

Framework for Processing Membership Applications to the IPA

Background: IPA Statutes and Membership Committee Guidelines

In the IPA's 'Guidelines on Admission to Membership, Maintenance of Membership and Termination of Membership', the section on **Application for new Membership (section 4)** reads, in part, as follows:

The IPA Statutes, in Article 3.1, state that Membership is open to organizations which:

- *share the Association's Objects and actively promote and defend publishers' interests; and*
- *conform with the Statutes of the Association, and, in the case of associations, are themselves based on voluntary membership and the principles of democratic self-organisation; and*
- *pay their annual subscription; and*
- *collaborate with the Association on joint initiatives, statements, resolutions and other policies and support them.*

Pursuant to the IPA Statutes article 2.2, the Objects of the Association are:

- a) to uphold and defend the right of publishers to publish and distribute the works of the mind in complete freedom, provided that in so doing they respect all legal rights attached to these works within their own countries and internationally. It is the duty of the Association to oppose steadfastly any attempt or threat to restrict this freedom;*
- b) to promote and protect by all lawful means the principles of copyright on which depend the encouragement of authorship, publishing and dissemination of creative works and to defend copyright against all infringements which may restrict the rights of authors and publishers.*
- c) to promote literacy;*
- d) to promote and represent publishing as a cultural sector and a creative industry.*

The following is a non-exhaustive list of what the Statutes thereby stipulate:

- In the area of freedom to publish (Art. 2.2., lit. a) a member organization shall actively promote freedom to publish and freedom to access information.
- In the area of copyright (Art. 2.2., lit. b), a member organization shall uphold in its positions and policies a high level of protection of copyright as well as effective enforcement of copyright,
- In the area of promoting literacy (Art. 2.2., lit. c), a member organization shall encourage all promotion activity.
- In the area of promoting and representing publishing as a cultural sector and a creative industry (Art. 2.2., lit. d), a member organization shall support the work of IPA.
- In order to meet the above-mentioned conditions, a member organization shall have statutes that ensure independence from government and political parties. This requires independence both in terms of governance as well as in terms of objectives.

Checklist for application for Provisional or Full Membership of the IPA

Core membership concerns: to be addressed by the Secretariat and Membership Committee (MC)

- Is the membership application form completed? (Secretariat)
- Is the applicant a national PA representing to the fullest extent possible the publishers of their country? Or another type of publishers association, organization or individual? (Secretariat)
- Are there any other competing national PAs in the country? What is the nature of their differences? And can they be persuaded to create either a joint membership (Article 5.2) or a single association (Article 5a.5)? (Secretariat)
- Is there evidence of the legitimacy or bona fides of the applicant PA obtainable from independent sources (for example, IPA members in neighbouring countries or countries with a cultural or commercial relationship with the applicant's country, or WIPO, or embassies of countries with IPA members, etc.)? (Secretariat) (MC)
- What events/actions has the applicant taken to show that they support the publishing community within their country? (MC)
- Do the applicant's Statutes conform with the Statutes of the IPA, and are they based on voluntary membership and the principles of democratic self-organization? (MC)
- Do the applicant's Statutes indicate that the PA is independent from government and political parties, in terms of both governance and objectives? (MC)
- Is there evidence of the applicant PA promoting literacy? (MC)
- Is there evidence of the applicant PA promoting and representing publishing as a cultural sector and a creative industry? (MC)

Freedom to Publish concerns: to be addressed by the Freedom to Publish Committee

- Is freedom to publish or freedom of expression guaranteed in the country's constitution?
- What has the applicant done to demonstrate their commitment to the principles of freedom to publish and/or freedom of expression in their country and/or internationally? *(In countries with repressive regimes evidence may have to be indirect or via reports from trusted intermediaries like PEN International or individual publishers. The applicant can also send us a note explaining the condition or restriction. In countries with high levels of freedom of speech, this could be simply a statement of support of freedom publish principles by the leadership of the PA.)*

Copyright concerns: to be addressed by the Copyright Committee

- Is the country in which the applicant operates a signatory to the Berne Convention? A WIPO Member State? A signatory to other WIPO or WTO treaties relating to copyright and IP? If not, does the applicant advocate that the country become a signatory to such instruments?

- Does the applicant advocate for the enactment or amendment of laws and policies to adequately protect and promote copyright? Provide evidence.
- What does the applicant do within its country to promote copyright?
- How does the applicant work with its membership to promote copyright?
- Can the applicant provide documentation (eg. sample written submissions or news accounts) of the activities mentioned above?