



IPA statement WIPO SCCR 33, 18 November 2016

IPA is the global association of book publishers, including those in the trade, educational and academic sectors. Our 64 member associations from 59 countries represent thousands of individual publishing houses, which together serve more than 5.5 billion people across the globe.

Educational publishing is a critical strategic resource for all countries. To be truly successful and effective, educational publishing must be genuinely relevant to the place where its outputs will be used.

In a healthy educational publishing market, this relevance requirement benefits local publishers and local authors. And such support for local content is crucial because, for economies in transition or in developing countries, local educational publishers actually form the bedrock of the national publishing industry — enabling and underpinning all the other publishing sectors in those countries.

The IPA has long stressed the importance of the 'local' in education publishing. We have often stated that the best curricula are pointedly local, as are learning environments and cultural contexts. Great education embraces local content and context.

Unfortunately, overbroad educational exceptions jeopardize this virtuous circle.

If a government neglects the economic framework around local publishing, then healthy domestic educational publishing markets are undermined.

'Neglect' can take the form of overbroad exceptions, which lead to unintended consequences. Take, for example, the 2012 copyright amendments in Canada, which have had ongoing and long-term deleterious effects on not only the local publishing industry and Canadian authors, but also, we would argue, on the availability of high-quality educational resources for teachers and students alike.

The impact of these Canadian amendments on publishers has been immediate and severe, with a number of publishing houses scaling back their operations and at least one global player, Oxford University Press, packing up and leaving the country, citing the copyright amendments as a prime reason.

But these amendments have also increasingly forced Canadian authors to publish for US or other foreign markets. Publications produced for foreign markets will, however, always be a poor substitute for the ideal, which, as we've argued, would be locally sourced and locally

produced. Such foreign-sourced publications will be detrimental to the general coherence and objectives of a sound national educational policy.

In education, so much depends on the quality of the resources being utilized by teachers in the classroom for the benefit of the particular mix of students before them. In Canada, it is not just the provenance of the materials that has been compromised by the 2012 amendments, but also their quality.

High-quality educational publishing requires intensive, long-term investment. Publishers are now telling us that they are pulling out of the Canadian educational market precisely because the medium- to long-term prospects are so grim. This will mean fewer local authors, writing less local content, for fewer local publishers to produce fewer high-quality Canadian resources. This will not be good for Canadian students.

A consequence of the local nature of education publishing is that one-size-fits-all exceptions are unnecessary and inappropriate. As Professor Seng's work demonstrates, Member States have largely succeeded in formulating their own state-specific education exceptions suited to their unique local conditions. An inflexible international instrument that does not respect local conditions will harm, not help, efforts to achieve the worthy goals of educational exceptions.

IPA respectfully requests that SCCR take into account the need for balance and respect for local interests and not foreclose local markets and licensing solutions. Otherwise exceptions are bound to have a negative effect, especially where multiple copying is concerned.

José Borghino
Secretary General