



The European Bureau of Library,
Information and Documentation
Associations

Presentation of the

Draft Council of Europe / EBLIDA Recommendation on Library Legislation and Policy in Europe

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**Presentation of the draft Council of Europe / EBLIDA Recommendation
on Library Legislation and Policy in Europe
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It is a honour for me to present the draft Recommendation on Library Legislation and Policy in Europe before CDCPP and I would like to thank the CDCPP Chair (Ms Flora van Regteren Altena) and the Secretariat of the Council of Europe for inviting me.

In January 2000, the Council for Cultural Co-operation approved the Council of Europe/EBLIDA Guidelines on Library Legislation and Policy in Europe. These Guidelines have been highly influential in shaping policies and inspiring library-related legislation throughout the Council of Europe Member States. They are still a frame of reference for individual libraries working in often challenging local situations, as well as for regional and municipal administrators willing to restructure local library systems.

Cultural and societal changes on the one hand, and technological developments on the other, are challenging libraries in new ways. In the last two decades, libraries have evolved as an enriching space for human interaction, knowledge creation and civic engagement. In several Council of Europe states library legislation already reflects these new concepts and roles in compliance with a good number of Council of Europe and European Union documents and recommendations.

The need for revising and updating the 2000 Guidelines was therefore cogent. It is the reason why, in 2022, the library profession and the Council of Europe started to work again on this instrument. But first, let me spend a few words on what libraries are nowadays, and why they are so resilient. What is indeed the essence of library power?

The text of the Recommendation defines libraries as “publicly accessible institutions of a cultural, educational and social nature that serve local, academic, specialised communities and/or society at large.” First and foremost, the essence of library power lies in the fact that they are, at the same time, cultural, educational and social organisms.

The 2000 Guidelines described libraries as component of the book and information chains. The draft Recommendation we are discussing today puts an emphasis on a library scope which by far exceeds narrow cultural or cultural heritage concepts. Libraries and library systems do fall within the remit of cultural departments of national (Ministry of Culture) or local nature (municipalities, but also Laender, Regions, Counties, Provinces). Nevertheless, library activities focused on vocational training and informal education fulfil relevant educational objectives. Moreover, libraries as a whole are engaged in the social fabric of society and the business of human development.

These considerations were taken into account by the Working group set up within EBLIDA in 2020 which paved the way to the joint EBLIDA / Council of Europe Secretariat Working Group. When we approached the Guidelines, we were convinced that it was still a modern document and that a few amendments and some updating would have been enough to prepare its revision.

We were mistaken, indeed. Also in the light of the two recent crises – first Covid and now the continuing migration of millions of refugees escaping Ukraine, to whom European libraries are offering their services – the Expert groups soon realized that the 2000 Guidelines had to be re-written from scratch. My presentation will highlight the most obvious differences and the disparities between the current draft Recommendation and the 2000 Guidelines on library legislation and policy in Europe.

In 2000, the Group of experts identified four sections: Freedom of expression and free access to information, Libraries within the national book and information policies, Libraries and the knowledge industries, The protection of library heritage.

The current Recommendation has five sections: Freedom of expression, free access to information and democratic participation, Libraries within the framework of the European agenda on sustainable development, Global and local threats and library operations, Digital transformation and the expansion of Artificial Intelligence-based library networks, Copyright and the protection of library heritage.

These changes are substantial and I would like to expand upon them.

Experts added a full sub-section dedicated to “democratic participation” to those parts dedicated to “Freedom of expression and free access to

information.”. Why? Because freedom of expression and free access to information are empty concepts if they are not embodied in active citizenship, in people’s interaction and dialogue. And because the fight against fake news and the role of libraries as democratic institutions were not fully addressed in the previous Guidelines.

The draft recommendation also reflects developments having taken place in the library legislation of some countries. For instance, article 1 of the Norwegian Library Act, approved in 2013, states that “The public libraries shall be an independent meeting place and arena for public discussion and debate.”

References to the principle of free of charge access to at least a core collection of library material have multiplied in the draft Recommendations. This is not only a response to widespread concern about the growing commodification of cultural goods. It is a principle embodied in practically all library legislations in Europe; it was restated, for instance, in article 3 of the recently approved Loi du 21 décembre 2021 relative aux bibliothèques et au développement de la lecture publique in France.

Why do libraries need a legislative framework for their action?

Because public libraries are largely funded by municipalities and therefore there is a need to build up an architecture where local provisions are included, in order to avoid that different or, even worse, contrasting directions are addressed. And because the role and the mission of libraries consists of promoting public reading as a social endeavour, developing individual capacities and talents. If libraries are nowadays the leading public cultural facility, it is because they seamlessly operate across cultural, educational and social contexts.

This draft Recommendation goes even further; it brings about a revolution in the library world, as is demonstrated by its second section “Libraries within the framework of the European agenda on sustainable development.”

Looking at the detail of the content of the second section, one can hardly notice any change in relation to the previous Guidelines – the same kind of governance, quality of services and range of financing sources. So where is the revolution in library legislation and policy? The leap forward lies in the title of the section: library work is framed within the European agenda 2030 on sustainable development and its related sustainable development goals.

The group of experts considered that, beyond their narrow administrative remit, library activities should encompass any kind of human development. SDGs represent the largest, most comprehensive and richest policy framework for the prosperity of the planet. And librarians have experimented with how relevant and important it is to refer to SDGs during the last two emergencies: the Covid crisis and the war in Ukraine. Before Covid, the success of library performances was measured by analysing data related to the number of visits. This changed during Covid over the course of a few weeks. Libraries and their communities went into lockdown, with libraries now offering online services and access to online books and informational content. The digital public library has grown prosperous during the last two years, e-lending has soared, and the so called “social library” – for instance, health information, relief to citizens and all kinds of social activities dedicated to migrants and people left behind – has known an unexpected boom. Libraries have shown themselves to be an essential infrastructure of a sustainable society.

Hence the need to add two new sections in the draft recommendation, which were not present in the 2000 Guidelines: “Global and local threats and library operations” and “Digital transformation and the expansion of Artificial Intelligence-based library networks”. Neither section is designed to predict the future, which is by nature unpredictable; they aim to increase the level of library resilience in the face of unprecedented challenges, to resort to B plans when needed, and to manage new technologies and artificial intelligence.

The last section of the draft recommendation “Copyright and the protection of library heritage” takes into account the new Directive on copyright in the Digital Single Market approved by the European Union in 2019. Even if the Council of Europe is not the European Union, library legislations in non-EU countries should apply at least the spirit of the Directive, in particular those parts of the text where exceptions to copyright for libraries and other cultural institutions are envisaged.

It is hard to speculate about the future of a legislative instrument. We are confident, however, that, as was the case for the Guidelines in 2000, the Council of Europe Recommendation on Library Legislation and Policy in Europe will be highly influential and will continue to shape library activities for the next twenty years.

Thank you very much for your attention.