



Position Paper on the Working Document on the European Digital Library by Ms. E. Pichenot, 8/10/2007¹

**European Writers' Congress - La Fédération des Associations Européennes d'Ecrivains"
««EWC/FAEE» AISBL
Myriam Diocaretz, Secretary-General**

The **EWC/FAEE** was established in 1977. It is the federation of 56 European associations in 31 countries in Europe, including Iceland, Norway, Turkey and Switzerland, representing more than 58,000 professional writers and literary translators in over 25 languages, including lesser spoken and non-dominant languages.

Having regard to,

- ❖ the EC communication “i2010: digital libraries” (COM[2005]0465)
- ❖ the Council conclusions (14 November 2006) (2006/2040(INI))
- ❖ the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural expressions
- ❖ the European Parliament resolution of 27/09/2007 on i2010: towards a European digital library)
- ❖ the Working Document on the European Digital Library, 8/10/2007, by Ms. Pichenot TEN/292-R/CESE 1208/2007 FR/SG/CAT/ym
- ❖ The contributing role of the EWC/FAEE in the High Level Group – Copyright Subgroup on digital libraries²
- ❖ the Submission of the EWC to the stakeholders consultation on i2010 digital libraries (01/2006)

The EWC stresses,
that it represents authors of all types of literary works, both fiction and non-fiction,
and that it strongly supports the Commission’s initiative to make Europe’s cultural and scientific resources accessible to all;
recalls the positive relationship between the role of authors and the role of libraries,
brings to mind that authors also form a natural part of civil society, more than of the so-called cultural industry;
emphasises that authors stimulate reading and reflection;
reminds us that authors are the foundation, origin and source of all books that fill the libraries and the book-chain;

¹ Invited Paper for the Hearing of the study group "European Digital Library" on "Promoting broad public access to the European Digital Library" 17 October 2007, European Economic Social Committee, Brussels, session "Comment concilier la numérisation des œuvres et le respect de la propriété intellectuelle?"

² With special reference to the HLG report (April 2007) and the Model Licence for out of print works, and definition of orphan works and search guidelines.

recalls authors are the pillar of content creation and of the knowledge of all kinds that nourishes culture.

The EWC

raises awareness on the reality that the economic factors are closely intertwined with cultural and social factors and are essential for authors to continue to contribute to European cultural heritage, in the present and the future;

reiterates that “freedom of speech and freedom of information are core European values and that we must see the digital libraries initiative as a legitimate impulse to preserve and digitise our culture and knowledge, as well as an effort to strengthen civil society’s access to knowledge;”³

recalls that authors, and creators at large, not just of text but also of audiovisual, music, and new media works shape the profile of Europe through individual creativity and common elements of cultural policy within the diversity of expressions.

The EWC welcomes Ms. Marie-Hélène Descamps’s amendments in her recent report,⁴ stressing the need for coherent policies on digitisation and preservation of digital works, *while ensuring due respect for copyright and related rights*, and underlining that any decision of this sort must be taken in cooperation with all the players involved, particularly *authors*, publishers and booksellers;⁵ we also welcome the proposal “*that provision be made for the on-line browsing of copyright-protected works through specialised websites providing the security guarantees required by rightholders;*”⁶ furthermore, we welcome the inclusion of these amendments and the addition of the notion of “authors” as important right holders, especially in articles 22 to 26 and 28 of the European Parliament September resolution.

Within such framework, the EWC recommends the inclusion, consultation and involvement of authors’ organisations in all Member States, both in the formulation of new economic models regarding digital libraries potentially affecting the economic sustainability of hundreds of thousands of authors.

Specifically in 2.1.4.1. of Ms Pichenot’s report, on the proposal for a public debate on mass digitalisation, in point b) which states:

“financial support for the editors carrying out the digitalisation of their current collections and agreeing to make them accessible on line”

we recommend that inclusion should be made of contractual arrangements *with right holders* in addition to publishers, whenever relevant; recommends the addition of “out-of print works”

the rights of which in some countries revert to the authors, and we further request the mention of the voluntary model licence for out-of-print works adopted in April 2007 by the High Level Group for future implementation at European level.

The EWC recommends the use of good practices and already existing models clustering the main stakeholders and binding them through a common agreement. An initiative of this kind is, for

³ Response on the EC Consultation on digital libraries, January 2006, Trond Andreassen, EWC-FAEE President.

⁴ 6, Recital I

⁵ amendment 31, Paragraph 20

⁶ amendment 33, Paragraph 21a

instance, the new model of joint collaboration set up in Norway on March 14 2007, in which the National Library, together with representatives of rights holders, has initiated a wide-ranging digitisation programme to transfer all the library collections from analogue to a digital platform, including copyright protected literary works. This key pilot project will make available, through the Internet in digital format, the collections in the northern region. All stakeholders involved have a common goal, which is to enable access to literature and other copyright protected material, and to give the public an insight into and knowledge of the diversity in the regional cultural heritage.⁷

Such agreement is a pro-active test-bed to gain experience and to become the springboard for future digital dissemination of copyright protected works.

Thus, the EWC also recommends that copyright should no longer be seen as an obstacle, but, on the contrary, copyright need to be seen as an enabler for creativity and for the economic legal and legitimate instrument for authors to continue to work in the production of cultural resources. Furthermore, copyright is an enabler also as an incentive and important instrument of support for the sustainability of the future creative generations in Europe. Copyright is the incentive for the citizens/creators of tomorrow.

In the context of the KEA study on the economy of culture, we stress the key role and the socio-economic impact of the cultural & creative sectors regarding

- the value added to EU GDP
- the contribution to EU growth: the sector's growth in 1999-2003 was 12.3% higher than the growth of the general economy
- we stress that the cultural and creative sectors' impact on employment is significant: In 2004 5.8 million people worked in the sector, equivalent to 3.1% of total employed population in EU25. **Therefore, a balance must be kept to give access to cultural resources in such a way that cultural production has a context of sustainable cycles of creativity for the future generations.**

We support the aim to improve public information about the digital libraries process and its operational developments,
We support the aim to involve civil society in the debate,
and suggest an initiative for a task-force through pan-European and cross sector organisations to reach all Member States,
and we ask the EESC to support a citizen's network with cross-sector European social networks on digital libraries, and to invite civil society to join the relevant debates.

We support the establishment of a task force or platform of citizens for Information Society, with the authors' participation.

⁷ An Agreement has been entered for the digital availability of copyright protected literary works, between the National Library of Norway, the Norwegian Publishers' Association, The Norwegian Authors' Union, the Norwegian Non-Fiction Writers and Translators Association, The Norwegian Critics' Association, The National Licensing and Collecting Society

We support empowering citizens to have access to information on the digital libraries process, to voice their needs and interests⁸, to further develop the social dimensions of digitisation, including awareness of the value of copyright.

Concerning the social dimension of digitisation [2.2.6] we recommend an important new role of the digital libraries, beyond the information-push approach, to a more dynamic, learning space as an educational potential of learning by doing and enjoyable learning, as empowerment to citizens creativity through reading, with a respect to copyright, authors' rights that the future generations of creators will also appreciate as they mature to make their own contribution to the living cultural heritage. Thank you.

European Writers' Congress

Fédération des associations européennes d'écrivains. AISBL

Rue du Prince Royal 87

B-1050 Brussels

EWC-Secretariat@inter.nl.net

www.european-writers-congress.org

⁸ It is a known fact from research findings that technology designed without concern or consideration for the end-user usually fails not for the technological dimension but because the human dimensions of its users is ignored.