



# **African Library & Information Associations & Institutions**

## **AfLIA Statement on Public Lending Right**

The African Library and Information Associations and Institutions (AfLIA) is an independent continental non-governmental organization (NGO) of library and information associations and institutions which actively pursues the interests of library and information associations, library and information services, librarians, information workers and the communities that they serve and also provides a platform to discuss issues and further the cause of the library and information sector in Africa. AfLIA promotes libraries and information centres as vital institutions that enhance people's lives through equitable access to knowledge, information and innovative services and supports the principles of freedom of access to information

Libraries accessible to the public, together with other not for profit cultural, scientific and educational institutions, exist to serve the public and guarantee free unlimited access by citizens to the full spectrum of humanity's recorded knowledge and information. Libraries hold the key to the dissemination of knowledge required for socio-economic development and the vigorous pursuance of the development agenda by libraries, as the forerunners, puts them in their rightful place as the engine for total national development. Additionally, libraries promote access to information as part of a universal human rights approach as well as rights of people to knowledge.

AfLIA holds the view that libraries, publishers, authors and all the stakeholders in the book trade have a shared responsibility to disseminate information and knowledge to academics, researchers, students and the general public so this should be a top priority to all who operate in the book trade. AfLIA is convinced that holders of copyright and related rights must be paid adequately to compensate for their efforts but such payment should not be at the expense of libraries and the need of the citizens to gain access to information and knowledge. A fruitful, balanced and long-lasting relationship should be built by all the stakeholders. Expansion of copyright and related rights into new areas that might hamper access to knowledge, teaching, learning and research can destabilize the balance and the fruitful relationship between stakeholders in the book trade and negatively impact community and national development in Africa.

## **Public Lending Right**

A relatively new issue of public policy in librarianship and authorship is the concept of public lending right (PLR) which is the idea that authors are entitled to be compensated for the multiple uses of their books in libraries. As a result, in countries with PLR, any lending of copyrighted works, for example by libraries, should be subject to payments to authors and or publishers. PLR can be applied under copyright law, or it can be set out in separate legislation as part of a wider cultural policy supporting creators. Importantly, while the standard narrative focuses on PLR as a copyright issue, in reality, it often operates in fundamentally different ways to copyright rules.

### **AfLIA's position on Public Lending Right**

AfLIA is opposed to the concept of a 'lending right' as the scheme has an inherent risk of introducing the requirement of pay to lend. Such a scheme is a threat to free and equitable access to the services provided by libraries. AfLIA, however, recognizes the fact that most authors are not well rewarded for their literary efforts and there should be a system to cushion them financially without affecting library budgets. AfLIA advises that caution should be exercised in the introduction of 'public lending right' in Africa. Majority of African countries are classified as low income by the World Bank, so the limited resources available should be used to improve the literacy and reading skills instead of setting up a huge bureaucratic system to administer PLR which may not be of benefit to the already low-income countries. However, if any African country is of the strong conviction that PLR will be beneficial to it, AfLIA proposes that such a scheme should be under the cultural policy of the respective countries rather than the copyright law. The scheme should be financed and directly administered by central government (instead of collective management organizations), librarians and library association representatives should be consulted and included in the management and administration of the scheme.

AfLIA is of the view that in case PLR is to be introduced in any African country, it **must** be treated as a means of cultural recognition so the financial support for PLR **should not come from library budgets. AfLIA supports the view that the introduction and implementation of PLR should not result in costs for access by users to information held in public libraries.** AfLIA promotes and supports copyright legislation, which achieves an equitable balance between the rights of creators and the needs of users through reasonable access.