

Copyright in the global South

review by GRAIN

The global commodification of information, that is books, articles, drawings, photos, music, songs, films and computer programs, continues at an alarming rate, mostly in the form of copyright. Copyright has greatly increased in importance in the last decade, especially for those living in the South, where copyright (usually via bilateral free trade agreements) is being imposed. The excuse for the imposition of copyright is the protection of the author's creativity and innovation. Or as WIPO puts it " ... a region cannot have significant cultural production without a strict copyright regime ...". Hogwash. Reality shows that copyright does little to protect diverse cultural productions and ultimately provides more profits for the publishers and distributors. And these publishers and distributors make up a very important part of the economy in many industrialised countries. It is these industrialised countries who are very keen to protect their corporate-owned information economy, especially as much of the more traditional economy of manufacturing is now based in the South. International protection of copyright really started under the WTO with the TRIPS (Trade Related Aspects of Intellectual Property Rights) agreement, but this has stalled, and bilateral FTAs that go much further than the WTO TRIPS (TRIPS plus) are now the way for industrialised countries to ensure copyright compliance. So while corporations (mostly based in the industrialised North) own the vast majority (a monopoly) of the global information economy, these corporations are going to make sure that profits can also be gained in the South.

But won't the South gain anything from copyright protection? Very little, it turns out. As most information is owned in the North, copyright is more about protecting information coming from the North, rather than information produced in the South. Different cultures around the world do not see that information needs to be protected, especially for financial gain. For example, both Japan and China have long literary traditions in which copying is a form of flattery. The diverse variety of traditional music and stories, often unwritten and passed on through generations by word of mouth, cannot be copyrighted. Sharing of information, rather than protection of information, is one common aspect of many cultures. So copyright is also a way to extend privatisation. And now copying, even if no profit is made, is a criminal act, often called "piracy". This criminalisation of copying information, particularly copying works from the North, lies at the heart of enforcing copyright: children, students or lecturers in schools and universities wishing to copy educational books are now criminals; buying a copied music or software CD in a market is a criminal act; librarians who do not police copying could be considered criminals; a non-profit organisation translating

copyrighted text without consent is a criminal organisation. Indeed it would appear that copyright, rather than helping society, is actually part of a barrier to "knowledge" and technical information, especially such information from the North. Copyright (and more recently patents) has also now come to software, an increasingly important aspect of the information world. Yet one consequence of copyrighting software is a large increase in the costs of its purchase, and for the South these costs become intolerable. For example, to purchase Windows XP operating system, an average person living in the UK would have to work 10 days, whereas in Bangladesh this would be over 1.5 years, and in the Congo this rises to more than five years' earnings. Individuals often resort to copies of software to reduce costs, but for government (and educational) institutions more money might be spent on software than on other crucial budgets such as hunger alleviation.

It is within software and the internet where resistance to copyright is strongest, such as the "General Public License", the creative commons and other such initiatives. Historically, the South has resisted copyright, and continues to do so, albeit in a rather passive way on the part of governments. Alternative paradigms to copyright are also being created, such as use of open source/access information (and software) in Brazil or the complete rejection of privatisation and individual property rights by some indigenous groups.

From a GRAIN perspective the issues of copyright are similar to many of the struggles against the corporatisation, privatisation and commodification of agriculture, seeds, farm animals and peasants themselves. Many of the issues are so similar that there is much "convergence" between these issues. Resistance is building up across the different issues, all fighting intellectual property rights from health, information and agriculture. For more information on this, visit our "Freedom from IPR" section (<http://www.grain.org/i/?m>), which looks at the bigger picture of resistance to IPRs.



The Copy/South Research Group, The Copy/South Dossier – Issues in the economics, politics, and ideology of copyright in the global south, April 2006, 207pp, www.copysouth.org.

Available for free either as a download (www.copysouth.org) or send an email to contact@copysouth.org and the Research Group will send you a copy (maximum 5 copies). Highly recommended reading, so do grab yourself a copy.





Copy / South posters by Ulrike Brueckner

The basic values of copyright

- **individualism:** this annexes a right (ownership) to an individual.
- **commodification:** books, songs, photos etc. ... are commodities, property which can be exchanged for something else.
- **reward:** usually financial, without which, it is argued, such works would not be produced.
- **consumerism:** linked to commodification and reward, the need to sell more leads to selling for profit's sake only, hence a concentration on the selling of a few profitable works whilst a much larger mass of works are ignored.



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Seedling, GRAIN, Girona 25 pral, Barcelona, E-08010, SPAIN

Fax: +34 933 011 627

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