

COMPLETION REPORT

Sustaining Open Educational Resources Initiatives for Higher Education: Comparison between Japan and Malaysia

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Open Educational Resources (OER) are educational resources that can be retained, reuse, revise, remix and redistribute, thereby enhancing learning environment beyond borders. OER serves as a sustainable development model for developing quality learning resources and assuring the quality of education around the globe. Copyright law is one of the important challenges for OER thereby hampering initiatives towards achieving SDG 4 in respect of access to quality education. This study undertakes a legal and policy analysis on OER development in Japanese and Malaysian higher education institutions. Japan is one of the early adopters of OER whilst having affordable textbooks and self-sustainable in its open education activities while Malaysia is relatively new to OER. This study specifically looks into the OER development and to what extent copyright policies of each countries support OER initiatives, particularly focusing on the law that applies to third party materials used in OER. Utilizing a qualitative research method, the Malaysian Copyright Act 1987 and Japanese Copyright Law 1970 were examined. An extensive literature reviews and in-depth interviews with experts and respondents from Universiti Sains Malaysia, Universiti Kebangsaan Malaysia, Universiti Utara Malaysia, Tokyo University, Osaka University and Hiroshima City University were conducted.

Findings showed that Japan, being a developed country, superior in technology and mainly exporters of intellectual property, possess a much stricter copyright law governing use of works for education as compared to Malaysia. Malaysia, being a rising economy and mainly importers of intellectual property, has more exceptions that may be relied on when using works for teaching purposes. However, these copyright exceptions may be difficult to apply in digital context. Japan and Malaysia thus have a similar copyright challenges when sharing digital works. Content creators in both countries face difficulties in interpreting and clearing copyright permission when creating works. Japan OER creators diligently seek copyright permission or use creative common works while Malaysian mainly use non-copyrighted work affecting the quality of OER produced. Changing local copyright law towards a friendlier and accommodating to OER initiatives can be averse to international copyright policies that is increasingly protecting right holders works. Copyright law thus, has a long way to go before it can be harmonize with OER initiatives whilst open licenses is becoming a popular option. The movement for a more “open” attitude that can be instilled among individuals and institutions, encouraging wider use and reuse of open content as well as having a good knowledge of copyright law may pave some way for sustaining the future of OER in higher education.

Publication of the Results of Research Project:

Verbal Presentation (Date, Venue, Name of Conference, Title of Presentation, Presenter, etc.)

31 January – 1 February 2019, Ahmad Ibrahim Kuliyyah of Laws, International Islamic University Malaysia, The First Intellectual Property & Innovation Researchers of Asia Conference, *Considering Copyright Law in Open Educational Resources Development*, Ratnaria Wahid.

Thesis (Name of Journal and its Date, Title and Author of Thesis, etc.)

Journal of International Studies (JIS), Vol. 14, 2018, *A Clog on the Right to Quality Education through OER: A Case of Japan and Malaysia*, Ratnaria Wahid, Khaliza Saidin & Nurhaizal Azam Arif.

Book (Publisher and Date of the Book, Title and Author of the Book, etc.)