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H.E. Muhammadu Buhari
President of the Federal Republic of Nigeria
State House
Three Arms Zone 900103, Abuja, Nigeria

11 January 2023

Subject: Assent of the Copyright Bill 2022 (SBs. 688 & 769)

Mr. President,

EIFL (Electronic Information for Libraries) is an international NGO that works with libraries to enable access to knowledge in over 50 developing and transition economy countries in Africa, Asia, Europe and Latin America. In Nigeria, EIFL has engaged with academic libraries to provide access to electronic resources in support of teaching, learning and research.

EIFL respectfully asks that you sign the Copyright Bill 2022 (SBs. 688 & 769) into law at the earliest opportunity. The Bill supports the use of works in the digital environment to help foster a creative, technology-friendly ecosystem in Nigeria.

Copyright Bill 2022 supports culture, online education and persons with disabilities

The new Bill will enable libraries and other cultural heritage institutions in Nigeria to preserve Nigerian creative expression, in all its forms, for future generations. In particular it will spur efforts to safeguard Nigerian cultural heritage against threats posed by climate change, such as more fires and flooding, and other disasters.

The Bill will support education and teaching in the digital age. The COVID-19 pandemic highlighted the need for appropriate exceptions to enable online access to digital resources, as libraries shifted their operations online to provide vital support for education, research and local communities. Countries with clear exceptions that enable the use of digital technologies were better equipped and more resilient in responding to the challenges of lockdowns. The Copyright Bill 2022 contains the right mix of exceptions and compulsory licenses that will enable libraries and educational institutions in Nigeria to continue to serve the public when future pandemics or other emergency situations strike.

Further, by implementing the Marrakesh Treaty for persons with print disabilities, the Copyright Bill 2022 upholds the human rights of people who are blind and visually impaired. It will boost library services to persons with disabilities in support of education, employment opportunities and participation in society. In particular, it will facilitate the cross-border exchange of accessible format copies for the benefit of Nigerians with print disabilities both at home and the diaspora living abroad.

Copyright Bill 2022 supports copyright compliance and Nigeria's international obligations

Significantly, the exceptions to copyright set forth in Part II of the Bill, including the updated fair dealing provision in Section 20(1)(a), are consistent with Nigeria's international treaty obligations and are comparable to exceptions contained in the copyright laws of countries with successful publishing industries, including the United States, Canada, the United Kingdom, EU Member States, and Singapore.

Additionally, the balanced limitations and exceptions in the Bill will enhance the credibility of the copyright system in the eyes of the general public, and lead to greater compliance with the copyright laws. Especially in the digital age, effective copyright protection relies more on voluntary compliance than legal enforcement. Citizens are more likely to comply with a copyright system they believe is fair to all stakeholders, including new creators and users, as well as established artists and international multimedia corporations.

In sum, we believe that the Copyright Bill 2022 successfully meets its core objectives to ensure just rewards for authors in recognition of their intellectual efforts, to provide appropriate limitations and exceptions to guarantee access to creative works, and to facilitate Nigeria's compliance with international copyright treaty obligations.

Copyright Bill 2022 fosters a creative digital ecosystem

EIFL was pleased when the National Assembly passed the Copyright Bill on 22nd July 2022, demonstrating that it strikes the proper balance among the interests all stakeholders in Nigeria, including established authors, new creators, educators, students, and the general public. The Bill will foster an exciting, creative digital environment and ecosystem serving all the people of Nigeria.

We commend the leadership of the Nigerian Copyright Commission and the distinguished legislators who shepherded the Bill through the legislative process. We eagerly await Presidential assent of Copyright Bill 2022 so that libraries in Nigeria, and people who use them, can benefit.

Yours respectfully

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cc: Federal Ministry of Justice <info@justice.gov.ng>