

## **Let there be Light!** **Text and Image CMOs are proud of their record of Good Governance and welcome Public Scrutiny**



**By Olav Stokkmo, IFRRO Chief Executive**

Openness, transparency and demonstrable good governance are fundamental principles for IFRRO and its members and this year the operations of Collective Management Organisations (CMOs) have come increasingly under the spotlight. We welcome this because IFRRO has always held that good governance is the key to competitiveness and to maintaining the trust of rightholders and content users. The coming year will give us the opportunity to show how we are working towards providing legal access that is administered efficiently and is both fair to users and rightholders and fitted for the digital age.

The newly proposed EU Directive on Collective Management aims to ensure that CMOs serve their members and users with “efficiency, accuracy, transparency and accountability”. These are the same values which are expressed in the IFRRO Code of Conduct originally written in 2006 and revised in 2007. They are echoed in the IFRRO document on the “Relationship between Reproduction Rights Organisations (RROs)” and in the IFRRO Principles for the Operation of Digital Repertoire Exchange Mandates (REM). The Code of Conduct sets out the standards of service that authors and publishers, as well as users, can expect to receive when dealing with RROs; while the “Relationship” document provides a set of criteria and best practices by which RROs can be judged – by their constituents, authors, publishers and users, by other RROs and by themselves – on their performance of the most fundamental tasks expected of a RRO. Most, if not all, RROs have incorporated these principles into their own codes of conduct and are judged on their performance against them by their own stakeholders.

CMOs are not alone in the spotlight. More illumination is needed on how existing tools are delivering solutions – not only legislation but also agreements, MoUs, and licensing opportunities. While there has been heated debate on whether and where to extend exceptions and limitations, real progress has been made by such agreements. The TIGAR and ETIN projects have enabled Authorised Entities acting in the capacity as trusted intermediaries to provide access for persons with print disabilities. The ARROW project and its successor are facilitating access to cultural heritage through libraries and the recently established Linked Content Coalition (LCC) project and the ISO approved technical standards - International Standard Text Code (ISTC) and International Standard Name Identifier (ISNI) - are setting the standards to make collective management as efficient as possible.

Several studies in 2012 have highlighted the benefits of copyright to the economy and the dangers of adopting a too prescriptive approach in terms of regulation. A report by PwC for the Australian Copyright Council showed that the copyright industries in Australia accounted for 6.6% of GDP and 2.9% of exports as well as employing 8% of the workforce. Another PwC report concluded that the market for digital educational publishing in the UK is still fragile. It needs to be supported through copyright policy, not undermined by promoting free-use. It also showed that income to authors and publishers from subsidiary uses, which are uses administered by RROs, play a decisive role as an incentive to creation of new works and investment in content development and new digital learning resources. The

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extension of exceptions could act as a severe disincentive to, and possibly impact negatively on the development of digital-based learning resources in what is a proven dynamic sector. Also in the UK a follow-up to the Hargreaves Report came to the conclusion that the current exceptions were largely fit for purpose and that the creative industries were making great efforts to adapt to the challenges of the digital age.

So in 2013 we are looking for a more enlightened approach to copyright and collective management, which takes into account all the facts, respects the rights of creators and understands that there are already well-tried mechanisms to deliver access. What is needed is a concerted effort to explain how copyright is working for the benefit of all. I look forward to your help during 2013 in our efforts to dispel the myths around collective management and to reveal it in its true light as a champion and enabler of access.

