

## IFRRO STATEMENT OPPOSING “CONTROLLED DIGITAL LENDING”

### Resolution adopted by the IFRRO Annual General Meeting in Edinburgh on 6 November 2019

The International Federation of Reproduction Rights Organisations (IFRRO) **acknowledges** the important role of libraries in society, making copyright protected works available for reading to a large audience through public lending. However, public lending should be managed within a well-defined and controlled legal framework, in order to protect the legitimate interests of authors and publishers. This is particularly so in the digital environment, where uncontrolled and one-to-many circulation of digital works without the authorization of the rightsholder may seriously affect the sustainability of the creative value chain.

IFRRO, at its Annual General Meeting (AGM) in Edinburgh, therefore urges librarians, archivists, readers and decision-makers to protect copyright, support creativity, and reject approaches, such as so-called “Controlled Digital Lending” (CDL), that undermine copyright protection and substantially reduce, on the one hand, income of authors and publishers and, on the other, the quality and offering of available content.

IFRRO **opposes** CDL, a practice which involves the unremunerated and unauthorised copying and cross-border making available of digital copies of copyright protected works over the Internet through e-lending. CDL violates the economic and moral rights of authors and prevents them from making a living from their writing. It also discourages publishers from investing in the works of these authors, including in innovative business models in the digital world which could benefit authors, publishers and readers.

CDL is severely harmful to the creative and information sectors, which are fundamental to the digital economy and pivotal in sustaining cultural diversity and high-quality education and research. CDL disrupts the ability of authors to earn money from written and visual works and undermines the initiatives which authors, publishers and collective management organisations are already taking to make these works available, including for out-of-print works.

IFRRO **endorses** the *Appeal to Readers and Librarians* (see [here](#)) co-signed in February 2019 by authors, unions, organizations, and federations representing the creators of works included in published books, book publishers, and reproduction rights and public lending rights organizations.

IFRRO **believes** that CDL is not at all comparable to the lending of physical books by public libraries, that it does not qualify as “fair use” under U.S. copyright law and that it is a breach of the rights of authors and publishers pursuant to the Berne Convention for the Protection of Literary and Artistic Works and other international treaties such as the WIPO Copyright Treaty.

IFRRO therefore strongly **urges** librarians, archivists, decision makers and readers around the world:

1. to disregard claims from proponents of CDL on its virtues, and to support those lawful and balanced means that currently exist to enable access to material held in public libraries, through licensing or otherwise. **AND**
2. to engage in a dialogue with stakeholders –writers, authors, publishers, collective management organisations and librarians– on how to enable and create modern digital libraries in ways that are fully consistent with national and international copyright laws.

### About IFRRO

IFRRO, the International Federation of Reproduction Rights Organisations, is the international network of collective management organisations and creators’ and publishers’ associations in the text and image spheres ([www.ifrro.org](http://www.ifrro.org)), with 151 members in 85 countries, encompassing 101 Reproduction Rights Organisations (RROs) and 50 Creator or Publisher Association Members.