



## Nr. 4 - February 2007

### Second EDL project workshop on developing the European Digital Library

Vienna, 31<sup>st</sup> January – 1 February 2007

By Andrew Cranfield, EBLIDA Director

At the end of January the prospective EDLnet partners and stakeholders, among them EBLIDA, met in Vienna to discuss the challenges that will exist in governance, organization, communication and goals for a European Digital Library (EDL). The EDL is a key element in realizing the i2010 digital libraries initiative as formulated by the European Commission.

This was the first opportunity for a large number of stakeholders to discuss a range of key issues, governance, business models and technical interoperability in three parallel workshops. Before this there was time to discuss issues of content, users and values. From the discussion on both content and users it is clear that one can talk about a "narrow" EDL and a "broad" EDL. The narrow definition builds on the collections of national and large university libraries where public domain collections can be made digitized and made available to users. This builds on the work already accomplished by CENL (Conference of European National Librarians) and TEL (The European Library – for more information on TEL see <http://www.cenl.org/>). There is no doubt that the National libraries are to provide the organizational basis for the EDL, not least in the start up phase. However, in time the EDL must attract content providers from across the cultural sectors, including museums, archives and the special collections of smaller and public libraries, in order to create the "broad" EDL.

The risk of creating an EDL of historical material is also great as the European copyright regime challenges the possibility of including in-copyright material in the EDL. In a speech given at the end of last year at the *Bibliothèque Nationale de France* Horst Forster, DG Information Society and Media DG, underlined the importance of publishers and other private content holders in making their content accessible online as a part of the EDL and the Commission's focus on new models for access to and dissemination of digital scientific information. As Mr. Forster said we have to prevent a 20<sup>th</sup> century black hole in the European Digital Library.

The first workshop on governance was moderated by Jill Cousins of the TEL office and Andrew Cranfield of EBLIDA. At this stage it was obviously going to be difficult to gain consensus, but two important issues emerged. No one present believed in a model, where all the information is stored and administered centrally, the EDL should consist

of a network of partners delivering content to the EDL. Secondly the issue of who is actually going to pay for the EDL, i.e. the digital content itself was raised. Certain delegates thought that those delivering content to the EDL, should also be those to decide its direction.

So what can EBLIDA contribute to the EDL? Firstly EBLIDA is already concentrating on finding solutions for orphan works, out-of-prints works and digitization for preservation issues (see reports from Toby Bainton on these issues in *EBLIDA News nr. 1 and 3*) – all of vital importance for the creation of and access to digital content of the EDL. It is also essential for EBLIDA members to advocate for policy solutions and to facilitate discussion in the individual member states to advance the very real challenge of digitizing and storing material.

Prior to the meeting many of those invited to the meeting had submitted vision statements regarding the EDL. These provide much food for thought and a broad European perspective as to the direction of the EDL. These will be made available at the EDL project website (<http://www.edlproject.eu/>).

### The EBLIDA Expert Group on Trade and Libraries met in Copenhagen on 12<sup>th</sup> – 13<sup>th</sup> December 2006

By Kjell Nilsson, EBLIDA Copyright Expert Group

On the agenda were items regarding GATS, TRIPS, bilateral trade agreements, the Internal Market Services Directive, etc.

Whereas the breakdown of the Doha Development Agenda has meant that virtually nothing is happening on the GATS front, bilateral trade agreements are proliferating, mainly as a result of initiatives taken by the US and the European Union.

It is now obvious that the bilateral agreements make it easier for the rich nations to have their way. It is also obvious that these agreements are used to enforce extremely strict copyright regimes, usually called TRIPS+, with, e.g., terms of 100 or even 120 years. It is important that EBLIDA pay attention to what is happening, although the immediate effects on the European countries may not be radical.

The Internal Market Services Directive was passed by the European Parliament by the middle of November 2006. The threat to libraries must be regarded as minimal. For one thing, the purpose of the directive is not, like with GATS, to give Foreign Service providers the opportunity of

competing on the same terms as domestic ones (incl. the publicly funded), only to minimize the practical obstacles to them offering their services. In addition, publicly funded libraries are supposedly not within the scope of the directive.

The Expert Group also discussed the role of expert groups, and more specifically the relationship between itself and the Copyright Expert Group. Many of the items discussed in the T&L Group have copyright implications, the members of this group are almost invariably members of the CEG, and it was considered illogical and impractical to keep the two groups apart. It was therefore decided to propose that they merge. A formal proposal will be presented to the Executive Committee of EBLIDA at its March meeting.

### **eIFL Handbook on Copyright and Related Issues for Libraries**

By Teresa Hackett, eIFL

The eIFL Handbook on Copyright and Related Issues for Libraries is a practical guide to topical legal questions affecting the information work of libraries in the fast moving digital environment. Each topic is described briefly, the main policy aspects for libraries are outlined, and there are links to library policy statements for further reading. Sponsored by the UNESCO Information for All Programme, the Handbook is relevant for libraries everywhere. Where there are special issues for transition and developing countries, these are described separately. Librarians and their representatives should have some knowledge of the key areas, so that the library community can defend its position and can continue to fulfil its mission in the digital age.

The topics are the Relationship between Copyright and Contract Law; Electronic Resources and Library Consortia; Technological Protection Measures - the "triple lock"; Copyright, the Duration of Protection and the Public Domain; Orphaned works; Collective Rights Management; Public lending right; the Database Right - Europe's Experiment; Creative Commons: an "open content" licence; Open Access to Scholarly Communications; Copyright and Trade Agreements; International Policy Making: a Development Agenda for WIPO; National Policy Making; Advocating for Fair Copyright Laws.

eIFL encourages re-use and translation. It will be available in Russian and Polish (annotated for the Polish legal context). The complete Handbook, as well as the individual topics, are available for download here: <http://www.eifl.net/services/handbook.htm>.

### **"Elevations - The Networking Library" Aarhus, Denmark, 10-12 June 2007**

In an international perspective the 17<sup>th</sup> Halmstad conference formulates a strong statement about the necessity for libraries to include and engage in untraditional partnerships – and offers conference participants an inspiring

platform to create new ones. 15 speakers from 8 countries will present world-wide examples of best practice in both physical and digital libraries.

A conference on strategic innovation, democracy, inclusion and participation organised by the "Halmstad Conference Group" and [Aarhus Public Libraries](#) in cooperation with the [Danish National Library Authority](#), the [Danish Library Association](#), the [Norwegian Library Association](#) and [EBLIDA](#).

### **Scientific information in the digital age: access, dissemination and preservation**

By Carmen Morlon, EU Information Officer

J Potočník, Commissioner for Science and Research and V Reding, Commissioner for Information society and media, presented a *Communication* on "Scientific information in the digital age: access, dissemination and preservation" ([http://ec.europa.eu/research/science-society/document\\_library/pdf\\_06/communication-022007\\_en.pdf](http://ec.europa.eu/research/science-society/document_library/pdf_06/communication-022007_en.pdf)) at a conference on Scientific Publishing held in Brussels on 15-16 February. This Communication announces a series of measures on how the European Commission will deal with Open Access (OA) in FP7-funded projects, by for example refunding project costs of OA publishing, and how it will use its funding programmes to improve access to and preservation of scientific information, by for example supporting storing scientific data infrastructures—repositories in particular— research on digital preservation and interoperability of and access (multilingual) to scientific collected works. The Commission also intends to issue guidelines on publishing articles in open repositories after an embargo period within specific research programmes managed by the European Research Council.

Approximately € 50 million is earmarked for work on infrastructures for 2007 and 2008 (€ 20 million in 2007). € 15 million (out of € 25 million) will be devoted to research on digital preservation and collaborative tools for using content. Moreover, the eContent plus programme (2005-2008) will allocate € 10 million to improve accessibility and usability of scientific content (<http://cordis.europa.eu/econtent/>). Research on scientific publication systems will be supported within the Science in Society programme ([http://ec.europa.eu/research/science-society/page\\_en.cfm?id=3184](http://ec.europa.eu/research/science-society/page_en.cfm?id=3184)).

A set of organisational, legal, technical and financial e.g. VAT for digital products, journal subscription prices issues relevant for scientific publishing e.g. dissemination; access strategies; publishing business models e.g. reader-pay, author-pay; copyrights and funding are considered in the Communication.

The communication offers an entry point for discussion within Parliament and Council, Member States, funding bodies, intergovernmental research organisations and stakeholders. One forum for these discussions is the High Level Group on Digital Libraries ([http://ec.europa.eu/information\\_society/activities/digital\\_libraries/index\\_en.htm](http://ec.europa.eu/information_society/activities/digital_libraries/index_en.htm)). Additionally, a study on the economic aspects of digital preservation is scheduled this year.