The EBLIDA Newsletter is published monthly on European library & information society issues, programmes, news and events of interest to the library, archive and cultural heritage community.

European Bureau of Library, Information and Documentation Associations

EBLIDA Newsletter
The voice of Libraries in Europe - Lobbying for Libraries
www.eblida.org

Issue No. 3 March 2017

The President’s Editorial

Dear colleagues, dear members, EBLIDA followers and fellow ambassadors,

We are entering a very special time of year, with Spring coming up, and coming closer to our 25th Anniversary and further down the road a round of crucial elections in different European member states right at a time where European counties are struggling to stay united in diversity.¹

United in diversity (in latin In Varietate Concordia) is the official motto of the EU, see https://europa.eu/european-union/about-eu/symbols/motto_en.

At EBLIDA, we believe that being united in diversity means being where our members are and raising awareness about libraries whenever the opportunity arises. That is the reason why EBLIDA with the great support of MaLIA hosted our EC meeting of February in Valletta (Malta) under the EU Presidency of the Council of the EU. We took this opportunity to meet our Maltese peers as well as Maltese MEPs (more on this further into the newsletter).

We are all aware that in this time of unprecedented technological change, the roles and missions of libraries in Europe must evolve to keep up with the expectations and needs of its citizens.
providing access to information and knowledge. Over the years they have undertaken large-scale digitisation programmes and are seeking solutions to make their riches available to the many, also by involving citizens in crowdsourcing projects such as the recent project Europeana 1914-1918. ²

**University libraries** have been reshaping their ways of working in the 21st century to better adapt to and serve the needs of millions of students and thousands of teachers and researchers. While they are managing large databases of content including through cross-border networks, they also turn into places fostering learning and stimulating knowledge, research and creativity for new generations of European citizens.

**Public libraries** have been increasing their contribution to local communities enormously over the last decades – many of them now help people develop their digital skills, advance or acquire new skills (for example literacy) through various lifelong learning opportunities. Libraries are neutral, trusted and safe spaces where people can create, learn and connect. Trained staff provide personal assistance and have resources to meet the needs and demands of their local communities.

But despite all those changes, we need to go on, and therefore our next EBLIDA-NAPLE conference will be a wonderful opportunity to put our heads together and **Rethink!** Together with you, we hope to make this interactive conference a success through 3 key areas, **rethinking in a competing environment, rethinking library advocacy and rethinking our achievements and the way forward.**

In addition to the result of several studies³⁴⁵, this will give all of us further opportunities to demonstrate that **the existing network of 70000+ libraries in Europe are an investment that can help the European Union to deliver and strengthen its economic, social and territorial cohesion.**

Yours Sincerely,

Vincent Bonnet, EBLIDA Director
On behalf of

Jukka Relander, EBLIDA President

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¹ United in diversity (in latin In Varietate Concordia) is the official motto of the EU, see [https://europa.eu/european-union/about-eu/symbols/motto_en](https://europa.eu/european-union/about-eu/symbols/motto_en).


IMCO and ITRE Committees Draft Opinion on the Digital Single Market Directive on Copyright

The draft opinion on copyright in the Digital Single Market from the Internal Market and Consumer Protection (IMCO) Committee of the European Parliament has been published. The Rapporteur of the draft opinion is MEP Catherine Stihler (UK, S&D).

Below, C4C provided us with an overview of the content of the opinion of interest to us:

Exceptions and limitations in the field of research, education and preservation of cultural heritage;

- **TDM (Article 3):** “(...) with regards to the exception on text and data mining (TDM) provided for in Article 3 of the Directive, the Rapporteur believes that limiting the proposed EU exception to a narrow definition of research organisations is counterproductive, and therefore introduces a simple rule, which does not discriminate between users or purposes and ensures a strictly limited and transparent usage of technological protection measures where appropriate.”

- **Education (Article 4):** “(...) the Rapporteur believes that the exception should benefit not only all formal educational establishments in primary, secondary, vocational and higher education, but also other organisations such as libraries and other cultural heritage institutions, providing non-formal or informal education. The Rapporteur believes that the best solution is to have a single and mandatory exception for all types of teaching, both digital and non-digital, formal and informal.”

- **Preservation (Article 5):** “the Rapporteur proposes an ambitious expansion of the scope of this Article, introducing several new elements”:
  - “a modification of the exception to permit cultural heritage institutions and educational establishments to reproduce works and other subject-matter permanently in their collections for the purposes of carrying out their public interest mission in preservation, research, education, culture and teaching.”;“a modification of the exception to permit cultural heritage institutions and educational establishments to reproduce works and other subject-matter permanently in their collections for the purposes of carrying out their public interest mission in preservation, research, education, culture and teaching.”;
  - “a new exception on document delivery by cultural heritage institutions or educational establishments”;
  - “another on access for the purposes of research or private study on the premises of cultural heritage institutions or educational establishments are introduced with this objective”; and,
  - “an exception on public lending of literary works is also introduced with the objective of ensuring that all citizens of the European Union have access to a full selection of books and other resources”.

Out of commerce works (Article 7-9);
subject-matter permanently in the collection of the institution for non-commercial purposes"

Protection of press publications concerning digital uses (Article 11); and,

- “The Rapporteur believes that the introduction of a press publishers right under Article 11 lacks sufficient justification. (...) Simple changes made to Article 5 of the Enforcement Directive 2004/48/EC, making it also applicable to press publishers, will provide the necessary and appropriate means to solve this matter. The Rapporteur believes that there is no need to create a new right as publishers have the full right to opt-out of the ecosystem any time using simple technical means.”

Certain uses of protected content by online services (Article 13).

- “(...) the Rapporteur believes that the current wording is incompatible with the limited liability regime provided for in Directive 2000/31/EC (Electronic Commerce Directive) (...) The use of filtering potentially harms the interests of users, as there are many legitimate uses of copyright content that filtering technologies are often not advanced enough to accommodate.”

Overall, this draft opinion is a positive sign that the role of libraries and cultural heritage institutions in ensuring balance in the copyright system is being acknowledged by this European Parliament Committee.

The draft opinion on copyright in the Digital Single Market from the Industry, Research and Energy (ITRE) Committee has been published. The Rapporteur of the draft opinion is Mr Zdzisław Krasnodębski (ECR, Poland).

ITRE focussed its opinion on 2 articles (and the relevant recitals) only:

TDM (Article 3)

- Scope: Proposes to broaden the scope to cover public entities, private entities and individuals.
- Security measures: Notes that measures should not prevent or exclude the ability to develop text and data mining tools different from those offered by the right holder.
- Compensation: Considers that use under the text and data mining exception would also not conflict with the normal exploitation of the works in a way that calls for separate compensation.

Fair remuneration (Articles 14-16)

- Transparency measures (Article 14): Suggests to widens the scope to include transparency measures for scientific works.

The draft opinion on copyright in the Digital Single Market from the Legal Affairs (JURI) Committee, the lead committee, with rapporteur MEP Therese Comodini Cachia, should be published in the coming hours or days.

We will take some time to go through the whole document before coming back to you with further analysis.

You can also see our article in our previous issue on CULT draft opinion of the Culture and Education (CULT) Committee of the European Parliament. In relation to this, you may also be interested to read an interview with MEP Marc Jolaud (EPP, France) in the latest edition of The Parliament Magazine pp. 23-24.

Of further interest is an an interview with rapporteur MEP Therese Comodini Cachia (EPP, Malta) in The Parliament Magazine on pp. 20-21, as well as the complementary article on copyright on page 25.
A joint call for Copyright reform

The Prime Minister of Estonia, the next member state to take over the Presidency of the Council of the EU, recently called⁶ for continent unity declaring that “striving towards a seamless physical and digital connectivity is in the interest of the whole European Union as economic success cannot be separated from the free movement of goods, services, people, capital, and knowledge”.

To make free circulation of knowledge a reality, the library and cultural heritage communities support real reforms⁷ and a robust, mandatory and user-friendly set of copyright exceptions, strengthening the fight against piracy by providing legitimate alternatives.

All relevant committees of the European Parliament except JURI have now published their opinions on the Commission’s proposal for a Directive on Copyright in the Digital Single Market. Therefore, EBLIDA, together with our partners have gathered useful information for people who want to be informed about the issues at stake and who are interested in taking action towards improving copyright reform for libraries and Cultural Heritage Institutions.

Download the briefing here and see our press release online.

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⁷ See http://www.eblida.org/Documents/EU%20Copyright%20Proposals%20-
**THE CHOICE WE FACE**

**What We Risk Without Change**

- Text and Data Mining in Europe is limited to research organisations, with library users, data journalists, start-ups and citizens still facing a patchwork of rules and licences. Even in research organisations, it will be a struggle to work out where TDM is permitted or not. Bigger firms will contract TDM work out to the US and Japan, start-ups will be unable to compete, researchers will start to look elsewhere to carry out their work, and Europe will have a less vibrant economy and society.

- Education and research are made more complicated, with different legal frameworks for digital and analogue uses. Teachers must hunt for licences before being able to use works, wasting time and money. EU citizens face differing levels of access from one country to another. Researchers wishing to collaborate across borders face navigating different rules. Digital learning and research suffer from lack of clarity around use of licences vs. exceptions. Libraries continue to be left out.

- The work of preservation networks remains in doubt, and rightholders can continue to impose contract terms which rule out archiving activity. Other non-commercial public interest activities requiring copying do not enjoy legal certainty, despite no market loss to rightholders.

- Europe's 100M library users continue to face the incomprehensible situation where they must use specific computers in libraries to access their collections, rather than their own devices.

- Researchers across Europe must choose between paying to travel to access unique resources not available in their local library, or simply giving up on their work. Even ad hoc uses of articles are subject to high costs which are beyond the reach of most libraries.

- Libraries continue to face no certainty as to whether they can lend e-books, even under a model ill-suited to their needs.

- In many cases, out of commerce works remain inaccessible, due to a narrow definition of relevant works, or a lack of collecting societies which are able and/or willing to offer licences. Never-in-commerce works are locked away for no good reason, with no-one practically able to offer licences for their use. There is a continued threat to the Directive, given the failure to address the arguments raised by the Court of Justice in the Soulier and Dole case.

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**What We Achieve With Change**

- TDM flourishes across Europe, supporting not only growth and jobs, but also innovation and transparency. Europe returns as a global competitor.

- A well-defined illustration for teaching exception allows all education and research providers to make use of extracts from books, articles and other materials to promote knowledge and skills. Digital tools and distance education help overcome barriers to access. Modern teaching practices, tailored to International research collaboration and student needs, flourish.

- Cultural Heritage Institutions undertaking preservation activities in networks (and across borders) have a solid legal basis for their work. Libraries and their users can go about their jobs without fear of infringing copyrights.

- European users go to the library, and using their own computers and tablets, undertake research and private study.

- Europe sees much freer flows of information and stronger research collaboration, as materials from unique collections can be made available to individuals in any EU country upon request. Scholarly publishers see no significant change in revenues, as subscriptions still make most sense for regular uses.

- A right to e-lend is secured in EU law by ensuring that contract terms and technological protection measures cannot stand in its way. Libraries and rightholders are supported in developing models of lending better suited to the demands of library users. Citizens engage with e-books, and develop confidence and skills with digital technologies. E-book authors benefit from public lending right.

- Where good collecting societies exist, they are enabled to offer licences to cultural heritage institutions to put works online for non-commercial purposes. Where they are not, for example in the case of never in commerce works, an exception gives CHIs the possibility to go ahead, with compensation schemes determined at national level. This ensures that creators benefit from the possibility of rediscovery, as well as new revenue streams from re-commercialisation, remuneration under exceptions, or via collecting societies.
EUROPE and Worldwide

Libraries in Europe and in Malta - a visit to Malta National Library and a round table discussion with Maltese MEPs 22nd February 2017

It is always a challenge to gather MEPs in the same place at the same time when they have meetings in their constituencies and have to deal with local issues. It was therefore a great pleasure for EBLIDA, MaLIA, the Maltese Libraries and PL2020 to be in the presence of 2 Maltese MEPs on the 22nd of February who joined either for the National Library treasures visit or for the round table discussion.

Our aim was to raise awareness on libraries in general, their place in today's society, how libraries are an asset to the promotion of digital skills and the challenges faced by libraries in the current copyright reform discussion. We are grateful to Mr Alfred Sant and Therese Comodini Cachia for having freed up some space in their busy schedules to spend time in our company.

MEP Therese Comodini Cachia, Rapporteur for the JURI Committee (leading the committee for the Copyright Directive in the European Parliament) joined the round-table discussion for an animated discussion on the Copyright Directive Proposal of the EU Commission.

Both Maltese librarians and EBLIDA Executive Committee members expressed the need for reform to ensure that libraries can continue to fulfil their missions in a digital environment. EBLIDA in particular emphasised the point that that in order for free circulation of knowledge to become a reality, support for real reforms and a robust, mandatory and user-friendly set of copyright exceptions is needed. This will strengthen the fight against piracy by providing legitimate alternatives in which library services to its citizens will flourish.

See also our press release and our article on EBLIDA’s EC meeting further down.

Court of Justice of the European Union (CJEU) ruling on the EU Competence on the Marrakesh Treaty

On 14th February, the CJEU ruled that “The conclusion of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled falls within the exclusive competence of the European Union”.
Read below an article from David Hammerstein from the World Blind Union - *ECJ rules exclusive EU competence on Marrakesh Treaty against positions of Germany, Italy and UK in Council.*

**EU must now ratify and deliver full benefits of Treaty without any added legal barriers**

The European Court of Justice (ECJ) has today published its ruling on the Marrakesh Treaty for the visually impaired that reaffirms the exclusive competence of the EU to ratify and implement the Treaty, leaving Germany, Italy and UK without the arguments they have used as an excuse to block EU. The UN Treaty, which provides exceptions in global copyright rules for books for the blind and visually impaired, entered into force in September last year, but the EU has not yet ratified it, due to a small number of member states blocking it in the Council, precisely because of questions of competence now clarified by the European Court opinion.

The ECJ has ruled that the EU has exclusive competence for the ratification of this treaty, meaning it does not have to wait for individual member state approval. The European Parliament is currently working on a legislative package to implement the treaty into EU law. Ratification of the Treaty is legally independent from this legislation but EU member states had requested the Directive and Regulation that will be voted in the European Parliament’s Legal Affairs Committee on March 22nd. Informal discussions between the Parliament and EU Member States will begin after that vote. Some of the issues that will be dealt with are compensation schemes, commercial availability and the official registration of authorised entities.

The ECJ opinion re-confirms that exceptions to global copyright rules affecting millions of visually impaired people inside and outside the EU has been delayed by three years by a group of EU member states in the Council. We welcome the ECJ’s ruling, which should be followed by swift action to make sure that the EU and its member states ratify and implement the benefits of the treaty with no further delay. This treaty, and today’s ruling, will improve access to books in an accessible format for millions of blind and visually impaired people all over the world.

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**A call to deaf / hearing impaired librarians and library services for these people in Europe**

Mr Gregorio Manzanares Pérez, a Librarian in Malaga, called on EBLIDA to collect information and contacts on deaf/hearing impaired librarians and library services in Europe.

Below is the article we asked him to produce on his request.

My name is Gregorio Manzanares Pérez. I hold a diploma in Librarianship and a degree in
University.

In 2011 I obtained the official post to work in the municipal public library "Miguel de Cervantes" of the City of Malaga, as a librarian. It is one of nineteen libraries (eighteen libraries and one mobile library) in the city of Malaga.

I have been profoundly deaf since birth and I speak Spanish Sign Language, Spanish is my second language.

Because of this disability and the education received, deaf people face many challenges reading comprehension and written expression. That’s why I decided to develop and schedule some specific reading promotion activities for deaf people, for example: Literacy workshops, accessible guided tours with user training, specific storytelling and games, acquisition of specific collections, etc. My main goal is to promote a reading culture among deaf people, and to facilitate equal opportunities through access to information, training and recreation, which are the three basic functions of any public library.

The most common and negative aspect of being deaf is the communication barrier that prevents integration into the cultural world but also prevents functioning normally in society.

It is important for hearing impaired library users to know that the library is a proper, accessible and relevant place where they can move naturally and use all the resources that it brings by a specialised reference and bibliographic information service customized by the deaf staff.

Library policies must ensure that public libraries will be designed for all in favour of universal accessibility, and it means that library services must be comprehensible, usable, practicable, accessible to all places. For deaf people, the solution is simple: eye contact. The deaf person needs to be actively informed and participate in the cultural world around him through visual contact or even auditory contact for cochlear implants or Hypoacoustic.

I am not only dedicated to deaf users, but also to those who are interpreters of sign language, for example people who have a deaf family member or those who are aware of and interested in knowing the world of deaf people.

It seems that there are no deaf librarians like me working in any Spanish public library and for that reason, I would like to know if there are any deaf librarians working in a European public library in order to exchange experiences and real information about deaf users.
EBLIDA has transmitted the request to IFLA library service for disable people and has also received individual answer transmitted to Mr Manzanares Pérez.

The situation seems to differ from country to country. Although some countries seems to not have library services for deaf people and/or deaf librarians, others have.

Find here examples in two countries:

- In France, several libraries have or offer services to those with hearing impaired. For instance in Paris, there are several deaf librarians as well as 5 deaf departments in five Paris public libraries with a dedicated blog : https://bibliopi.wordpress.com/ (in French).
- In Czech Republic, the Public Library of Hradec Králové (90,000 inhabitants) has been awarded in 2016 with the Czech Standard Handicap Friendly whose aim is to remove barriers and promote equal access to all including for handicapped people. The Library website hosts videos in sign language, and in the premises of the main building, a hearing loop is installed, and some employees of the library knows the basics of sign language and can translate certain events into that language.

Should you know of any deaf or hearing impaired librarians and library services for these people, please inform EBLIDA and this will then be forwarded to Mr Gregorio Manzanares Pérez.

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Inside EBLIDA

EBLIDA Executive Committee Meeting – Valletta (Malta) – February 2017

On 23rd to 24th February at the invitation of the Malta Library and Information Association (MalIA), EBLIDA Executive Committee members met for the “Spring” meeting in the National Library.

The meeting was held in the board room of the National Library in the midst of rare books and manuscripts. EC members welcomed Hannah Gent, Project Officer at Public Libraries 2020, for a detailed presentation of the MEP Library Lovers group launched in October in Brussels.

EC members then worked for 2 days intensively on EBLIDA’s current and future activities.

EBLIDA would like to thank everyone for a wonderful and inspiring meeting and we would extend special thanks to MalIA and its chair Martes Pfeiffer-Paris and to the National Library of Malta and its CEO Cheryl Falzon for hosting the meetings and make all of this a reality.
Reminder: Next EBLIDA NAPLE Annual Council and Conference, 3-4 May 2017

It is now time to register and book your hotel as since Aarhus is the European Capital for Culture 2017, the city is very busy with events and tourism.


Meanwhile, we are pleased to announced that the EBLIDA-NAPLE conference will feature:

- Session 1 - A round table that will address the issue of rethinking in a competing environment with the participation of:

Mr Vincent Chapdelaine (keynote speaker)

Vincent Chapdelaine is a Canadian librarian and entrepreneur. He is the executive director and co-founder of a Montreal-based non-profit, Espaces Temps, a social and cultural innovation lab that works in Canada and Europe to help foster innovation in libraries and other public and cultural spaces. His work has led throughout the years to the creation of four other social businesses,
Ms Erin Simon
Erin Simon is a Product Counsel on the Knowledge team at Google. She is the primary lawyer for several aspects of the eponymous search engine, among them Autocomplete, the Knowledge Graph, and Google Books. A product counsel’s remit is global, so Erin has become familiar with a wide range of legal issues, from defamation in Japan to intermediary liability in the United States to data protection in the European Union. Copyright, of course, is a major and continuing focus of her work.

Before Google, Erin litigated intellectual property disputes at the firm of Fenwick & West, LLP, where she was honored to receive a judicial award for pro bono service. She is a double graduate of New York University: first, the College of Arts and Sciences, where she studied Linguistics; then the NYU School of Law. She has also worked as a web designer, photographer, and occasional writer.

Erin is currently based in Paris. Most weekends you will find her out exploring with her camera.

Mr Jukka Relander, EBLIDA President

A Danish MEP to be announced.

- Session 2 - An interactive world café on Library Strategy and Advocacy

Moderated by Mr Rolf Hapel, Director, Citizens Services and Libraries Aarhus.
Rolf Hapel is director of Citizens’ Services and Libraries in Aarhus, Denmark. He is librarian by education, has a long range of additional leadership training and holds a master degree in Digitisation and Public Administration. He has served as librarian, deputy manager, city librarian and director in four Danish cities.
Rolf Hapel has been chairman of numerous steering groups, committees and boards for the Danish Ministry of Culture, has written many articles and is an international renowned speaker on library development and transformation.

Among recent work tasks was heading the Danish Digital Library coordinating body, the planning of Next Library Festival to take place in Aarhus June 11-14 2017 and the realisation of the new main library, Dokk1, a 30,000 m2 structure inaugurated in mid-2015.

And with the participation of:
Mrs Gunilla Herdenberg (National Librarian, National Library of Sweden)
Gunilla Herdenberg has been the National Librarian and Head of the National Library of Sweden since 2012. Previous to this she was the head of one of the departments at the National Library of
Mr Morten Lautrup-Larsen (Deputy Director, Agency for Culture and Palaces)

Morten Lautrup-Larsen is former vice director of the Danish Agency for Culture. Prior to this Morten held a position as vice director at the Ministry of Food and Head of Department and Secretary for the minister. Morten has worked in both the European Union and the Nordic Council and has been self-employed running a consultancy firm called Green Light Advice. Morten holds a Master’s degree in economics from the University of Copenhagen.

- **Session 3 - The Aarhus Statement 2017**

Summing-up of the previous sessions and transition to the last session by Mr. Steen Bording Andersen, president of the Danish Library Association.

**Celebrating 25 years of Library advocacy by Marian Koren**

Dr Marian Koren, studied (international) law and Swedish, and doctorated cum laude on “Tell Me! The Right of the Child to Information” (University of Amsterdam). She started working in the library field in 1979 at the Netherlands Public Library Association. She also worked for the Association of Provincial library Services, for FOIBID Netherlands Library Forum and for the National Library. International library advocacy is a major focus. In 1992 she was involved in setting up EBLIDA, supported EBLIDA’s settlement in the Netherlands, and its activities in Europe. She was active as substitute member of EBLIDA’s Executive Committee, in its expert groups and, shortly, as interim director. She even contributed greatly to setting up of NAPLE in 2002. She has organised various European conferences to create a wider awareness of libraries and advocacy in Europe and worldwide. She served as host and co-organiser of EBLIDA/NAPLE conference 2016. *Creating Public Paradise* and published a series on New Library Buildings in the Netherlands. She lectures and is involved in international networks (IFLA, EBLIDA ). Retired in mid-2017, she continues as an international library expert.

[marian.koren@planet.nl](mailto:marian.koren@planet.nl)

**Early registration fee** (before 17th March)
- EBLIDA or NAPLE members: 100 €
- non members: 120 €

**Standard registration fee** (17 March to 1st May):
- EBLIDA or NAPLE members: 130 €
- non members: 150 €

We hope you will join us in Aarhus to rethink together as well as to participate at the Annual Council meeting of EBLIDA or NAPLE General Assembly on Wednesday 3rd May.
Five good reasons to become a Member!

Events in March

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<td>14-16</td>
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