

IFRRO Board Report 2022

This report covers the year 1 July 2021 – 30 June 2022.

1. Organisational Overview

1.1. Board Representation

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

Presidency

President: Yngve Slettholm (Kopinor, Norway),
First Vice President: Dora Makwinja (COSOMA, Malawi),
Second Vice President and Treasurer: Tracey Armstrong (CCC, USA).

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 (IPRO).

The Board met three times in the period under review: 2 November, 2021; 2 March, 2022; and 23 May, 2022. All meetings were hybrid, with a combination of in person and virtual attendance.

1.2. Membership

As at 30 June 2022, IFRRO has 156 members in 85 countries. There are 108 RRO Members, of which 28 are Associate RROs and 18 Provisional RRO members. There are 48 Creator or Publisher Association Members. Collected fees by RROs remained steady, at around €1 billion.

In the period under review, four organisations became members of IFRRO, all in the Provisional RRO Member category:

- Malaysia Reprographic Rights Centre (MARC), Malaysia
- Croatian Association for Journalist Copyright Protection (DZNAP), Croatia
- Emirates Reprographic Rights Management Association (ERRA), United Arab Emirates
- Organizacija Fotografskih Autora (OFA), Montenegro

In May 2022, IFRRO suspended three members, AAS (Azerbaijan); Kopiken (Kenya) and Repronig (Nigeria). The suspensions were made because of the failure of the organisations concerned to meet the obligations of IFRRO membership.

In May 2022, IFRRO also terminated the memberships of Koupis (Kazakhstan) and DHK (Croatia) to take effect from 1 July 2022.

1.3. The Secretariat

The Secretariat offices are located at Rue du Prince Royal 85-87, 1050 Brussels, and the staff worked flexibly, combining home and office working throughout the year. *Caroline Morgan* served as CEO and Secretary General during the year.

Catherine Starkie is the Head of Legal Affairs, Pierre-Olivier Lesburguères is the Manager for Policy and Regional Development. Pierre has been on extended leave through 2022.

Nadège Grard is the Office and Accounts Manager. Veraliah Bueno Álvarez is the Communications and Information Officer, and manages events, including IFRRO's General Assembly and Congress.

Munkhdulam Naranbayasakh was the IFRRO accountant throughout the year, employed on a consultancy basis. IT services are provided by TWIDO.

2. Strategic Plan

In June 2021, the IFRRO Board redeveloped the Strategic Plan and agreed on the Vision, Mission Statement, Objectives and key focus areas for 2021 through to 2023. The revised plan was presented at the 2021 General Assembly and guided IFRRO's activities and operations during the year in review. The Strategic Plan is available [here](#).

The transition to digital use, accelerated by the global impact of the pandemic on the creative sector, formed the framework for the Board discussions.

The Board was guided by the diversity and uniqueness of IFRRO members in deciding on the new Mission Statement

“to develop and promote effective collective rights management to ensure that the copyrights of authors and publishers are valued through the lawful and remunerated use of text and image based works”

The Mission Statement reflects that IFRRO's membership is changing and growing, and that we now represent an increasingly wide cross-section of collective management organisations with a variety of revenue streams – levies, PLR, voluntary licensing, statutory licensing as well as many different combinations – with each member RRO ensuring that the copyrights of authors and publishers are valued and remunerated through collective management of their rights.

Supporting the new Mission Statement are two objectives, to “*Advocate for Copyright, Collective Management and the Remunerated Use of Text and Image-based Works*” and to “*Enable Authors and Publishers to Explore and Benefit from New Opportunities through Effective Collective Management*”.

The Strategic Plan has six key focus areas for IFRRO's activities:

- policy and advocacy,
- communications,
- education and enforcement,
- capacity building,
- equity and engagement and
- developing resources for members.

This report provides an overview of IFRRO's activities in each of those key focus areas.

2.1. Policy and Advocacy

An important aspect of IFRRO's activities is to advocate for copyright and collective management solutions nationally, regionally and internationally. In engaging in these discussions, we work closely with national and international organisations representing rightsholders as well as with RRO members.

(a) WIPO

At an international level, IFRRO participated in WIPO meetings including as an observer at the WIPO General Assembly in October 2021.

In his opening speech at the General Assembly meeting, the Director General of WIPO, Daren Tang, highlighted the impact that the Covid-19 pandemic has had on the world, national economies, and the creative sector. He commented that it has simultaneously transformed our way of life, *“accelerating and amplifying already existing trends towards digitalization, technology and the use of innovation and creativity as engines of growth.”*

IFRRO also participated as an observer at two meetings of the Standing Committee for Copyright and Related Rights, in June/July 2021 and May 2022.

IFRRO's President Yngve Slettholm intervened in the discussion of the impact of the Covid 19 pandemic, advising that *“during the Covid-19 pandemic, CMOs have adapted their licences to support online and remote teaching and learning. Millions of pupils, students, and teachers benefitted from these flexible licensing schemes, which also meant that creators were paid for the use of their works, at a time when other income streams had ceased or had been significantly reduced.”*

(b) European Union

The IFRRO Secretariat remained in close contact with the EU Institutions over the last year on a range of topics, including: the proposed “Digital Services Act” (now adopted), the proposed “Data Act”, implementation of the Copyright in the Digital Single Market (“DSM”) Directive, and proposals for a Declaration on digital rights and principles. IFRRO's position papers can be found [here](#).

IFRRO also continues to work closely with the European Union Intellectual Property Office (EUIPO) as it develops its out-of-commerce works (OOCW) [Portal](#), as required under the EU's DSM Directive. The EUIPO invited IFRRO to speak at the closing event of its [“Datathon”](#) on OOCW on 28 June 2022. The EUIPO has also participated in IFRRO events and meetings on OOCW, including a webinar, jointly held with FEP and EWC, on 23 September 2021 entitled *“Out of commerce works in Europe, is the EUIPO Portal the solution?”*, discussing the relevance and practicalities of the Portal, as well as discussing with IFRRO's OOCW Task Force (see below for further details about the Task Force).

(c) National Engagement

IFRRO also supports members in responding to national issues of concern, including proposals to amend copyright laws, or other proposals that would impact negatively on our sector.

During the year, at the request of members, IFRRO made submissions in Argentina, Australia, Croatia, Hong Kong, Ireland, Morocco, Namibia, Slovenia, South Africa and Spain.

We also provided input for a response to the Canadian government's consultation on “Artificial Intelligence and the Internet of Things”, drawing upon our experience in responding

to EU AI-related studies, as well as providing input and information to several other members with questions and concerns regarding national developments.

On 30 July 2021, the Supreme Court of Canada, handed down its [decision](#) in the two appeals in the York University case on 30 July 2021. Having supported Access Copyright by being granted leave to intervene in the case to present an international perspective, IFRRO was extremely [disappointed](#) by the decision. Access Copyright's statement about the decision is [here](#), and a statement by Copibec is [here](#).

In May 2022, the IFRRO Board adopted a statement, available [here](#), condemning the Russian Aggression in Ukraine. The IFRRO General Assembly in 2022 will consider a Resolution proposed by the Board on the continuing Russian aggression.

2.2. Communications

The Board recognises that IFRRO's communication activities must enable IFRRO and its members to explain and defend the principles of copyright and authors' rights, and to communicate about the importance of collective management and how it works in practice.

Over the past year, IFRRO has further developed its communication tools and channels, as well as continuing to update members on key developments and organise meetings that allow members to discuss key topics of concern - including with external experts - impacting authors and publishers and the RROs that collectively manage their rights.

(a) New IFRRO Website

In 2021, IFRRO refreshed its logo and developed a new website.

Launched in November 2021, the new website is not only an important resource to assist members, but it now works across multiple platforms and devices and is also much more user-friendly, with a cleaner, more contemporary look.

The primary objective of the redesign is to more effectively communicate the wealth of information and expertise we have to our members, partners, stakeholders and the general public. We are continuing to build the new site in order to provide up-to-date, valuable information and tools about collective rights management of text and image-based works and so it will better represent our sector and membership.

(b) "Art of Copying" Booklet

IFRRO also reviewed and updated the Art of Copying booklet that was originally published in 2005. With examples from 10 countries, the publication explains the different ways in which RROs represent visual repertoire. The updated publication is available on the IFRRO website (see [here](#)).

(c) Information Updates

During the year in review, IFRRO issued a number of email updates for members covering a range of policy developments impacting IFRRO members, at both international and European level, including WIPO-related developments, implementation of the EU's DSM Directive and adoption of the EU's Digital Services Act.

As well as informing members about key policy developments, these updates also keep members abreast of IFRRO's work in engaging on these topics with key decision-makers and offer support to members that face challenging policy developments at national level.

We continue to issue monthly Information Alerts, which remind members of upcoming deadlines and information disseminated by IFRRO, and share links to articles and events. In addition to updating the IFRRO website regularly, we keep external stakeholders updated on key developments via our social media channels, including Twitter, LinkedIn and YouTube, which we update frequently and actively monitor.

(d) Meetings and Events

In the period under review, IFRRO attended, organised, or spoke at awareness raising activities and events with both national and international audiences. These included events in Albania, the ASEAN region, the Caribbean, India, Iceland, Kenya, Mali, Namibia, Niger, Philippines, Slovenia, Spain, UAE, Ukraine, Zambia.

Due to the Covid-19 pandemic, all IFRRO member meetings in 2021 were held virtually. In 2022, as regional pandemic restrictions varied meetings were either virtual, in-person, or hybrid, depending on the region in question.

The 2021 meetings included:

- Equipment Levy Forum (8 July 2021)
- European Group (13 July 2021)
- Legal Issues Forum (9 September 2021)
- Joint event with FEP and EWC on the EUIPO's out-of-commerce works Portal (23 September 2021)
- African Group Meeting (27 and 28 September 2021)

IFRRO's 2021 Annual General Meeting was held virtually on 3 November 2021. IFRRO also held pre-AGM briefing meetings for members in the Asia Pacific (21 October 2021) and Latin America (26 October 2021).

In 2022, the meetings included:

- A webinar on "What RROs need to know about data exchange post-Schrems II" (28 April 2022)
- A series of committee and working group meetings in Oslo in May, at the invitation of Kopinor. There were over 90 attendees at these hybrid meetings, which included:
 - European Group (24 May 2022)
 - Equipment Levy Forum (25 May 2022)
 - Legal Issues Forum (25 May 2022)
 - Newspaper and Periodicals Working Group (25 May 2022)
 - PLR Forum (25 May 2022)
 - RRO Roundtable (24 May 2022)
 - Visuals Working Group (24 May 2022)

The Asia Pacific Committee meeting, initially scheduled for March 2022, was held virtually in August 2022.

(e) Stakeholder Engagement

• Author Representative Organisations

In the past year, IFRRO worked with our international and regional author association members to ensure authors are engaged in the work of RROs.

In 2021, IFRRO collaborated with the International Authors Forum in a series of meetings with author representatives and governments in Mexico and Colombia to discuss Public Lending Rights (PLR) and collective management. In March 2022, IFRRO also presented at the IAF AGM in Iceland, highlighting the synergies and key areas of collaboration between our two organisations.

- **Publisher Representative Organisations**

IFRRO has also collaborated closely with our international and regional publisher association members in the past year, identifying common concerns, and sharing information, including about publishers' new and developing business models and the publishers' specific concerns and priorities. IFRRO has worked to create better understanding amongst publishers as regards the role of collective management in countering demands by users for access to copyright works through exceptions.

In 2022, IFRRO scheduled a series of meetings with publisher representative organisations - EMMA-ENPA, FEP, IPA, and STM - to improve communications about key policy matters and priorities. IFRRO also participated in several IPA Copyright Committee meetings in 2021 and 2022.

- **External Stakeholders**

IFRRO also participated in and actively contributed to meetings and events organised by external stakeholders during the past year, including:

- **International Federation of Library Associations (IFLA)**

In August 2021, the IFRRO CEO and President attended the 2021 IFLA Congress, which was held virtually. In July 2022, Samantha Holman represented IFRRO at the IFLA Congress held in Dublin, participating in a panel discussion of the impact of the pandemic on equality and diversity in our communities. The discussion can be viewed [here](#).

- **Europeana**

IFRRO has continued its good collaboration with Europeana regarding the implementation of the out-of-commerce provisions of the EU Copyright in the Digital Single Market Directive. Europeana invited IFRRO to participate in its Working Group on Out of Commerce Works, launched in April 2022, and IFRRO has welcomed the opportunity to contribute to these discussions.

2.3. Education and Enforcement

The focus of activity in this work stream is to both support our members and partners in reinforcing the importance of the remunerated use of text and image-based works, and also to educate other stakeholders about the value and importance of the creative sector, copyright, and collective management.

- (a) **WIPO**

During the year we engaged with several WIPO projects, including:

- **Collective Management Organisation (CMO) Toolkit**

The “Good Practice Toolkit for CMOs”, originally published by WIPO in 2018, was revised and published in September 2021. The purpose of the Toolkit is to assist governments in developing their legislation on collective management, by providing examples drawn from other countries and organisations. It is also a useful tool for CMOs when developing their own internal rules. Together with other rightsholder federations, IFRRO was part of an informal consultative WIPO working group that reviewed the Toolkit. As part of that process IFRRO successfully advocated for the inclusion of a section dealing with user reporting obligations.

- **WIPO Copyright Policy Template for Universities and WIPO Copyright Policy Guidelines**

This WIPO project provides guidance to universities and public research institutions when developing their copyright policy to manage the reuse of third-party copyright content in teaching activities. IFRRO coordinated with numerous IFRRO members to provide updates on the situation in their country, and we have provided comments on a draft of the publication. The Template and Guidelines will be published in late 2022.

- **WIPO for Creators**

In July 2021 IFRRO became a Member of the WIPO for Creators initiative, a public-private partnership between WIPO and the Music Rights Awareness Foundation. The objective is to develop a multilingual, online platform that will increase awareness of intellectual property rights and foster local and global networks and infrastructure supporting the growth of the creative industries. Other publishing sector members of the Advisory Board are IAF and IPA.

- **Booklet on the Collective Management of Reprography**

WIPO commissioned *Tarja Koskinen-Olsson* to revise and expand the existing publication, which dates back to 2005. IFRRO collaborated by providing examples and case studies from IFRRO members. The publication, which will be a valuable tool for policy makers, will be available in all UN languages later in 2022.

- **ASEAN CMO Toolkit**

WIPO is developing a toolkit for ASEAN-based CMOs, tailored to address conditions specific to that region. IFRRO members in the region have all completed a questionnaire, as have relevant national IP offices and CMOs from other sectors. Based on the responses to the questionnaire, a study and toolkit for governments to build collective management capacity in their countries will be developed.

- **Caribbean Regional Seminar**

IFRRO cooperated with WIPO, and the IP offices of Jamaica and Trinidad and Tobago to organise a Caribbean regional seminar on educational licensing in March 2022. CLA and DALRO each provided speakers at the event. Following the event, IFRRO, WIPO and the IP offices have been collaborating on a program of activity in the region designed to strengthen collective management.

(b) European Union

IFRRO continues to work closely with the European Commission’s DG Trade, as copyright/IPR is an important element of the EU’s bilateral trade discussions. We have provided input into their targeted consultation on the state of intellectual property protection and enforcement in third countries. Additionally, IFRRO has responded to requests for

information on the collective management situation in Saudi Arabia and Kenya, and also participated in EU IP Dialogue with Ukraine and Turkey – including making a presentation at the industry session of the dialogue in January 2022.

(c) Public Lending Right International

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 Lesbuguères and Stichting Leenrecht's Arjen Polman.

PLR International has two main objectives:

- Support the establishment of PLR systems in EU Member States that 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.

PLR International continued its focus on communications, developing and launching a promotional video, highlighting the key benefits of PLR and featuring testimonials from authors, publishers and library representatives. The video is available on the *PLR International* website, <https://www.plrinternational.com/>.

The *PLR International* Steering Committee has been concerned for some time about Bookster, a commercial book lending service in Romania which claims its activities are legitimately public lending and authorised by Romanian law. In March 2022, the Committee wrote to the Romanian government, copied to the European Commission, protesting the situation. The Committee put forward the view that Bookster's commercial activities do not constitute public lending and that Bookster must negotiate a licence with the relevant rightsholders.

During the year, *PLR International* worked with rightsholders in different countries to build awareness of the benefits of a public lending rights system to their national creative community. Meetings were held with government representatives in Mexico and Colombia, in cooperation with IAF. In South Korea, in order to raise awareness about PLR, KOLAA, together with four members of the National Assembly hosted a panel discussion attended by creators' associations, libraries, publishers, officers of government and copyright experts. IFRRO sent a video message which was played at the meeting (see [here](#)).

The biannual PLR Conference which had been deferred due to the pandemic, will be held in early 2023.

2.4. Capacity Building

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

IFRRO and Kopinor have entered into a three-year cooperation on development work. The agreement will enable IFRRO to reinforce and expand its development work, and support newly established CMOs in different countries around the world. This marks the first time that a national CMO has entrusted a part of its development fund to IFRRO. Kopinor and IFRRO hope this will inspire other CMOs to do the same, establishing a consolidated and coordinated approach to CMO development in the text and image sphere.

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

(a) Cooperation with WIPO

IFRRO has two joint development projects with WIPO, in which we work with representatives of national government and rightsholder representatives to build capacity in the copyright and creative sector.

- **North and West Africa**

The joint IFRRO WIPO capacity building program in North and West Africa (involving CMOs in Algeria, Benin, Burkina Faso, Côte d'Ivoire, Morocco, Senegal and Tunisia) was renewed in 2022. The success of the project has led to other CMOs from Cameroon, Mali, Niger and Togo joining the project as observers.

The program has led to a number of successful outcomes in the countries involved, such as the development of CMO distribution rules, the adoption of governmental decrees on reprography, and first payments being made to the rightsholders. The group has met regularly since it began, with several other IFRRO members also attending the meetings and sharing their experience.

The 2021 phase of the program concluded with a conference on 9 December 2021 in Abidjan, Côte d'Ivoire, with WIPO Deputy Director General Sylvie Forbin in attendance. The conference was to mark the signature of two decrees, one implementing private copying levies and the other reprography. The signing of these decrees had been delayed since 2017 – securing government action is an enormous achievement for our local member, BURIDA, and also for the partners in the project.

- **Malaysia**

The second year of the joint project with WIPO concluded successfully with the registration of the new RRO, MARC in August 2021. The project was renewed in 2022 with a focus on support for licensing negotiations. IFRRO consultant, Jim Alexander, visited Malaysia in February 2022 and held meetings with rightsholders, the IP office, as well as the Ministries of Education for schools and universities. A National Seminar for educational institutions, jointly organised by MARC and the Malaysian IP office was successfully held in August 2022.

(b) Other Organisations

- **African Regional Intellectual Property Organisation (ARIPO)**

IFRRO participated (virtually) in the ARIPO Administrative Council Meeting, and the ARIPO Diplomatic Conference for the Adoption of the ARIPO Protocol on Voluntary Registration of Copyright, which were both held in Uganda in August 2021. In September 2021, ARIPO participated in the meeting of IFRRO's African Committee and in October 2021, IFRRO participated in an ARIPO/USPTO Regional Meeting on CMO Issues.

- **Union Economique et Monétaire Ouest Africaine (UEMOA)**

Since 2019 in West Africa, CISAC, IFRRO and WIPO have supported a study and a Directive developed by UEMOA (the West African Economic and Monetary Union) to introduce private copying remuneration in their eight Member States. In late 2021 the draft Directive was approved at a technical level and underwent further revisions in 2022.

- **Organisation Africaine de la Propriété Intellectuelle (OAPI)**

OAPI is the regional IP organisation for seventeen Member States in West and Central Africa. IFRRO participated in the OAPI Administrative Council meeting in December 2021 and discussed plans to implement reprography licensing in OAPI Member States with the Director General of OAPI.

- **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. In May 2022, IFRRO presented on *Current trends in the management of rights in the text-and-image sector* at the Norcode Masterclass Training Program on Collective Management of Copyright and Related Rights.

2.5. Equity and Engagement

The IFRRO Board recognises the diversity of IFRRO members, and is conscious of the important role that IFRRO plays in supporting our global community. It is essential that we work with members and partners to raise awareness of and promote the importance of a diverse, equitable, and inclusive creative sector, copyright community and CMO network.

(a) Diversity Action Plan

As part of its commitment to diversity, the Board included diversity as an IFRRO value in 2021. This was reinforced in 2022 with the adoption of the IFRRO Diversity Action Plan, which is intended to embed the value of diversity into our organisational culture. The Board aims not only to ensure that IFRRO is more inclusive, but also to encourage our members to value diversity in their own operations.

The Diversity Action Plan has four workstreams:

- **Representation** – to encourage diverse and inclusive representation on the Board, Committees and Working Groups
- **Team** – to build awareness, knowledge of and skills in managing cultural differences and diversity amongst the staff, committee chairs and Board of Directors
- **Organisation** – take positive actions (such as training) to encourage diversity and inclusion in our operations

- **Community** - to build our community's knowledge of the importance of diversity and inclusion

With Board elections being held in 2022, the focus of activity has been on the **Representation** workstream, with candidates for director being encouraged to articulate their commitment to IFRRO's role as a globally representative organisation in their election candidacy statements and an offer of development funding to assist with the costs of attending Board meetings.

(b) IFRRO Governance

Over the past 2 years, a Board committee has undertaken the first ever complete review of IFRRO's Membership Structure and fees, with a view to ensuring equitable treatment of members. The areas under review included:

- **Rights Represented and Membership Categories** – the Committee reviewed the scope of the definition of rights represented by IFRRO members, as well as the categories of IFRRO members. The Committee then recommended certain changes, which have since been accepted by the Board and will be presented to members at the 2022 General Assembly.
- **Fee Structure** – the Committee's work continues in this area, and recommendations for action will be made in 2023.
- **Provisional Members** – the Committee is working on a policy to manage practical matters such as how long members can remain in this category of membership, as well as how and when the transition to another membership category should take place.

(c) Visually Impaired

The [Marrakesh Treaty](#) entered into force on 30 September 2016. There were 89 Contracting Parties at the time of writing (see [here](#)), including the EU and the USA.

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, 100 Authorised Entities had joined the ABC Global Books Service, contributing over 730,000 titles to the database.

2.6. Resources for Members

An important aspect of IFRRO's work is to develop resources and tools to assist our members to develop and build with their business, data and technology capacities.

(a) Data Privacy

The “Schrems II” judgment [C-311/18](#) of the Court of Justice of the European Union (CJEU) in July 2019, concerning the transfer of personal data to countries outside of the EU, found that US laws do not offer a level of protection that is “substantially equivalent” to EU laws, so personal data transfers based on the EU-US “Privacy Shield” are now unlawful. IFRRO has been working with its members to clarify the situation post “Schrems II” and possible alternative ways forward, providing a range of resources (located on the [Members Zone](#)).

Over the last year, IFRRO continued to keep members informed about developments following the judgment and provided fora for discussion, including at the Legal Issues Forum meeting in September 2021.

Given the lack of practical information available for CMOs, a “Task Force” of IFRRO members, both from EU (Copydan and CEDRO) and non-EU (CCC and CLA) countries, was convened in mid-2021 to assist IFRRO in producing a memo on “Personal data transfer challenges for RROs post ‘Schrems II’ and practical steps towards balancing the risks”.

The memo, published in March 2022, as well as updating members about important developments during this period of uncertainty, also provided useful insights, such as widespread practices that EU RROs could use with partners outside the EU when they need to transfer GDPR-governed information, that minimise EU RROs’ risk.

The memo was followed by an IFRRO webinar on 28 April 2022 on “*What RROs need to know about data exchange post Schrems II*”, with the participation of Task Force members, who shared their national perspectives with members and answered questions.

(b) IFRRO Sample Bilateral Agreement and Toolkit

IFRRO’s sample bilateral agreement for the exchange of collective licensing rights between RROs with its explanatory toolkit provides a “foundation” bilateral agreement for the management of blanket licensing agreements.

IFRRO further updated the documents early in 2022 to reference the European Commission’s new Standard Contractual Clauses (SCCs) - model contracts pre-approved by the EC - for the transfer of personal data to third countries (see SCCs [here](#)). (The previous SCCs had to be updated following the “Schrems II” CJEU judgment).

The updated version of the Sample Bilateral Agreement and Toolkit is available on the [Members Zone](#).

(c) Licensing of Out of Commerce Works (OOCW)

In November 2021, in order to provide advice to members on the issues involved in the practical implementation of initiatives to digitise OOCW, IFRRO formed a Task Force (TF) of RRO members with experience in managing such digitisation schemes.

The TF is chaired by Robert Staats of VG Wort (Germany) and includes representatives from Kopiosto (Finland), LITA (Slovakia), Sofia (France) and Pictoright (Netherlands).

The TF has met several times, with members exchanging on the different approaches of EU Member States to implementation of new rules on digitising and making available OOCW and how the RROs are – or planning to – practically implement such initiatives.

TF members also had an exchange with the EUIPO regarding the EUIPO's OOCW Portal on 25 April 2022 and some also participated in a Q&A discussion at IFRRO's European Group meeting in Oslo on 24 May 2022. Members are able to access notes of the TF meetings and the slides shown on the [Members Zone](#). The TF is developing guidance for members, which will be available towards the end of 2022.

(d) Business Models

The IFRRO International Conference, programmed by Tracey Armstrong (CCC), aims to facilitate the exchange of best practices, stimulate the development of robust RRO business models, and encourage discussion of current and future trends. In late 2021, three online seminars were held.

The first was held on 14 October 2021. ***Deadline 2030: the Shape of Things to Come*** explored ideas of what the global copyright system might look like at the decade's end. Topics included the impact of pandemic driven changes in education and research on the intellectual property system, how developments in technology challenge the regulation of intellectual property, and whether such challenges will break or strengthen the copyright system. The speakers included Ted Shapiro (Wiggin, Brussels), Ang Kwee Tiang (Universal Music Group) and Silke von Lewinski (Max Planck Institute for Innovation & Competition).

The second event, held on November 10, 2021, focused on the ***UN Sustainable Development Goals: The Way Ahead for Publishing and the Content Industries***. It considered best practices for implementing the United Nations Sustainable Development Goals and asked how the copyright community can contribute to efforts towards achieving those goals. Speakers included Sherri Aldis (Chief of UN Publications, United Nations), Michiel Kolman (Co-Chair Workplace Pride, Chair Inclusive Publishing IPA) and Simone Taylor (Publisher, AIP Publishing).

The final event was held on 2 December 2021. ***Moving RROs Beyond Text*** looked at new patterns of content creation, use and re-use, especially in video, audio and podcasts. It also addressed issues and concerns regarding the impact of remote working and distance learning on copyright and collective licensing. Speakers included Karthik Krishnan (CEO Venture Chair, NYU Professor) and Eva Güell (Digital Business Consultant).

(e) Identifier and Metadata Standards in the Publishing Industry

In October 2021 IFRRO, together with the International Publishers Association (IPA) published a report from Mark Bide, the former chair of PLS, on Identifier and Metadata Standards in the Publishing Industry (see [here](#)).

The report is a high-level overview of the use of technical standards in the global publishing industry, with a specific focus on standards for text and images. It also provides in-depth analysis of the current use of standards in a number of priority areas including accessibility for the visually impaired, collective rights management, out of commerce works, orphan works and ecommerce in the developing world.

(f) WIPO Connect

Throughout 2021 and 2022, IFRRO has worked closely with WIPO on a [collaboration](#) to develop a software solution for collective management organisations managing text and image-based works. The software is a new module of WIPO Connect, an IT solution developed by WIPO to support collective management organisations in developing countries.

This is an important development that will strengthen collective management in the text and image sector, and increase the confidence of authors and publishers that their rights are being managed efficiently and effectively by IFRRO members.

Several modules are now complete, with the remainder on schedule for completion this calendar year. The next phase of the project will be implementation with a number of pilot RROs, expected in late 2022 and 2023.

(g) 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 78 major national and research libraries, institutions and databases. CEDRO, COPYRUS, ICLA and PLS are ISNI members. There are now over 14.7 million ISNIs, including 13.11 million individuals, of which 2.97 million are researchers.

3. IFRRO Fora, Working Groups and Committees

IFRRO has an engaged and active community of members, who participate in numerous working groups / committees based on geographic areas or on areas of mutual interest. Following is a summary of activities in the year under review. Agendas, papers and presentations from each meeting are available [here](#).

3.1. Regional Groups

(a) Asia Pacific Committee (APC)

There are 16 RROs in membership of IFRRO in 12 countries of the Asia Pacific region, including a new member admitted in 2022, MARC in Malaysia. There is also one Music RRO member, MCSC (China).

Until May 2022, IFRRO's Asia Pacific Committee (APC) was chaired by Sarah Tran, Copyright Agency. A new Committee Chair will be appointed in late 2022. Due to ongoing travel restrictions in the region, the APC held virtual meetings on 11 and 12 August 2022 with 18 attendees, including a presentation from WIPO.

(b) African Development Committee (ADC)

There are 16 RRO members of IFRRO in the African region and one Creator or Publisher Association member, PASA, the Publishers' Association of South Africa. The African Development Committee (ADC) is chaired by Dora Makwinja from COSOMA.

The ADC met on 27 and 28 September 2021 with around 60 attendees, including observers from WIPO, ARIPO and OAPI.

(c) European Group (EG)

The European Group (EG) is chaired by Samantha Holman (ICLA) with two Vice Chairs, Robert Staats (VG Wort) and Valtteri Niiranen (Kopiosto). There are 60 RRO members of the EG and 36 Creator or Publisher Association members. The EG met twice during the year under review. A remote meeting took place on 13 July 2021 and a hybrid meeting also took place in Oslo on 24 May 2022, with over 90 attendees.

(d) Latin America and the Caribbean Committee (LAC)

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.

While the Committee did not meet during the period under review, Committee members were active, participating in the CERLALC 50th anniversary seminar in Ecuador in October 2021 and organising the copyright seminar at the Buenos Aires Bookfair in May 2022. In addition, six members made a joint presentation on their national situations as part of the WIPO webinar on educational licensing for the Caribbean region in March 2022.

3.2. Technical Groups

(a) Equipment Levy Forum (ELF)

The ELF is an informal forum open to all IFRRO members for the exchange of information amongst RROs administering Text and Image (TI) levies. It is chaired by George Zannos (OSDEL) and met twice during the period under review, on 8 July 2021 and 25 May 2022.

Topics discussed at the two meetings included practical issues such as distribution, campaigns for the introduction of private levies and current issues such as court rulings and the management of copies in the cloud.

(b) 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. During the period under review, the LIF met remotely on 9 September 2021 followed by a hybrid meeting on 25 May 2022. Topics discussed included data privacy, WIPO-related developments, recent court judgments, national policy developments and IFRRO's work in supporting national policy developments.

(c) Newspaper and Periodicals Working Group (NPWG)

The NPWG, chaired by Sandra Chastanet (CFC), focuses on the development of business models regarding the licensing of newspapers and periodicals in the business sector, media monitoring as well as education, with a strong focus on licensing for digital uses and sustainability of digital media business models.

The NPWG met on 25 May 2022, where members continued discussions on implementation of the press publishers' right in EU Member States (introduced by the DSM Directive).

(d) 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 (Reprobel). During the period under review, the IPF met once, on 25 May 2022. At that meeting, in addition to a report from PLR International, representatives from EWC and FEP participated in a panel discussion on e-lending and its intersection with PLR.

(e) Visual Working Group (VWG)

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

The VWG met once during the year in Oslo on 25 May 2022. Topics discussed included visual artists and PLR and the revised Art of Copying Booklet.