



knowledge without boundaries

EIFL-IP

Promoting a fair and
balanced copyright system

The basis for all development: libraries in Senegal advocate for access to knowledge

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June 2013

Results of an EIFL-IP funded project

The Context

'We want to raise awareness of how libraries support education and development in our country. To fulfil our public service role, libraries must enjoy a fair legal environment to maximize access to learning resources. As I have participated in international copyright policy-making at WIPO for the benefit of libraries, we decided to take steps to improve the copyright law in Senegal'. Ms Awa Diouf Cissé COBESS / EIFL-IP coordinator



Awa Cissé talks to delegates at WIPO, 2009

Senegal is a francophone nation of twelve million people on the most western tip of the African continent, and is classified by the United Nations as a Least Developed Country (LDC). The copyright law was significantly overhauled in 2008, exceeding its international obligations.

A 2009 study by the [African Copyright & Access to Knowledge project \(ACA2K\)](#), found that the main effect of the 2008 Law is to further strengthen the protection of authors and performers with no focus on the rights of users. Shortfalls include lack of provisions for visually impaired persons, distance education, libraries and archives (the library law permits reproduction for essential preservation purposes). The study concludes that the copyright environment in Senegal is not conducive to increasing legitimate access to learning materials, but that this situation can be changed. Under the leadership of the [Consortium of Higher Educational Libraries of Senegal \(COBESS\)](#), it was decided to take action to bring about the necessary changes.

Project Objectives

The project partners were [COBESS](#) and [ASBAD](#), the Senegalese library association. The main objectives were to:

- review the copyright law with legal support, especially limitations and exceptions and to draft proposals for amendments in support of libraries;
- interest our library community in copyright issues, and the interconnection with library services, access to knowledge and development;

- organize a campaign so that the library community can adopt a position on copyright, prepare an advocacy plan for policy-makers;
- present the library proposals to policy-makers, legislators, and local authorities to improve their understanding of library needs.

Key Achievements

- ✓ The copyright law was reviewed by a specialist lawyer - suggestions for amendments were drafted especially for libraries, persons with disabilities, and education and research;
- ✓ A new partnership was established with the Senegalese Copyright Office (BSDA) that will include libraries in future consultations on copyright issues;
- ✓ A commitment was obtained from the Ministry of Higher Education and Research to cooperate with the library community on copyright issues;
- ✓ An agreement from H el ene Tine, Honourable Member of the National Assembly of Senegal to support our quest for access to knowledge for education and training. Ms Tine is a professional librarian who previously worked at the Central Library at Dakar's Cheikh Anta Diop University and understands the power of digital, [making news when she delivered her maiden speech at the Assembly in 2012 with an iPad in hand](#);



Mme Tine wearing her MP's sash

‘Access to knowledge is a matter of law and equity’.

- ✓ Launch of a joint [Declaration of Principles on Exceptions and Limitations to Copyright for Libraries and Archives by COBESS and ASBAD](#);
- ✓ The library community has been strengthened with new knowledge about the inescapable role of libraries in providing access to knowledge, the basis for all development;
- ✓ Increased awareness by the library community of the rights of visually impaired people to access information;
- ✓ The School for Librarians, Archivists and Documentalists (EBAD) will consider adding a specific course on copyright and libraries to its curriculum;

‘The concepts of open access to knowledge and copyright sometimes proffer two different visions. COBESS and EIFL have invited a serious reflection on the seemingly contradictory concepts to help find a compromise that will suit libraries and authors. As part of its mission to serve the community and its natural partnership with professional library organizations, EBAD will reflect further on this important issue with COBESS and EIFL that could lead to the creation of a certificate or a master's degree for libraries and copyright’.

Mamadou Diarra, Director, School of Librarians Archivists and Documentalists (EBAD), UCAD

- ✓ Local journalists writing about cultural and educational topics learnt about libraries and copyright with positive media coverage from the [Senegalese Press Agency](#), daily newspapers [Le Soleil \(01.02.2013 and 02.04.2013\)](#), [Le Quotidien](#) and online news site, [focusactu.com](#).

Activities

- January and March 2013: two successful study days on libraries, copyright and access to knowledge attended by more than 100 librarians, researchers, civil society, and policy makers. Speakers from the copyright office engaged in wide exchanges for a better comprehension of the issues from a library perspective.
- February 2013: working session with M. Alioune Badara Beye, President, [Senegal Writers' Association \(AES\)](#).
- February 2013: working session with M. Mounirou Sy, Head of Senegalese Copyright Office to discuss library exceptions in our copyright law.
- March 2013: working session with Mme. Hélène Tine, Honourable Member of the National Assembly of Senegal, and parliamentary Commissions on Education and Law.
- March 2013: a quiz for librarians and library school students was held in cooperation with ASBAD and EBAD. Prizes were awarded to participants who were asked questions such as what is the term of protection in Senegal. The game was a fun way to generate popular interest.
- Translation of resources into French including [EIFL-IP Promoting a fair copyright system](#); [Treaty proposal on limitations and exceptions for libraries and archives \(TLIB\)](#), [Developing a Library Copyright Policy. An EIFL Guide](#).



Photo credit: Mandiaye

'The best gift is the knowledge that we have gained during these sessions'.

Diop Astou Sissokho, Head of Documentation, Department of Dentistry, UCAD

Lessons Learnt

- Establish a partnership with the national copyright office in order to be consulted about issues that concern libraries;
- one person alone cannot do the work - identify library colleagues, researchers and lawyers who are interested in library copyright issues, and set up a committee to work together as a team;
- librarians need more training on library work in the digital environment, the needs of today's users and developments in copyright;
- our community of librarians and information specialists need to mobilize in support of the information needs of blind and visually impaired people.

'By initiating a debate on libraries and copyright, COBESS has shown how laws and regulations impact on the management of knowledge. I can affirm that ASBAD fully supports the initiative and will contribute to the implementation of recommendations so that the legitimate concerns of mediators are heard'. Alassane Ndiath, President, Association of Senegalese Librarians, Archivists and Documentalists (ASBAD)

- Establish a Library Copyright Committee with representatives from major libraries and other stakeholders, such as the National Archives, to improve cooperation and to agree a joint position on issues including the lending of AV material, e-books, inter-library loan, digitization, accessible formats for blind people, and advocacy;
- organize working sessions between the Library Copyright Committee, the copyright office and parliamentarians to get to know each other, and to explain the need to grant suitable limitations and exceptions to libraries;
- help build capacity of policy-makers to better understand the impact of the policies and laws they negotiate, in order to make well-informed decisions for the nation;
- continue consultations with the National Assembly and the recently created "Conseil économique, social et environnemental";
- extend consideration of library-friendly copyright provisions at an African level through sub-regional organizations, such as the [Association of African Universities \(AAU\)](#), [West African Economic and Monetary Union \(UEMOA\)](#), [Réseau pour l'excellence de l'enseignement supérieur en Afrique de l'ouest \(RESAO\)](#), [Economic Community of West African States \(ECOWAS\)](#).

'The training sessions organized by COBESS, with EIFL support, has given Senegalese librarians an opportunity to learn about the important place of legal issues in their daily work practices, and to start a discussion about how we can ensure that legislators support public access to information through libraries when they are updating the copyright law'. Henri Sène, Conservateur des bibliothèques, Former Dean of the Central Library at UCAD, Associate Lecturer at EBAD

EIFL-IP supported this project with a grant of €4,000. The project began in June 2012 for a duration of eight months. For more information, please contact the Project Manager, Awa Diouf Cissé cisseawa@yahoo.fr.

For information on other EIFL projects in support of national copyright law reform, visit www.eifl.net/advocacy-campaigns-national-copyright-law-reform