

IFRRO Board Report 2021

This report covers the year 1 July 2020 – 30 June 2021.

1. Organisational Overview

1.1. Board Representation

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

Presidency

Yngve Slettholm (Kopinor), President; *Dora Makwinja* (COSOMA), First Vice President; *Tracey Armstrong* (CCC), Second Vice President and Treasurer.

Directors

Sandra Chastanet, (CFC); *Samantha Holman*, (ICLA); *Robert Staats*, (VG Wort); *Morten Visby*, (EWC/ IAF); *Sarah Faulder* (IPA).

Substitute Directors

Javier Díaz de Olarte, (CEDRO); *Anders Kristian Rasch*, (COPYDAN Writing); *Anke Schierholz*, (EVA); *Eefke Smit* (STM).

Caroline Morgan served as CEO and Secretary General.

The Board held three meetings in the period under review: 3 November 2020, 23 February 2021, and 26 and 27 May 2021. A special session to discuss IFRRO's strategic plan was also held on 15 June, 2021. All meetings were virtual.

1.2. Membership

As at 30 June 2021 IFRRO has 158 members in more than 85 countries. There are 107 RRO Members, of which 29 are Associate RROs and 16 Provisional RRO members. There are 51 Creator or Publisher Association Members. Collected fees by RROs remained steady, at around €1 billion.

In the period under review, two organisations became members of IFRRO, in the following member categories:

Provisional RRO: COSOZA (Zanzibar),

Creator or Publisher Association: FEMU (Netherlands).

In June 2020, IFRRO suspended the memberships of KOSA (South Korea), Repro BG (Bulgaria), ReproMold (Moldova) and ZimCopy (Zimbabwe). The suspensions were made as a result of the failure of the organisations concerned to meet the obligations of IFRRO membership. In May 2021 the Board agreed to terminate the membership of each organisation, to take effect from the 31 December 2021.

In May 2021, the Board also suspended the memberships of KOUPIK (Kazakhstan) and DHK (Croatia). Suspended members remain IFRRO members, are able to attend the AGM and vote, however they are not eligible for other benefits of membership. Two Creator or Publisher Association members also resigned, ALIS (Sweden) and SAJ-JAM (Belgium). Their resignations will take effect from 31 December 2021.

fair dealing in Canada is still unanswered. Each of IFRRO's Canadian members has called on the Canadian government to act to remedy the current situation.

In **South Africa**, on 16 June 2020, the President sent the Copyright Bill back to parliament, due to concerns about its constitutionality and its compliance with South Africa's international obligations.

The referral back to Parliament was the outcome of intensive lobbying by South African rightsholders with support from the international community against the damaging provisions of the Bill. IFRRO is part of a group of international rightsholder organisations, including IPA, CISAC and IFPI supporting our local affiliates, working together in the Coalition for Effective Copyright. At the time of writing, parliamentary hearings on the Bill are in progress.

2.3. Public Lending Right

The Steering Committee managing the activities of *PLR International* continued its work throughout the year. Its members are *Barbara Hayes* (Chair), *Carola Streul*, and *Myriam Diocaretz* representing authors, *José Borghino* and *Anne Bergman-Tahon* representing publishers and *Kurt Van Damme* and *Geoffroy Pelletier* representing RROs.

The administration of PLR International's activities is managed jointly by IFRRO's *Pierre-Olivier Lesburguères* and Stichting Leenrecht's *Arjen Polman*.

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 ([2006/115/EC](#)), 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.

PLR International continued its focus on communications, developing an infographic and other resource materials, all of which are available on the *PLR International* [website](#). A promotional video, highlighting the key benefits of PLR and featuring testimonials from authors, publishers, visual artists and library representatives is under development, and will be launched in late 2021.

In November 2020, IFRRO supported and participated in an online webinar organised by IAF and PLR International on "Creating a Living: How Public Lending Right (PLR) Helps" and in April 2021, we raised awareness about PLR at an event in South Africa.

To mark 2021 World Book and Copyright Day, PLR International ran a Twitter campaign, consisting of 15 quotes from famous authors and from PLR administrators. The campaign generated significant interest with positive feedback and many retweets.

Participation in WIPO meetings is a way for PLR International to develop awareness of the benefits of PLR amongst national government representatives. An exciting development took place at the 40th meeting of the WIPO SCCR in November 2020, when Malawi, Panama and Sierra Leone presented a [proposal](#) for a study on PLR. The proposal for the study has been discussed at subsequent SCCR meetings, and was supported by a number of Member States, regional groups and stakeholder organisations. The proposal will be discussed at the next SCCR meeting, which is due to be held in the first half of 2022.

2.4. Visually Impaired

The [Marrakesh Treaty](#) entered into force on 30 September 2016. There were 80 Contracting Parties at the time of writing (see [here](#)).

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 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 (the Global Book Service) hosted by WIPO.

At the time of writing, 70 Authorised Entities had joined the ABC Global Books Service, contributing over 635,000 titles to the database.

A significant development during the year, was the initiation of a project to enable direct user download of titles from the Global Book Service, rather than the copies being supplied by an intermediary library assisting the visually impaired. The project provides additional safeguards for copyright owners as WIPO will be responsible for managing the accessible format content, rather than relying on individual organisations that may have varying degrees of security for the content they host.

2.5. Digitisation of Out of Commerce Works

The pandemic has also increased the focus on the digitisation of library collections. During the year IFRRO worked closely with members on the implementation of a new system for the licensing of out of commerce works (OOCW) introduced by the Copyright in the Digital Single Market Directive (Articles 8-11). The new provisions aim to make it easier for Cultural Heritage Institutions (CHIs) to obtain licences from CMOs for certain uses of out-of-commerce works (OOCW) that are permanently in the collections of CHIs.

A new OOCW Portal – established and managed by the European Union’s Intellectual Property Office (EUIPO) since 7 June 2021 - provides access to information about OOCW that could be used under the new mechanisms introduced by the Directive (i.e., a licence or a ‘fall-back’ exception where no “sufficiently representative” CMO exists). The Portal also makes it easier for rightholders to opt-out of the new mechanisms (although it is not in itself an opt-out instrument).

IFRRO’s activities included co-ordinating with members to provide input on the EUIPO’s high level specifications for the Portal and in the focus groups organised as part of the testing phase for the Portal, in advance of its launch.

To raise awareness about the new system, IFRRO held a webinar on 16 December 2020, attended by over 60 participants, including representatives from the European Commission, WIPO and the EUIPO, as well as IFRRO members, at which some interesting OOCW projects were presented and at which *Gyta Berasnevičiūtė-Singh* from the EUIPO also gave a presentation on the key functionalities of the EUIPO’s OOCW Portal.

At the same webinar, the IFRRO [Guide](#) on licensing of the digitisation and making available of OOCW by RROs, was also launched. It aims to provide practical assistance in respect of licensing and other issues related to the new rules under the Directive. The IFRRO Secretariat thanks IFRRO’s former CEO *Olav Stokkmo*, who assisted us in the preparation of the Guide.

On 7 June 2021 - the deadline for EU Member States to implement the EU’s Copyright in the Digital Single Market (“DSM”) Directive - IFRRO, Europeana, EVA and FEP together organised an event to mark the launch of the European Union Intellectual Property Office (EUIPO) out-of-commerce works (OOCW) [Portal](#) (see [here](#)).

IFRRO has also established a task force of RRO/CMO members in order to explore how best to support effective national OOCW digitisation schemes, to be discussed with a broader group of interested members at future meetings.

2.6. Levies

Compensation for the private copying and reprographic reproduction of copyright protected works (also called levies) is of increasing interest to policy makers around the world.

IFRRO's priorities in this area are to promote and defend reprography levies, support the expansion of existing systems for private copying compensation to include text and image rightsholders and to support our members in their lobbying for the implementation of private copying remuneration that includes text and image rightsholders.

In West Africa, CISAC, IFRRO and WIPO are supporting a study and a directive being developed by UEMOA (the West African Economic and Monetary Union) to introduce private copying remuneration in all their 8 Member States. The study and the directive were finalised at the end of 2020 and have been discussed with the CMOs of all 8 Member States. IFRRO supported the inclusion of text and image works, which was agreed. The draft directive is now being reviewed by the UEMOA Commission and is expected to be adopted before the end of this calendar year.

Other countries around the world have also been taking steps towards the full implementation of private copying and reprography levies, upon realising that levies have been a lifeline for authors and artists in particular during the pandemic. At the request of the governments of Botswana, Georgia, Nigeria, Namibia and Paraguay, IFRRO made recommendations to facilitate the introduction of levies in their respective legislation. In Tunisia, the existing private copying decree was revised in June 2020 in order to include text and image devices and since then amounts have been collected and will be distributed to authors and publishers.

In Georgia, the Georgian Copyright Association (GCA), a member of IFRRO, obtained a positive ruling from the Constitutional Court which confirmed the constitutionality of the private copying remuneration scheme. GCA is now able to enter into negotiations with importers and start collecting the private copying levy.

In the UK, a coalition of creative sector organisations, including some IFRRO members, launched a campaign in June 2021 to introduce a one-off levy on mobiles, laptops, PCs and devices that are built to allow people to store and download content. The campaign generated positive media coverage.

However, levies are not universally supported, and the IT industry is running an active campaign to try and disrupt their implementation. In Ukraine, a new copyright bill introduced in December 2020 would have, if approved, significantly reduce the scope of the levy system. We worked with our Ukrainian member to oppose the bill. In Mexico, a private copying bill that enjoyed the support of the entire creative sector was unfortunately defeated in parliament. And in the four Visegrad countries (Czech Republic, Hungary, Poland and Slovakia), the IT industry [put pressure](#) on the European Commission in September 2020 to "reform" copyright levy systems. IFRRO is following these developments closely and has worked with our members and strategic partners to counter these anti-levy campaigns.

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 organised or spoke at awareness raising activities and events with national and international audiences including in Bolivia, Denmark, Georgia, Jamaica, Kazakhstan, Kyrgyzstan, Panama, Philippines, Russia, Turkey, Uganda and Zambia as well as at events organised by international or regional institutions, including WIPO and the European Parliament.

3.2. Member Relations

IFRRO supports 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 year, at the request of members, IFRRO made submissions in Benin, Botswana, China, Croatia, Hungary, India, Kenya, Namibia, Senegal, Singapore, South Africa, Spain and Ukraine.

3.3. Website and Brand Refresh

During the year IFRRO commissioned BDS Digital to develop a new website, to be launched in late 2021. As part of the website project, a minimal brand refresh was undertaken, to give a more modern feel to IFRRO's communications and website.

3.4. Newsletters

As we have been unable to hold face to face meetings, which provide an opportunity for exchanges of information on other matters, IFRRO has issued a number of email updates on PLR, and on WIPO, in addition to the regular updates on EU affairs.

Monthly issues of the Information Alert have been 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, LinkedIn and YouTube.

3.5. Meetings

Due to the Covid – 19 pandemic, all IFRRO meetings in the period under review were organised as virtual meetings, including all Board meetings. We hope to resume face to face and hybrid meetings in 2022.

The virtual meetings included:

- European Group seminar and Content for Education website launch (7 July 2020)
- African Committee (9 and 23 July 2020)
- Asia Pacific Committee (16 July 2020)
- PLR Forum (2 September 2020)
- European Group (22 September 2020, 2 February and 13 July 2021)
- Newspaper and Periodicals Working Group (22 October 2020, 13 April and 3 June 2021)
- Out of commerce works seminar and launch of IFRRO Guide (16 December 2020)
- A Conversation with Daren Tang, Director General of WIPO (9 March)
- Asia Pacific Committee (18 and 25 March 2021)
- IAF-IFRRO Webinar on Exceptions and Limitations (21 June 2021)
- Equipment Levy Forum (8 July 2021)

The 2021 Annual General Meeting will be held virtually on 3 November 2021.

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 future. Unfortunately, due to the pandemic we were unable to hold the International Conference in 2020. However, in late 2021 we will hold three online seminars designed as an online alternative for the International Conference. The seminars will speculate on the shape of the copyright system at the decade's end, consider the implementation of the UN Sustainable Development Goals in the publishing sector and explore the impact of new systems of copyright creation, use and reuse on the copyright ecosystem.

4.2. Standards and Identifiers in the Publishing Industry

In February, 2021 IFRRO, together with IPA, commissioned *Mark Bide*, the former chair of PLS, to write a report on the use and adoption of identifiers and standards in the publishing industry. The report reviews the standards and identifiers in common use and considers the use of standards and identifiers in different sectors of the publishing industry, including the collective management sector. The report also makes some recommendations for action. The report will be published in second half of 2021.

4.3. WIPO Connect

In April 2021, WIPO [announced](#) its collaboration with IFRRO to develop a software solution for collective management organisations managing text and image-based works. The software will be a new module of WIPO Connect, an IT solution developed by WIPO to support collective management organisations in developing countries.

IFRRO's contribution to the project will be to draw on its members' expertise to enable WIPO to develop business specifications that meet the needs of the IFRRO community. This is an important development that will strengthen the collective management of rights in the text and image sector and also increase the confidence of authors and publishers that their rights are being managed efficiently and effectively by IFRRO members.

4.4. 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. The [ISNI database](#) is contributed to by 73 major national and research libraries, institutions and databases. CEDRO, COPYRUS, ICLA and PLS are ISNI members. There are now over 14 million ISNIs, including 12.7 million individuals and 1.57 million organisations.

7.3. Newspaper and Periodicals Working Group (NPWG)

The NPWG, chaired by *Sandra Chastanet* (CFC), 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 NPWG met three times during the period covered: 22 October 2020, 13 April 2021 and 3 June 2021. A recent focus of discussion has been as regards the monetisation of press content and in particular, the implementation of the press publishers' neighbouring right under Article 15 of the Copyright in the Digital Single Market Directive (on which Professor Eleonora Rosati gave her expert view to members) and Australia's news media bargaining [code](#).

7.4. Public Lending Right Forum (IPF)

The IPF is an informal forum open to all IFRRO members, and links IFRRO with the work of PLR International. The Forum is Chaired by *Kurt Van Damme* from Reprobel.

Important issues affecting PLR schemes, such as the lending of e-books, changes in user behaviour, and the distribution of PLR revenues, are discussed at IPF meetings. The IPF also monitors the implementation of the EU Rental and Lending Rights Directive. A database with key information relevant to the administration of PLR is available on the Members Only section of the IFRRO website. A number of PLR documents are also available on the PLR International [website](#).

During the period, the Forum met once, in September 2020. Due to the pandemic, the biennial PLR International Conference could not be held, however, plans are being made to hold it in 2022.

7.5. Visual Working Group (VWG)

The VWG, chaired by *Vincent van den Eijnde* (Stichting Pictoright), did not meet 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.

8. The Secretariat

The Secretariat offices are located at Rue du Prince Royal 85-87, 1050 Brussels, however the staff continued remote working throughout the period under review.

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

Catherine Starkie is the Head of Legal Affairs, and 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 Legal Issues Forum and the European Group, together with the Newspaper and Periodicals Working Group. *Pierre-Olivier Lesburguères* is the Manager for Policy and Regional Development and takes responsibility for IFRRO's relationship with WIPO and other strategic partners. Pierre provides secretariat engagement in the work of the Equipment Levy Forum, the PLR Forum and the African Committee.

Nadège Gard is the Office and Accounts Manager. *Veraliah Bueno Álvarez* maintains the IFRRO website, attends to selected communication and information activities, and manages events, including the Congress and AGM. *Munkhdulam Naranbayasakh* was the IFRRO accountant throughout the year, employed on a consultancy basis. IT services are provided by TWIDO.



Yngve Slettholm
President