

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.

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Forward

## The President's Editorial



EBLIDA Executive Committee held our Autumn meeting in Rome, Italy.

Well, what can I say. Both Rome, and Italians, are amazing. There is never enough time to take a look around during an official meeting, but just the idea of having our formal gathering in the same room, where Galileo Galilei defended himself against the inquisition, was a thrill. In Rome, you cannot escape history, it is everywhere.

However, we were not there only to enjoy the food, the astonishing beauty of the city, the friendliness of the people or the smoothness of the balmy climate that allows oranges to mature in the middle of the winter. We had two more important issues on our list: the ongoing copyright reform, and the future of EBLIDA.

Italian Library Association had arranged a meeting for us in the Italian Parliament with the Commission number 7, that is, the Culture. Our concerns were well heard, and we had a friendly chat with the chair of the committee, Flavia Piccoli Nardelli, President of

Unfortunately our resources are limited, and we cannot go through all the Parliaments of the EU countries before the final decision will be taken in a couple of years or so. It is up to you, colleagues, that is, the national library associations. We need to convince the MEP's and National Parliaments at local level to guarantee European people the right to e-read. It is simple: we need a tiny little copyright exception for libraries, to enable e-loans, without having to drown in endless negotiations with publishers, and without spending all of our resources on licenses.

As I said at the AIB Conference where I was invited and honored to speak, copyright goes far beyond e-lending. Because exceptions and limitations are the basis for libraries to work, they need to be strengthened in the 21st digital century.

We are counting on you in this.

The other unresolved issue is the future of EBLIDA. I am sure there is one, but at the moment we are at a crossroads, deciding where to go.

One option is to go on as we are, with limited resources and budgets. We are doing ok right now, but we could do so much better, if resources were more generous. And as a matter of fact, we need a home base in Brussels. Wonderful Ilona Kish and the PL2020 project she has been running have provided a part time home base and a lot of (wo)manpower in lobbying during recent years, but it will soon end.

Our treasurer, Jean Marie Reding, is working hard to invent new means of funding. There will be more, I am sure, but it remains to be seen if it is sufficient. One option is to build up stronger ties with IFLA, which has a new strategy to be more active locally, on each one of the continents. We have to talk about that.

However, right now our main focus is copyright reform, and secondly, the next European elections. The election itself is continent-wide, but the debates will take place in 28 national medias. We should squeeze the interests of the libraries to the agenda, in all of the European countries. Any ideas?

Last of all, on behalf of the EBLIDA team, I'd like to wish you, your colleagues and loved ones, a very happy Christmas and here's hoping 2017 will bring you health, peace and prosperity!

**Jukka Relander**

EBLIDA President

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## INSIDE BRUSSELS

### Hearings in the European Parliament



held a hearing *Crisis in the print media*. The event featured 3 speakers addressing different issues.

Max von Abendorth, Executive Director at the European Magazine Media Association (EMMA) talked about *Europe's press sector: how to not outsource our future*.

Mr von Abendorth called on the EU to act through 3 points:

1. to support media-pluralism directly and indirectly through the Audio-Visual and Media Services Directive;
2. to create a level playing field for audience engagement through the E-privacy Directive;
3. to provide legal certainty for content monetisation: VAT and Copyright Directive

Mike Holderness, science writer, editor and Chair of the European Federation of Journalists Authors' Rights Expert Group presented *So how can we support journalism in the public interest?* Mr Holderness testified to his experience as a journalist, giving examples of statistics on trust in the media sourced by the EU Commission DG Communication, and suggested Sweden as a model of support for local press and a source of inspiration.

Sebastian Doedens, Head of Public Affairs, Hubert Burda Media, presented *The future of publishing: industry update and policy outlook*. Mr Doedens actually underlined the absence of a crisis in its constituencies, somewhat giving a different interpretation from the 2 other speakers, and the strength of print media in combination with digital ones in his sector.



The [Legal Affairs Committee](#) (JURI) organised a hearing on copyright reform on 29 November at the European Parliament.

As reported on their webpage, *the aim of this hearing was to examine, after the Commission has published its copyright reform, the copyright directive proposal and especially the question of the so-called "value gap" in the context of the use of protected content by online services.*

*The hearing provided for an exchange of views with experts, allowing JURI Members to benefit from their knowledge and better analyse the solutions proposed by the Commission for ensuring protection of creative works.*

The hearing was divided into 2 parts. The first one focused on the point of view of internet service providers and start-ups with Mr Tobias McKenney, Senior European IP Policy Manager, Google and Mr Thierry Chevillard, Director General, Blue Efficiency. The second part focussed on the point of view of the users and creators/rightholders. Mr Agustin Reyna, BEUC, the European Consumer Organisation, Mr Matthieu

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Some presentations are available [here](#).

MEP [Therese Comodini Cachia](#) concluded the meeting by pointing out that the JURI is only looking at the reform for two months and there is still a need to identify common concerns, underlying ones, which could be usefully addressed. She made clear her openness to discuss copyright reform further with all stakeholders.

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## 2016 EUhackathon



EBLIDA is a supporter of the 6<sup>th</sup> edition of the [EUhackathon](#) that took place on 15 and 16 November 2016 in Brussels.

As stated on the website, the “EUhackathon concept identifies **pressing policy issues** and translates them into a new pragmatic approach which aims to **build a bridge between policymakers and** the world of **coders**, developers and hackers to see how Code can help Law”.

The theme of this year “*revolves around **visualising copyright evidence to inform the policy debate and support the decision making process**. The goal is to combine data and academic research from various sources to help create a clearer picture of the issues at stake in copyright, as sometimes the full story is difficult to grasp.*

*The **objective** of the initiative is not necessarily to end up with fully completed projects, but rather to **raise awareness and encourage debate** around this issue.*

### **The challenge is to:**

- 1. create visualisations of copyright evidence based on the data sources available at the [Copyright Evidence Wiki](#) and other external resources; and/or,*
- 2. enhance the Copyright Evidence Wiki to enable others to easily create visualisations of the data available”.*

A timely activity around the current copyright reform debate.

Interested to know more about the winners of the 3 prizes coming out of 32 participants from 14 countries? Read [here](#).

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## (MLEG) meeting



EBLIDA was invited to participate at the EU Commission Media Literacy Expert Group (MLEG) meeting.

Our organisation was represented by Marit Vestlie, new member of the EBLIDA Literacies group from the National Library of Norway. Interestingly, she was the only librarian in the group, which comprised mostly of representatives from the Ministry of Culture

or Education.

The first section *Media Literacy: coordination and synergies with other EU policies* focused on the political level highlighting the importance of good initiatives from a political point of view, especially action to be carried out in schools and how to develop media critical attitudes. There was a general concern about the social and political situation in Europe.

The other point covered the presentation of good practices in relation to *Media Literacy: building bridges between the media industries and the education sector to develop and disseminate critical thinking tools* highlighting both national and private initiatives.

Lastly, the group focussed on the *Media literacy in the digital era: how to empower citizens who are active in online platforms with critical thinking tools?*

Despite many differences from country to country, the use of traditional media is decreasing while digital media is now taking over, especially among young people. There was also a presentation on Mapping in media literacy practices in EU-28.

Should you be interested in reading more about the European Commission and Media Literacy, please go to the EC website at [http://ec.europa.eu/culture/policy/audiovisual-policies/literacy\\_en](http://ec.europa.eu/culture/policy/audiovisual-policies/literacy_en).

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## Digital Skills and Jobs Coalition



On Thursday 1<sup>st</sup> of December 2016, the European Commission hosted *the launch of the Digital Skills and Jobs Coalition, a new partnership bringing together all stakeholders and member states committed to reduce the digital skills gaps in Europe.*

*The conference featured lively debates on the impact of digitisation on society, business and work with stakeholder and member state representatives presenting their plans, concrete actions and pledges. We also celebrated those good practices who*

For more information on the event, read [here](#).

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## Basic Skills and Family Learning



In parallel to the discussion on Digital Skills and Jobs Coalition, the EU Commission supports Basic Skills and Family Learning through its Electronic Platform for Adult Learning in Europe (EPALE) and the European Basic Skills Network (EBSN).

The discussion has just begun and anybody is invited to join the [EBSN forum Basic Skills and family learning](#) to exchange on issues related to it, post comments, questions, and share your own good practice examples.

The last online meeting from EPALE and EBSN gathered participants from 7 countries Norway, Slovenia, Hungary, Finland, Ireland, UK, The Netherlands for an online discussion on Basic Skills and Family Learning.

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## The EU Data Protection Regulation – A Digital Library for the many or the few?



The EU Commission website gives some background information on the reform of Data protection in the European Union.

*On 8 April 2016 the Council adopted the Regulation and the Directive. And on 14 April 2016 the Regulation and the Directive were adopted by the European Parliament.*

*On 4 May 2016, the official texts of the Regulation and the Directive have been published in the EU Official Journal in all the official languages. While the **Regulation** will enter into force on 24 May 2016, it shall apply from **25 May 2018**. The **Directive** enters into force on 5 May 2016 and EU Member States have to transpose it into their national law by **6 May 2018**.*

*[Regulation \(EU\) 2016/679](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)*

*[Directive \(EU\) 2016/680](#) of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or*

## Read below an article by Jerker Rydén, lawyer of the National Library of Sweden

Copyright is indeed very relevant for how libraries can operate. But integrity law, e.g. Data Protection may very well be a far more important issue.

The EU Directive on data protection has to be transposed into national legislation by May 6th, 2018. The EU Regulation on data protection will be applied with direct effect in every Member State from May 25th 2018.

Both will regulate how personal data may be processed.

This article will not cover the library as an administrative body. The reason for this is that a library as an administrative body is a fairly small part of the government as a whole, be it local, central etc. Those aspects of the Regulation have to be addressed by the government regardless whether it is a library or not.

The difficult issue at hand is how to approach personal data, which is embedded in e.g. digitized newspapers i.e. data, which, is not structured on the basis of a person, but rather just another piece of data amidst other data in a digital file.

The processing of this kind of personal data is not addressed as far as libraries are concerned in the Regulation. The Directive on the other hand provides some leeway.

Article 9 of the Regulation prohibits the processing of special categories of personal data revealing racial or ethnic origin, political opinions etc. The prohibition though is not absolute and shall not apply if *“processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.”* (Article 9 g).

Libraries administrate collections, which include the special categories of personal data referred to in article 9. It is furthermore impossible to extract such data and block access to the data with 100-percent certainty. And even if it would be possible it is not desirable. Source material should not be corrupted. For that reason the only possible way to provide libraries with the legal underpinning to the processing of special categories of personal data referred to in Article 9 of the regulation is for MS to introduce supplementary national legislation which *“shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject.”* (Article 9 g).

Considering the timeframe referred to above, there is an urgent need for libraries to get engaged on national level and lobby for Member State law to be enacted in due time for

May 25<sup>th</sup> 2018 and beyond.

At the same time it should be noted that the right to the protection of personal data is not an absolute right; it must be considered in relation to its function in society and be balanced against other fundamental rights, in accordance with the principle of proportionality. Accordingly the Regulation respects all fundamental rights and observes the freedoms and principles recognised in the Charter as enshrined in the Treaties, such as in freedom of expression and information and the freedom to conduct a business. This means that STM publishers and other publishers will be exempted from many of the articles in the Regulation to the extent that publishers will still be able to provide access to digital content and libraries as well on the basis of contractual arrangements with publishers.

**A detailed analysis of the Regulation** written by **Jerker Rydén** is available on the EBLIDA [website](#).

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## INSIDE EUROPE

### CJEU judgement on the Soulier and Doke case C-301/15



On Wednesday 16 November, the Court of Justice of the European Union gave its judgement in the *Case C-301/15 Marc Soulier and Sara Doke v Premier Ministre and Ministre de la Culture et de la Communication*.

The court ruled that : **The copyright directive precludes national legislation authorising the digital reproduction of out-of-print books in breach of the exclusive rights of authors.**

And that **National legislation must guarantee the protection accorded to authors by the directive and ensure, in particular, that they are actually informed of the envisaged digital exploitation of their work, while being able to put an end to it without formalities.**

This really complicated case requires a patient and accurate legal analysis before any conclusion can be taken (see also article on Europeana Licensing Workshop).

The CJEU Press Release is accessible in 8 European languages: [es](#) | [de](#) | [el](#) | [en](#) | [fr](#) |



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The ruling is accessible in all official EU languages at <http://bit.ly/2g7PZ19>

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## 5th Europeana Licensing Workshop Luxembourg 24 & 25 November 2016

*Translation of the Press Release of the National Library of Luxembourg.*

The seminar took place in the context of Commission proposal COM / 2016/0593 on copyright reform in Europe. It dealt with the issue of clarification of rights in digitisation projects of cultural institutions.

The seminar ended with a discussion on the effects of the recent decision (Soulier and Doke, C-301/15) of the Court of Justice of the European Union (CJEU), the practical implementation of the Marrakesh Treaty, a new exception to copyright for the benefit of the visually impaired, as well as an analysis of the status of the registers of rights, in particular the register envisaged by the Office of the European Union for Intellectual Property (EUIPO) on Out of Commerce Works.

The 2016 Seminar was attended by some 20 international participants, including representatives from cultural institutions active in the digital field (Sound & Vision Hilversum, Staatsbibliothek zu Berlin), International Federation of Reproduction Rights Organizations (IFRRO) (IRights, European Bureau of Library Information and Documentation Associations – EBLIDA, International Federation of Library Associations and Institutions – IFLA), as well as political representatives (European Commission).

As the coordinating institution of the workshop, the National Library of Luxembourg was actively represented by Patrick Peiffer, Europeana Project Manager and Head of Consortium Luxembourg at the BnL.

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### Inside EBLIDA

## Reminder: Next EBLIDA NAPLE Annual Council and Conference, 3-4 May 2017

For our upcoming EBLIDA NAPLE Annual Conference to be held at the brand new public library in Aarhus, [Dokk1](#), Denmark on Thursday 4<sup>th</sup> May, 2017, we are happy to



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, including Temps Libre, a real estate cooperative specialised in the creation of collaborative and open spaces; and Manivelle, digital signage software for libraries and cities. He serves on numerous boards, including the Québécois Corporation of Professional Librarians, and the Social Economy Council of Montréal. His is also a teacher in the information science school of Université de Montréal.

The Steering Committee of the EBLIDA-NAPLE Annual Conference 2017 is now finalising the programme that will be announced in January a bit before the website and registration open.

Again we remind you to please save the dates on your calendar. We recommend you to book your hotel as soon as possible as Aarhus has been appointed [European Capital of Culture for 2017](#) and will attract millions of visitors.

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 3<sup>rd</sup> May.

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## EBLIDA Executive Committee meeting in Rome, 22-23 November



Members of the EBLIDA Executive Committee met in Rome on 22<sup>nd</sup> and 23<sup>rd</sup> November at the invitation of the Association of Italian Librarians ([AIB](#)). Our Italian colleagues organised the meeting in the magnificent Library of the Members of the Parliament, in the Galileo Room (see President's editorial). EC Members had 2 days of intensive work EBLIDA's current activities, looking in detail at those undertaken especially on copyright reform and the question of e-lending. EC members also welcomed Ilona Kish, Programme Director at Public Libraries 2020, for an intensive meeting to strengthen the coordination of lobbying in Brussels and future steps to take. The EBLIDA EC would like to thank the AIB for the wonderful organisation and the excellent conditions under which the meeting was organised.

### **Periferie in Azione**

Before the closing of the EC meeting, Monica Rossi, Secretary General of the AIB, introduced a crowdfunding project to the EC members.

The project entitled *Periferie in Azione* is a joint project from 5 different organisations working respectively on the fields of legality, health, environment, socialisation and culture, one of whom is the AIB.

There common goal is to build 5 mobile intervention units for outer city areas to assist their regeneration projects to communicate and enhance the principles of culture, health, environment, legality and socialisation. For the benefit of all.

Within those 5 mobile structures, one is called [biblioHUB](#), a kind of mobile space for access to reading and an access point to information and books with the objective to favour socialisation of adults and children.

The other projects are accessible at <http://www.periferieinazione.it/en/>

To date, the project has received 31% of its funding and has collected € 112,759 out of € 360000.

For the project to be realised, it still needs to collect € 247241.

**Should you or your organisation wish to make a donation, please check the [donation options on the webpage](#).**

### **EBLIDA/AIB meeting with Italian Commission on Culture**

Using the opportunity of the EBLIDA Executive Meeting in Rome (Italy), an EBLIDA delegation accompanied the AIB delegation to meet the Culture Commission of the Italian Parliament to state the point of view of librarians both from Europe and from Italy on the question of Copyright reform for libraries and reading development. We met with Flavia Piccoli Nardelli, president of the VII permanent commission "Culture, Science and Education" of the Italian Chamber of Deputies, Rossana Rummo, General Director for Libraries and Cultural Institutions of the Ministry of Culture and Roberto Marino, chief of the Publishing Department of the Cabinet of the Italian Prime Minister (both involved in copyright matters).

which could not be achieved without a sound copyright reform that recognises exception and limitations for libraries.

Vincent Bonnet stated the need to further adapt the exceptions and limitations for libraries to the digital environment, that shifts towards private contracts, and emphasised the need to further develop the legal offer through libraries. The main goal is to avoid that library users, and especially the younger generations, drift away from legal sources towards pirated sources (such as Sci-Hub) to access the content they need. Our Italian colleagues seconded EBLIDA's claim by bringing examples from the national situation where, for instance, the principle of Open Access that should have been recognised in the law, has been completely diluted by rights holders. A sound copyright framework recognising the role of libraries would help cultural and social growth.

The event combining the European point of view with concrete examples, was an excellent opportunity to show to Italian policy makers the strength of the library network across Europe as well as the shared concerns and solutions that it is putting together.

## AIB 59<sup>th</sup> National Congress

EBLIDA President was invited to talk about copyright reform at the 59<sup>th</sup> AIB congress in Rome Italy. The theme of the congress was ***Sustainable Libraries. Creativity, Inclusion, Innovation***. The congress was divided into three sessions, the first one on sustainability and creativity, the second one on sustainability and innovation and the third one on sustainability and inclusion.

EBLIDA President, Jukka Relander, intervened in session one on the topic *the EU, copyright reform and libraries*.

Jukka Relander mentioned that the EU Commission issued its proposal for a new copyright legislation in September and that it contains a strong emphasis on cross-border access and refers to the digital single market.

Library organisations expressed disappointment at the EU Commission proposals. EBLIDA President placed a strong emphasis on the absence of the question of e-books and e-lending in the copyright proposals and the recent court ruling of the CJEU. He highlighted the difficult relationships with publishers and the misinformation that wrongly targets libraries as a threat to the e-books market, while this market in practice seldom exists in most countries. He therefore called on Italian librarians to join forces with their counterparts in Europe through EBLIDA to lobby for copyright reform and guarantee basic cultural rights for European people.

The congress offered interesting presentations from Italian colleagues about their achievements on the questions of creativity, innovation and inclusion.

(Photos are available: <http://www.flickr.com/photos/ebldata/albums>)

## WORLDWIDE

### WIPO SCCR 33 – activities

WIPO SCCR 33 – The Library and Archives Delegation – the greatest



The delegation representing libraries and archives at WIPO was large and international. With representatives coming from all over the world, librarians and archivists demonstrated their abilities to illustrate the issues at stake with concrete examples.

4 topics were on the list for discussion under point 6 of the Agenda, Exceptions and Limitations for Libraries and Archives, i.e.

- 08 - Limitation on liabilities of libraries and archives;
- 09 - Technological Protection Measures;
- 10 – Contracts;
- 11 – Translation.

You can find the EBLIDA contribution on the EBLIDA website at:

<http://www.eblida.org/about-eblida/expert-groups/statements-made-by-eblida-at-wipo.html>.

Next SCCR in May in Geneva will be a fresh start with a new SCCR chair coming on, building on the work already achieved. The library and archive delegation remains strongly committed and dedicated to getting the best out of the WIPO forum and working towards greater harmonisation of exceptions and limitations worldwide.

- WIPO Adopts Open Access Policy for its Publications

On 16 November, WIPO announced its new [Open Access policy](#) to promote the widest possible public access to its publications, furthering the Organisation's commitment to the dissemination and sharing of knowledge. [Read more.](#)

- WIPO Study on Copyright Limitations and Exceptions for Educational Activities

- WIPO Side events
  - A Guide to Public Lending Right: Facts & Fiction

On 17 November, the International Authors Forum (IAF) organised a side-event on the question of [PLR featuring several speakers](#). The library and archive delegation asked most of the questions and also stated that the Public Lending Right when applied, should not be taken out of the library budgets as those are already severely limited and reduced.

- Methodology on the assessment of the operation of national copyright systems

This side event of November 18 organised by Finland introduced a full report on a Methodology Framework entitled *Assessing the operation of national copyright and related rights systems*.

Free copies of the methodology handbook (also available in digital format), the accompanying toolkit of questionnaires, as well as all 37 reports presenting the results of the piloting of the methodology in Finland were presented, and are available on the website of Cupore at <http://www.cupore.fi/copyright.php>.

(Photos are available: <http://www.flickr.com/photos/ebliida/albums>)

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## Cross-border access to knowledge – a booklet for inspiration

Information provided by Teresa Hackett (EIFL)



EIFL has compiled a **booklet of statements by library and archive organisations on how access to knowledge is denied when copyright exceptions stop at the border, or when licensing fails.**

The statements were made by librarians and archivists at sessions

of WIPO's Standing Committee on Copyright and Related Rights (SCCR).

The statements are from the Australian Library and Information Association ([ALIA](#)), the Chartered Institute of Library and Information Professionals ([CILIP](#)), [EIFL](#), the European Bureau of Library, Information and Documentation Associations ([EBLIDA](#)), the German Library Association ([DBV](#)), the International Council on Archives ([ICA](#)), the

on Archives ([SCA](#)), and the Society of American Archivists ([SAA](#)).

The booklet is a valuable resource for policy-makers and government officials concerned with copyright, as well as librarians and archivists involved in copyright advocacy.

<http://www.eifl.net/news/new-resource-cross-border-access-knowledge>

The booklet is also available on EBLIDA's homepage at: [www.eblida.org](http://www.eblida.org)

**Join EBLIDA**

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## Events and Dates

### December



#### [Serbian Library Association Conference](#)

**Date:** 13 -14 December 2016

**Location:** Belgrade, Serbia

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**EBLIDA-LIST** is a **general mailing list** intended to foster communications between EBLIDA, its membership and members of the European library community. The goal is to facilitate information exchange as well as professional communication and development within the EBLIDA community. [Subscribe](#) today!

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