



5 December 2013

Inclusion of Provisions For Public Licenses Into The TRIPS Agreement

Dear Members of the WTO,

We are calling upon you to include provisions for the mandatory inclusion of public licenses into the TRIPS Agreement.

— More copyright protected works are produced per hour today than in the course of the entire 19th century. Every email, tweet, YouTube video and blog comment is protected by generic copyright if not licensed otherwise. The consequence of this is a legal concept of public licenses. Publications released under such licenses could be referred to as intellectual commons. These provide a common ground for Open Access Publications (OAP) and Open Education Resources (OER).

— The TRIPS Agreement currently includes provisions for limitations and exemptions from copyright (Article 13), but not for mandatory provisions, that shall be included in national legislations, which would allow the content creators to freely choose the license of their works, including voluntarily waiving some or even all of their rights.

— The situation is that, from the legal perspective, the public licenses are in conflict with some copyright legislation, where it is impossible for content creators to voluntarily waive their rights. As a result, publicly funded research in those countries is not being published in Open Access Journals, creating barriers for the usage of the research materials by scientists and private sectors from other countries. The inclusion of provisions for mandatory inclusion of public licenses would lift those barriers and facilitate greater trade in the information sector across WTO member countries.

About PPI

Pirate Parties International (PPI) is a not-for-profit international non-governmental organisation with its headquarters in Brussels, Belgium. Formed in 2010, it serves as a worldwide organisation for Pirate Parties, currently representing members from 43 countries. The Pirate Parties are the political incarnation of the freedom of expression movement, aiming to achieve their goals by means of the established political system rather than through activism.

PPI advocates at the international level for the promotion of the goals its members share, such as the protection of human rights and fundamental freedoms in the digital age, consumer and author rights-oriented reform of copyright and related issues, support for information privacy, transparency and free access to information.

The name "Pirate" itself is a reappropriation of the title that was given to Internet users by the representatives of the music and film industries, and does not refer to any illegal activity.