licensing for digital uses and the sustainability of digital media business models.

The last two NPWG meetings included updates on various MMO and business licensing schemes, including the introduction of web crawler licences and technical tools to manage publishers' web content. Other topics discussed included the new neighbouring right for press publishers, which was adopted as a part of the Copyright in the Digital Single Market Directive. A key focus is now how the right will be implemented across the EU. The NPWG also discussed EU and national initiatives to counter disinformation / "fake news", a topic which will continue to remain on the political agenda for the foreseeable future.

7.5. Public Lending Right Forum (IPF)

The IPF is an informal forum open to all IFRRO members. It was convened twice during the period under review, in conjunction with the IWC 2018 in Athens in October 2018, and the mid-term meetings in Dublin in June 2019.

In October 2018, due to his retirement, Christian Roblin (SOFIA), stepped down as chair of the IPF, a position he had held since 2015. IFRRO thanks Christian, and SOFIA for the contribution he made to IFRRO and for his role in strengthening IFRRO's engagement with PLR.

The IPF is a key element of IFRRO's enhanced role in PLR, providing an opportunity for IFRRO members to engage with the work of the PLR International (IPLR) Steering Committee.

A database with key information relevant to the administration of PLR is available on the [Members Only](#) section of the IFRRO website. The IPF also monitors the implementation of the EU rental and lending rights directive.

Key issues, such as e-lending, were discussed at the IPF meetings, along with national reports and discussions about the increased interest in public lending right at international level. The side event organised by IPLR, with support from IFRRO, at the meeting of WIPO's Standing Committee on Copyright and Related Rights in November 2018 generated much interest among WIPO's Member States.

7.6. Visual Working Group (VWG)

The VWG, chaired by Vincent van den Eijnde (Stichting Pictoright), met twice during the year under review. Its objective is to study and review issues involved in the reproduction of still images contained within books, journals and newspapers and to determine strategies and suggest solutions for co-operation and closer involvement of the visual creators in the field of RRO licensing.

At its meetings the VWG discussed issues of particular concern to visual artists in the DSM Directive, the impact of framing on visual artists and measures being taken to respond to it. The VWG has also taken a keen interest in the survey about the involvement of visual artists in PLR schemes around the world. The VWG also heard reports on activity in different countries, including the increasing cooperation amongst the American visual artist groups in membership of IFRRO and the introduction of a resale royalty scheme in South Africa.

In the coming year, IFRRO will commission a study of best practices in distributions to visual artists, in an effort to highlight the different approaches and find solutions to common issues.

8. Finances

8.1. Operational Accounts

The year-end balance on the operation of IFRRO, i.e. excluding the Development Fund and the Enforcement Fund, is a surplus of €78,100, which the Board will allocate towards the Communication Reserve.

The Operational reserve is at €405,755, equalling some six months of the budgeted yearly spending. A total of € 224,700 of paid membership fees was allocated towards development work and transferred as voluntary contributions to the Development Fund.

8.2. Development Fund

One IFRRO member, Copy Ghana, contributed directly to the Development Fund during the year. As in previous years, members also contribute financially through their own development funds and by not charging IFRRO when participating in development activities.

A total of €153,833 was paid out towards approved grants during the financial year. As at 1 July 2019, the Development Fund held €1,078,727 of which €299,276 has already been allocated through Board decisions towards specific projects. This leaves a total of €805,635 available for new projects.

8.3. Enforcement Fund

There have been no contributions to the Enforcement Fund during the year under review. As at 30 June 2019, the fund balance is €78,499. In 2016, the Board made a decision to allocate up to €50,000 towards legal advice as to whether the introduction of education as a fair dealing purpose in Canada breached that country's international obligations. As at 30 June 2019, €8,505.78 of that allocation has been disbursed.

8.4. Tax Issues

The Belgian tax authorities' examination of IFRRO's tax liabilities on interests yielded on saving accounts, as reported in previous Board Annual Reports, has not been concluded, and there has been no contact with IFRRO on the issue during the year.

9. The Secretariat

The Secretariat is based in Rue du Prince Royal 85-87, 1050 Brussels, where the IFRRO Secretariat is co-located with IFRRO members EVA, SCAM and SOFAM, and other international copyright and authors' rights organisations.

Caroline Morgan served as CEO and Secretary General in the year under review.

Catherine Starkie as *Head of Legal Affairs* takes responsibility for managing legal and EU affairs impacting IFRRO and its members, including the DSM Directive. She also provides secretariat engagement in the work of the European Group, Legal Issues Forum and the Sample Bilateral Taskforce, together with the Newspaper and Periodicals Working Group and Musical Forum.

Pierre-Olivier Lesburguères the *Manager for Policy and Regional Development* takes responsibility for IFRRO's development program in Africa and also works closely with WIPO. Pierre provides secretariat engagement in the work of the Equipment Levy Forum, the PLR Forum and the African Committee.

Manuela Francesia as Office and Accounts Manager and PA to the CEO, resigned at the end of March 2019. That role is currently vacant, with a new staff member to commence in January 2020. *Veraliah Bueno Álvarez* maintains the IFRRO website, attends to selected communication and information activities, and manages events, including the Congress and AGM.

During the period under review, *Nadine Dauer* remained on extended parental leave, with a scheduled return in early 2020. *James Boyd* continues to undertake projects on a consultancy basis. *Munkhdulam Naranbayasakh* was the IFRRO accountant during the period under review, employed on a consultancy basis. IT services are provided by KeyTech Services.



Rainer Just
President