



INTERNATIONAL AUTHORS FORUM

Dan Ruimy MP
Standing Committee on Industry, Science and Technology
Sixth Floor, 131 Queen Street
House of Commons
Ottawa ON K1A 0A6
Canada

March 7, 2018

Dear Committee Chair,

The International Authors Forum (IAF) is a network representing nearly 700,000 professional creators worldwide. Our members, 63 organisations representing authors, have noted with concern the situation of Canada's creation of a copyright imbalance for Canadian Creative professionals.

The IAF is concerned that the ongoing unregulated extension of the legal principle of "fair dealing" to cover educational uses has created an unjust copyright imbalance for Canadian authors. Since the expansion of fair dealing in 2012, educational licensing royalties for Canadian writers have dropped significantly. In their 2016 Annual Report, Canada's collective licensing agency reported an approximate drop in royalty distributions of 80%¹. Such an erosion of a key part of author incomes is extremely troubling: devaluing the contribution of authors to education damages the sustainability of it, as an author's income supports their next work. The approach taken in Canada is significantly more harmful to creators than the approaches taken to deliver creative content to teachers and students in other countries.

The International Authors Forum supports a balance between access to works and reward to the creator. Respecting this balance drives creation and creates opportunities for students to access high-quality work: seeking to cut costs by denying creators reward for their works is short sighted and undermines the creation of future works for students. The international authors' community can point to positive examples where extended licensing agreements create efficient platforms ensuring both access to educational material for students, and remuneration to creators to sustain the future of creative and educational content. Such models have found significant success around the world in countries including Denmark, Finland, Iceland, Norway, the United Kingdom and Sweden. With so many positive solutions, it is not acceptable that the Canadian government would go ahead with its form of fair dealing. These models succeed in delivering the balance of access and payment that the Canadian government should be pursuing.

The IAF has supported Canadian authors on these issues before and hoped that following court cases, such as the Canadian Copyright Licensing Agency vs York University, Canadian authors would see fairer remuneration. It is particularly concerning that, in these

¹ Access Copyright. 2016 Annual Report.
http://www.accesscopyright.ca/media/112021/annualreport_2016.pdf

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cases, the burden is falling on authors to sue for their rights, especially given the power imbalance we see in the market between the creators of content and the schools, universities, colleges, and ministries of education who use that content. In combination with the damage already done to authors' incomes, continued litigation will do even more to disadvantage the authors on whose work the educational sector is reliant.

The International Authors Forum calls for the fair dealing principle in Canadian education to be kept in check. The International Authors Forum supports a reasonable relationship between user access and creator reward. Respecting this mutually beneficial relationship drives creation and creates opportunities for students to access high-quality work. Without reasonable and effective creator reward in the current context, Canadian copyright has fallen out of balance. In consideration of this, we hope that the balance of access and reward is reviewed and a new solution is found with Canadian creators.

Yours sincerely,

The members of the International Authors Forum:

Academic and Non-fiction Authors' Association of South Africa (ANFASA), South Africa
American Society of Media Photographers (ASMP), USA
Svenska Tecknare, (Association of Swedish Illustrators and Graphic Designers), Sweden
Authors' Licensing & Collecting Society Ltd (ALCS), UK
Bildupphovsrätt (BUS), Visual Arts Copyright Society, Sweden
Design and Artists Copyright Society (DACS), UK
European Council of Literary Translators' Associations (CEATL), Europe
Graphic Artists Guild, USA
Malawi Writers Union, Malawi
MISZJE, Hungarian Literary Collecting Society, Hungary
Platform Makers, The Netherlands
The Society of Authors, UK
The Authors Guild, USA
Suomentieto Kirjailijat (The Finnish Association of Non-fiction Writers), Finland
The Writers' Union of Canada, Canada
Union des écrivaines et des écrivains (Québécois, Québec Union of Writers), Canada
National Writers Union, USA
Pictoright, The Netherlands
Authors Coalition of America, USA
Australian Society of Authors, Australia
Science Fiction and Fantasy Writers of America, USA
Textbook and Academic Authors Association, USA
Pyramide, Europe
Writers' Guild of Great Britain, UK
Writers Association of Tanzania, Tanzania
Artists Rights Society, USA
Zimbabwe Academic and Non-fiction Authors Association, Zimbabwe
Sudanese Writers Union, Sudan

Sveriges Läromedelsförfattares Förbund (Swedish Association of Educational Writers), Sweden
Uganda Textbook-Academic and Non-Fiction Authors' Association (UTANA), Uganda
Irish Writers' Union, Ireland
Irish Copyright Licensing Agency, Ireland
Korean Society of Authors, Korea
The Vietnam Literary Copyright Center, Vietnam
Sveriges Författarförbund (The Swedish Writers' Union), Sweden
New Zealand Society of Authors, New Zealand
Writers Association of Thailand, Thailand
Professional Writers' Union of Russia, Russian Federation
Dansk Forfatterforening (The Danish Authors Association), Denmark
Reprobel, Belgium
Canadian Authors Association, Canada
Federazione Unitaria Italiana Scrittori(The Italian Writers Federation), Italy
Associació d'Escriptors en Llengua Catalana (The Association of Catalan Language Writers), Spain
Alliance of Independent Authors (ALLI), International
Belizean Writers Guild, Belize
Lira, The Netherlands
Conseil Permanent des Écrivains, France
Société des Gens De Lettres (SGDL), France
Sociedad de Autores de Obras Visuales, Mexico Sofia, Sofia, France
Copyright Polska, Poland
Namibia National Writers Union, Namibia
Asociación de Editores y Autores de Panamá (SEA), Panama
Fundación para la Gestión del Arte (FUGA), Panama
Association of Nigerian Authors, Nigeria
Authors Guild of India, India
Norsk Oversetterforeningen (Norwegian Association of Literary Translators), Norway
Suomen Kirjailijaliitto (The Union of Finnish Writers), Finland
Rithöfundasambandi Íslands (The Writers Union of Iceland), Iceland
Writers Federation of New Brunswick, Canada
La Scam (The Civil Society of Multimedia Authors), France
Solomon Islands Creative Writers Association, Solomon Islands
Bildrecht, Austria