



PEN International Principles on Authors' Moral Rights and Copyright.

PEN International brings together authors, promotes literature and freedom of expression, and is governed by the PEN Charter and the principles it embodies.

PEN International upholds Article 27 of the UN Universal Declaration of Human rights:

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

1. The author is the owner of moral and copyright interests in any works they create.
2. Copyright includes the following uses of works: reproduction (whether analogue or digital), adaptation (including translation), publication, performance, and digital use which includes communication of works across digital paths, such as publishing works on internets and emailing works.
3. Moral rights include: the right of the author to be attributed as the author of the work, and not to be falsely attributed as the author of a work they have not authored, and the right to ensure that their works are not subjected to derogatory treatment prejudicial to their reputations as authors.
4. Authors should have the right to trade in the copyright in their works freely.
5. It is a matter of choice for authors of works whether and what fee they charge for use of their works.
6. PEN International acknowledges that there are instances where it may be found by the governments of nations to be in the public interest to legislate exceptions to the exclusive rights of authors in the works they create. Any such exceptions must not unfairly prejudice the legitimate moral and economic interests of the author.

For instance:

- a. Where works are not commercially available in formats accessible to the print disabled, exceptions in domestic laws should allow for a reproduction to be made for or by a person with a print disability into an accessible format without a copyright infringement

occurring. Any such copies made for the print disabled should only be made after a search for a commercial copy has been undertaken.

b. Court determinations, legislation, regulations, and other statutory instruments must be available to citizens. Faithful, unamended reproduction of these works should not be an infringement of copyright.

7. Any limitations of authors' rights to create works must adhere to international laws and standards that govern the limits of freedom of expression, such as laws prohibiting incitement to violence. Such prohibitions must be limited to what is necessary for compliance with these laws.

8. Authors' legitimate economic interests in the works they create include established and developing markets for works.

9. Digital Rights Management systems applied to works should be supported by copyright legislation where they are necessary for copyright owners of works to exercise their copyright in works.

10. Where digital reproductions of a work are made on a mass scale, where no exception is in place and without the permission of the author of a work, it is piracy. The laws of nations should contain appropriate punitive measures to deter piracy, while ensuring that legitimate access to works is not impeded