



**European Writers' Congress  
Fédération des associations  
européennes d'écrivains.  
aisbl**

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## **EWC-FAEE AISBL Newsletter I – May – 2007**

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Activities and projects of the EWC-FAEE A.I.S.B.L. are carried out with the support of the European Union budget line: "Support to organisations which promote European culture."



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**Dear EWC and EWC-FAEE aisbl members,**

On 7 March 2007 you received a Communication from the EWC-FAEE General Secretariat, which was a combined News/letter-Report linking the achievements of 2006 with the work programme for 2007. There are ongoing plans to further develop our new organisation's identity, and discussions about software, design, and budget for the Newsletter and the website are still in progress. In the meantime, with the Board's approval, I will provide regular updates through the Secretary General's Newsletter. As announced in March, I reiterate my invitation that you subscribe to our **e-monthly** because I am working in collaboration with Adi Blum and using this channel to communicate important information on copyright and cultural policy.

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**Please mark these three days in your 2007 calendar:  
October 26-27-28 2007: TRIESTE**

 **Forum MARE NOSTRUM IV. 26-27 October 2007**

"Trieste, its Macro-region and Europe: a Multicultural Tradition and a Contribution to an Intercultural European Future."

The EWC-FAEE conference will be held in cooperation with our member in Italy **Sindacato Nazionale Scrittori**, under the supervision of Alessandro T. Occhipinti (General Secretary SNS), and coordinated by EWC Board member Tiziana Colusso (International Projects SNS).

The *Mare Nostrum* series was initiated as a European forum for the dialogue between cultures in the Mediterranean area and the rest of Europe, promoted by the European Writers' Congress (EWC-FAEE AISBL, Brussels). The past editions were carried out in Delphi (1999), in Barcelona (2001), and Cyprus (2004). Why Trieste? For the present edition the aim is to reflect not only upon the cultures of the low Mediterranean as in the previous events, but also on the cultures of the macro-region which cover the Adriatic Sea and reach the very centre of Europe – and beyond. This objective has led the EWC-FAEE to choose Trieste, a multicultural city, a crucial cultural, linguistic and historical crossroads, as the seat of the Forum Mare Nostrum IV.

In the course of several European Commission consultation meetings in which we contributed recently in DG Culture, I took the opportunity to mention Mare Nostrum IV in discussions related to intercultural dialogue, cultural diversity, as an example of EWC-FAEE's "good practice" and a way to highlight the role of writers and translators in what is being established as a "common European culture" and as pillars of cultural heritage. There is increasing attention to get to know EWC-FAEE's position in several cultural policy areas. It is important to formulate our goals and our connections with all sectors of civil society in relation to language and creativity, learning (formal and informal, life-long learning, adult learning, etc), and also education and entertainment, to name just a few areas in which we writers and translators provide a formative basis. Our Forum Mare Nostrum IV has become an event of interest to the European Commission. It is a great pleasure to announce that **Mr Leonard Orban, Commissioner for Multilingualism** (since October 2006) has confirmed his participation in the opening. In the portfolio of multilingualism, "Language is an integral part of our identity and the most direct expression of culture. It is through language that we

socialise, that we organise our thoughts, that we transmit our cultural heritage. Languages build bridges to other people and cultures." I am equally pleased to confirm that European Commission **Culture Director Mr. Vladimir Sucha** has also confirmed his participation in the Workshop on the Year of Intercultural Dialogue. Please see the draft of the Trieste programme, and see the invitation for you to present a position paper in the workshop in this Newsletter.

Information about Mr. Orban :

[http://ec.europa.eu/commission\\_barroso/orban/profile/profile\\_en.htm](http://ec.europa.eu/commission_barroso/orban/profile/profile_en.htm)

A report on a relevant activity - EU Commissioner Orban and the European Union's Publisher at Bookworld Prague "Reading the Future" - 03.05.2007 can be found at:

<http://www.evropa.bg/en/del/info-pad/news.html?newsid=3143>

On the EC Political agenda for multilingualism:

<http://europa.eu/rapid/pressReleasesAction.do?reference=MEMO/07/80&format=HTML&aged=0&language=EN&guiLanguage=en>

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 **Official Announcement of the EWC and EWC-FAEE A.I.S.B.L. ANNUAL GENERAL ASSEMBLY**  
 **Convocation de l'assemblée Générale 2007 – 28 October 2007**

According to the statutes of the original EWC and the elections in Amsterdam 2006, and as established in the statutes of the new organisation, Board elections are due and will be held in 2007 as the XXI Congress. We hereby officially announce the EWC-FAEE AISBL General Assembly and the forthcoming elections, to be held on 28 October 2007.

The deadline for nominations of candidates, with their corresponding CVs, letter of endorsement of their organisation, and proposed plan is a month before the elections, therefore, on 28 September 2007. The 2007 Election Committee is composed of three members: Merete JENSEN (Finlands Svenka, Finland, email: mette@kaapeli.fi) and Ragnheidur TRYGGVADOTTIR (RSI, Iceland, email: rsi@rsi.is), together with the EWC 2006 elected member Katalin Budai (Hungary) who are starting the procedures in June and can be contacted directly.

❖ Trieste Draft Programme

For more details on the Assembly, please read the Trieste Draft Programme attached with the email cover letter

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 **Invitation to present a position paper on the 28 October Mare Nostrum IV session on The European Year of Intercultural Dialogue 2008 (EYID)**

We are very pleased to announce that **Mr. Vladimir Sucha, Director Culture and Communication - European Commission**, Directorate General Education and Culture has confirmed his participation in our session. In addition to leading the EYID, it is under Mr Sucha's direction and initiative, together with Mr. Odile Quintin's, Director-General, that the European Literary Prize will be launched in 2008.

The workshop has been planned to have speakers representing writers and literary translators from our member associations, such as Iceland, Norway, Sweden, the Baltic region, the Mediterranean countries, Romania, to mention just a few. The position papers will focus on ways in which we can contribute to the EYID year and beyond, and/or in which ways our work is instrumental for Intercultural Dialogue. There will also be a brief presentation of the European Civil Society Platform for Intercultural Dialogue, of which EWC-FAEE is a member.

We have included the theme of "intercultural dialogue" in our 2007 programme because this dimension will be integrated into the preparation of the new DG EAC culture plans for 2007–2013. Most importantly for us, the dimension of "intercultural dialogue" will also be taken into account in the development of the policies of the Directorate General, and funding plans. This makes it indispensable for writers and translators to highlight our work and our role in such contexts.

For proposals (15 minutes for the presentation) please contact Myriam Diocaretz: [m.diocaretz@inter.nl.net](mailto:m.diocaretz@inter.nl.net)

As general framework of the idea behind EYID we include in italics here a text quoted from the DG Culture programme:

### ***The European Year of Intercultural Dialogue***

*The decision to declare 2008 the European Year of Intercultural Dialogue underlines the important contribution of intercultural dialogue to a number of the European Union's strategic priorities:*

- *The promotion of cultural diversity in Europe and in the world*
- *A fundamental component of active European citizenship*
- *A means to promote flexibility and adaptation to the changes in human resources brought about by the success of the Lisbon strategy*
- *A solidarity dimension at the service of social cohesion*
- *An element of credibility in policies towards neighbouring countries and external relations in general*

*Through its policies and programmes, the Directorate-General for Education and Culture (DG EAC) plays a central role in implementing the first three priorities and contributes, together with other Commission services, to the implementation of the last two.*

*The Year is intended to highlight and raise awareness about this important priority, and intercultural dialogue will, from now on, be a central theme for the activities of the Directorate-General (above and beyond the cultural sector), while at the same time including cooperation with other Commission departments, particularly those dealing with non-discrimination, social cohesion and external relations.*

*Ultimately, however, the success and impact of the European Year of Intercultural Dialogue in 2008 will depend on the active involvement of civil society and implementation at the grassroots level. This is essential to ensure that it becomes a long-lasting and durable process extending beyond 2008.*

### ***The future of Intercultural Dialogue***

*A study on the approaches and the experiences of the Member States regarding intercultural dialogue will be carried out in 2006/2007. This study should present the conceptual approaches and political developments and/or debates in each Member State, as well as a palette of national initiatives judged to be particularly pertinent at national, regional or local level.*

Source and more information:

[http://ec.europa.eu/dgs/education\\_culture/dialogue/index\\_en.html#EYID](http://ec.europa.eu/dgs/education_culture/dialogue/index_en.html#EYID)

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### **Hotel registration for Trieste**

Please find attached with the cover letter the registration form for the hotel reservation. Reservation deadline: September 10 2007.

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### **New Applications for EWC-FAEE Membership from Romania and Bulgaria**

We are happy to announce that in January we received a formal application for full membership from **Uniunea Scriitorilor din Romania – U.S.R., The Writers’ Union of Romania – W.U.R.** The application was evaluated in the Brussels Board Meeting of January 13 2007, and was approved unanimously. The W.U.R. has 2400 members writing fiction, literary translations, children’s literature and other genres. The application is in progress.

On 20 April 2007 we received the official application for full membership from the **“Non-Fiction Literature Association – Bulgaria.”** The application is in progress, and pending the preliminary Board’s decision. More information about the two organisations and the application process will be provided in the next Newsletter.

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## **News:**

### **The EWC-FAEE operational subsidy for 2007 has been granted**

We are very pleased and relieved to confirm that the European Commission - Directorate General Education and Culture, through its Education Audio-visual Culture Executive Agency (EACEA) announced the 2007 grantees in the first week of May: the EWC-FAEE AISBL has been selected among 24 European networks for the programme “Support for bodies active at European level in the field of culture,” as recipient of an operational grant for 2007. The Secretariat worked hard for four months on the 2006 activity and financial reports, the 2007 application and the work programme.

Thanks to the continued financial and moral support of the European Commission, DG Education and Culture, and the support of our members, we will be able to continue our work and implement the work programme submitted to the EC in December 2006 and sent to you in March 2007.

For details on the results: <http://eacea.ec.europa.eu/static/en/culture/call062006/index.htm>  
The EC Culture Portal: [http://ec.europa.eu/culture/portal/index\\_en.htm](http://ec.europa.eu/culture/portal/index_en.htm)

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## PUBLIC LENDING RIGHT NEWS

### **PLR conference successfully held in Budapest, 20-22 April 2007**

The European Writers Congress (EWC-FAEE AISBL), working in partnership with: the Norwegian Non-Fiction Writers and Translators Association (NFF) as sponsor; Kopinor, as ponsor; the UK PLR Office, as organiser; the Hungarian Ministry of Education and Culture; the József Attila Circle, Literary Association for Young Writers (JAK); the Petöfi Museum of Literature, as host, held a conference on **Public Lending Right for authors** in the stately Károlyi Palace in Budapest, on 20-22 April 2007. We are deeply grateful to our hosts, and in particular to our Vice-President, Anna Menyhért, and Katalin Budai (both a writer and representative of the Hungarian government) for a smooth and efficient organisation and for making our stay in Budapest a very enjoyable experience.

The conference organisers invited delegates from authors' organisations in European countries where PLR is not yet established, its implementation is lagging behind or has only recently been set up. 40 participants including collecting societies for authors, authors' associations, EWC delegates, government representatives took part in the discussions, and followed the updates and/or gave reports. The following countries were represented: Hungary, Bulgaria, Croatia, Latvia, Lithuania, Czech Republic, Slovenia, Slovakia, Romania, Estonia, Norway, United Kingdom, Italy, Poland, Switzerland, the Netherlands, Belgium, Greece, Ireland, Spain, France, Germany, and Luxembourg. The conference is the latest in a series of such meetings organised under EWC-FAEE auspices and supported financially by NFF and Kopinor to encourage and support the development of new PLR systems for authors across the EU. The next PLR conference will be held in Croatia in 2009.

An important 2007 **Budapest PLR Resolution** was adopted by participants, to be widely disseminated amongst European authorities, European government officials, and authors' organisations. We encourage you to translate it into your own language/s and publish it in your websites or disseminate it through the local communication channels. The Resolution is included in this Newsletter, and can also be downloaded from our website.

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### **The 2007 Budapest PLR Seminar: a Report by M. Diocaretz**

The PLR seminar began on 20 April in the evening with an official reception offered by the Hungarian hosts, with welcoming speeches by: András Gerevich (President, József Attila Circle, Literary Association of Young Writers), Csilla E. Csorba (Director General, Petöfi Museum of Literature), István Magi (Head of Department of Arts, Ministry of Education and Culture), and Trond Andreassen (Secretary General, The Norwegian Non-Fiction Writers and Translators Association, and President of the European Writers' Congress).

On 21 April, the First Session was launched by the **Opening Remarks** by **Trond Andreassen**, who provided the historical background of PLR. He recalled that the European Directive for PLR on 19 November 1992 was a crucial year which

established the prospects for a PLR system in all countries. A report on the progress of PLR implementation started in 1997; in 2002 an EC report showed that the number of countries which had implemented PLR had not changed since then. In 2003 the EC embarked on specific actions by taking some countries to the European Court of Justice, of which the first one was Belgium. Work has been ongoing to promote the participation of authors and to obtain reports on the progress. However, authors in many countries are still waiting for PLR. The current priorities and challenges for the progress of PLR were highlighted by EWC-FAEE President as follows:

- More authors should be participating in the PLR seminars.
- Funding is very uneven with only a small remuneration in many countries.
- The digital age, which was identified in the Madrid seminar (2006) as source of new concerns, needs to be addressed.
- Another challenge is the authors' communities and their relationships with librarians.

**Jim Parker, PLR Registry UK**, in **"The international PLR situation: developments since March 2006"** presented a worldwide overview, stressing that about 43 countries in the world (not including the USA) have instituted the PLR system to-date. He underlined that nowadays there are many challenges, and globalisation in particular, is a big threat. The large variety of approaches to fund and implement the system, showing marked differences between one country and another is yet another dominant challenge in the development of PLR, as fully reported by J. Parker. **Krisztián Grecsó, "PLR in Hungary – the authors' perspective"** gave an update and emphasized the fact that PLR has been placed in the "common fund" and there are difficulties in the process between the government and the organisation that is supposed to protect the rights of authors. During the discussion K. Grecsó mentioned that there is a collecting society dedicated to music; but he believes that the monitoring of the broadcasting of music should also be the media's responsibility, since authors can hardly control the use of their works. There is no organisation acting with authority to monitor the media and to protect authors' interests.

The next report was by **Anikó Gyenge, "PLR in Hungary – the government's plans."** In Hungary, PLR falls under the control of the *Ministry of Justice and Law Enforcement*. The Ministry's representative described in detail the "complexities" in the implementation process of the Directive. The report recognizes the failures in the implementation, which are said to be caused by a) too wide exceptions, and b) a discriminative regulation. A series of additional reasons were provided to explain that the transposition of the Directive in Hungary has been a "daunting" task. The second part of the presentation referred to developments since the inception of PLR such as the easier free access to books, and the fact that one book can have an unlimited number of readers; added to this is the fact that the history of PLR runs parallel to other "special rights" for authors; moreover, the market development and the legal development in lending are closely related but do not go hand in hand. The library is not a "market player", and as such it has to "exercise the constitutional right to guarantee access." From this focus, it seemed evident that the government presentation was not taking into account the emergence of new business models in which libraries are also acquiring or assuming new roles. However, the next section of the report tackled the role of libraries as actors in the market, by distinguishing between the publishers, whose priority is economic rather than cultural, and libraries, whose priority is a cultural aim as opposed to economic considerations. The third section of the governmental presentation dealt with the cultural tasks of the state in relation to PLR, followed by a clear set

of thought-provoking questions on the difficulties of adoption, concerning: "Who shall pay the fee (can the library charge the reader?); what is the 'relevant act': the act of the library or of the reader?; what is the basis of the fee?: the procurement of the library? The lending of the book, which can be read by many? Or the borrowing of the book; what books are relevant? Those which will be 'written' after the Directive coming into force, those which will be procured after, or those which will be lent after the Directive's coming into force?"

During the discussion that followed, some of the participants found the presentation "provoking" in terms of being an in-depth summary that centred mainly on the difficulties and obstacles to implement PLR. Contributions from the audience included recommendations that the government changes focus from questions and difficulties to the use of valuable guidelines and best practices from existing PLR systems, and to review the role of libraries in the digital environment. Another participant praised the approach by commenting on the logic of the presentation, and noting that governments are very "imaginative." Trond Andreassen prompted the government representative to expand on the model to be used in Hungary, given that there are 23 schemes operating. Finally, Jim Parker asked directly about the date when the government expects to have the legislation in place. Hungary expects to do so in 2008.

The next intervention was by Ms. **Danièle Muffat-Jeandet**, under the title "**Latest news from the European Commission.**" Unfortunately, she was unable to attend; her report was read by Ms. Maureen Duffy, former EWC President. The EC update included an introduction on renting and lending right in the context of harmonisation. Of key importance in this report is the set of specifications regarding the legal process D92/100/EC in relation to D2006/1.15/EC in the European Parliament and the Council codification, and an updating of the new references. This is described in detail regarding PLR provisions regarding Art. 3, Art. 2 and 6. Equally important was the briefing on Case 6433/02 from the European Court of Justice vs Belgium (16 October 2003), and the EC report in a communication to the European Parliament and the Council of Ministers. Additionally, the EC sent letters to the ten New Member States for comments. The report also referred to the new legislation through the French amendment, as well as in Italy (2006) and Spain (2005). The EC considers 2006 an important year for PLR in relation to the European Court of Justice. Due to its importance, we have included the full version of the report in this Newsletter.

**National Reports** : The updates from Member States that have been the subject of legal action by the Commission, were initiated, of course, by **Belgium: what lessons have been learned?** The key issues in the current situation in Belgium were provided by a representative from Repobel, the Belgian collecting society for authors and publishers. Given that Belgium is a federated state, the linguistic communities' composition is relevant for PLR implementation, and it consists of three main groups: the French, the Flemish and the smaller German speaking communities. Negotiations are currently in progress concerning the decision whether the libraries or the communities should pay. Librarians are not against it provided that they do not have to pay. The first *collection* of lending right remuneration has been completed. Distribution of the payments will be according to the number of borrowers.

**Ireland's** report was presented by **Anthony Quinn**, with good news on the progress made, and an explanation that PLR is under two Ministries: on the one hand, Trade and Enterprise, which handles copyright issues, and on the other hand, the Department of Local Government and Environment, in charge of public libraries' issues. PLR in Ireland will include audiobooks. The news were somehow

mixed, since the next steps in the legislation depended on the newly elected government. Since the election results were known this week, there is a good prospect that PLR will continue to develop for the benefit of Irish authors. **Italy** reported on the progress made since November 2006. In Italy, the university and school libraries are exempt from PLR payment. Funding has been made available for collection of PLR and distribution by collecting society, under 3 categories: printed copies, phonogram and video (for sequences of images with word and sound). The government has invited associations of creators to consult on and establish the criteria of distribution and percentage for the fee. **CEDRO** reported the news from **Spain**: The new law on reading, books, and libraries of November 2006 is significant and will have an impact on future developments. Moreover, there has been a large media campaign by librarians against the 4 collecting societies in Spain, and against PLR, which somehow has an effect on the process for further implementation.

Next were the **"Updates from Member States where legislation has recently been introduced."** The update on the **Czech Republic** was presented by **Simon Pellar**, who emphasized that the Public Library has played a crucial role. The Czech PLR system will be based on a "per loan system", covering only books. The question of VAT deduction is an issue in current debates. **Luxembourg's** PLR system is under the Ministry of Economy and the key issues are the lack of data for libraries. LUXORR Manages PLR in Luxembourg. Luxembourg has started to comply with European legislation on the public lending right since the end of January 2007. The law requires compulsory collective management. Regulation fixes a yearly lump sum payable per user borrowing at least one item (book, newspaper, periodical, electronic media) during a specific year under review. Libraries serving the educational sector are not subject to payment. This new development has been positively received.

The two final sessions covered the future: **"Who will be next?"** consisted of updates from Bulgaria, **Croatia, Cyprus, Greece, Poland**, and **"News from new PLR systems. What are the prospects for future funding and developments?"** brought updates from France, Estonia, Slovenia, Latvia, and Lithuania. **France's** update was given by SOFIA, the collecting society for authors and publishers. The key indicators for collection are 50% of readers from public libraries and the 6% of the fixed price from sales of books by booksellers. For the first time 13 million Euro will be distributed on the basis of 200.000 titles. In France PLR is part of the national cultural policy taking into account the factors of cultural diversity and reciprocity of agreement. **Estonia** reported that the most popular books are in foreign languages, such as the best-selling author Barbara Cartland; for this reason it is the translators who get remuneration in this field. This has created some dissatisfaction among Estonian authors. In **Slovenia**, to qualify for PLR remuneration authors must write in Slovenian language. Funding from the government is linked with libraries' spending budget on books, especially in areas of work-related sector lending, the educational sector, and travel. Two main issues will influence future funding, namely, authors who qualify for PLR get less funding from grants, and there is concern about the future of Slovenian language authored works. In **Latvia** funding is expected to emerge from private levy, and private lending institutions. The challenge is that here has been no directory of data available; the gathered information is based on electronic lending data. In Latvia implementation of PLR follows a cultural approach. **Lithuania** reports that funding comes from other state budget sources. A very small sum is assigned to national authors, while it is larger for translators, as in the case of Estonia, and smaller for authors and illustrators. The indicators used come from 38 libraries through their computerised figures as

basic information. The update from **Bulgaria** was presented by a representative of the Union of Bulgarian Writers.

In **"Who or what should be covered by PLR in the future?"** Owen Atkinson, ALCS, provided an overview by raising key questions in the overall schemes of PLR in Europe. The first open question was whether PLR is an authors' right only, and he hinted at the disadvantages if it excludes publishers. The qualification criteria for PLR, especially in terms of language, nationality, and residency are also varying factors. Another point is the sector in which PLR should be applied: only public, academic, or libraries? Especially unclear is the type/s of media which PLR should cover: whether books, printed or visual works, and digital material. The latter points to the larger uncertainty surrounding the digitisation of works by large companies such as Google and Microsoft. A key change element is that the national boundaries dissipate in the digital world. The last point he made regards the reason for payment: Is it per loan or per copy on the shelf? Per purchase? The country reports which had been presented before somehow illustrated the fragmentation and variety of criteria applied, thus fully sustaining the open questions set by Owen Atkinson as increasingly relevant for the future.

As part of the final debate, upon a request from Owen Atkinson, I mentioned a priority that should be considered in the immediate future, which he and I had had time to briefly discuss earlier: the question of PLR in *digital environments*. One could address it as *Digital Lending Right* (DLR?). This is a discussion that requires a specific approach, particularly in the context of the i2010 digital libraries initiative and the ongoing digitisation projects to provide access to resources, both cultural and scientific. Currently the solutions are mostly technology-driven. Furthermore, from the different country reports we can conclude that one of the key challenges is the electronic information data on lending in libraries, which requires special indicators and an approach that combines the cultural and the technological, relevant to PLR. Significantly, one of the central questions is whether the access in digital libraries is through open access through Internet to anyone or through closed or secure networks. Next to this is the fact that the digitisation and access by national/public libraries is also beginning to comprehend works under copyright. It is my hope that these topics are taken into full consideration.

From the overall discussions, two core arguments came to light. The first one, summarised by Trond Andreassen, is the **cultural** approach to PLR as compensation to authors, associated with a remuneration to provide them with a reasonable support, aimed at strengthening the cultural situation of "smaller languages"; in which case, PLR is not a copyright law but rather a separate law aimed at strengthening the economic situation of authors. The second one, voiced by SOPHIA, is that it is a **copyright law** in which there is a social complementary pension scheme for authors (which is not linked with copyright law). But, as SOPHIA added, the Directive is a copyright law, while in the principles of the Bern Convention there is no PLR. Therefore, for France, PLR is a cultural policy. Other participants offered additional arguments for PLR as part of Intellectual Property Right (which would include publishers) or an exclusive cultural/social policy matter. Other important conclusions were the need for authors and libraries to work together, and the need to educate and inform actors and stakeholders on copyright. The Summing up and conclusions session ***The Next Steps in Hungary***, was delivered by Katalin Budai, as local government representative (and who is also an author). The *proceedings* will be published in print, edited by Ms Budai. The reports will be available online as pre-prints on our website from June 10 2007.

## **The 2007 Budapest PLR Resolution**

### **4<sup>th</sup> European PLR Conference Budapest, 19-22 April 2007**

#### **Conference Resolution**

This conference brought together representatives of authors' organisations from 20 European Union Member States and Candidate Countries, including the two newest Member States – Bulgaria and Romania. The conference has been organised under the aegis of the European Writers Congress (EWC-FAEE AISBL). The conference, which last met in Madrid in March 2006, reviewed the progress of Member States over the last year in implementing the PLR provisions of the 1992 Directive on Rental, Lending Rights and Piracy.

The conference strongly supports the efforts being made by the European Commission to enforce correct implementation of the Directive in several established Member States; we also note the progress made towards correct implementation of the Directive's lending right provisions in the national laws of Ireland, Italy and Spain. But the conference urges the Commission to:

- (a) set a clear timetable for implementation of the Directive by all Member States to ensure that legislation leads to the establishment of working PLR systems; and
- (b) take active steps to ensure that Member States provide equitable PLR payments to authors. "Remuneration" cannot, we believe, be said to exist where the sums allowed for are in some countries so derisory.

The conference applauds the establishment of PLR systems in the newer Member States such as Estonia, Latvia, Lithuania and Slovenia, and the recent progress made in the Czech and Slovak Republics. However, the conference urges the Commission to adopt a more proactive approach in achieving correct implementation of the Directive among those States such as Greece, Poland, Romania and Bulgaria where little progress has been made. In particular, the conference urges the government of the host country Hungary to take positive steps immediately to implement the Directive and respect the rights of the creators of one of Europe's oldest and most respected literatures.

#### **Organisations Represented at the Conference**

European Writers' Congress – "EWC-FAEE A.I.S.B.L."  
József Attila Circle, Literary Association of Young Writers (Hungary)  
KOPINOR (Norway)  
The Norwegian Non Fiction Writers & Translators Association  
Estonian Authors' Remuneration Fund  
AKKA/LAA (Latvia)  
Authors' Licensing and Collecting Society (UK)  
CEDRO (Spain)  
DILIA (Czech Republic)  
Hellenic Authors' Society (Greece)

Irish Copyright Licensing Agency  
Institute of Literature (Bulgaria)  
Irish Writers Union  
LITA (Slovak Republic)  
Lithuanian Writers' Union  
LUXORR Luxembourg Organisation for Reproduction Rights  
REPROBEL (Belgium)  
SIAE (Italy)  
SOFIA (France)  
Szépirok Társasága (Hungary)  
VG Wort (Germany)  
Writers Union of Romania  
ZIKAS (Poland)

# Report on the European Directive on Lending Right PLR Conference Budapest, 20-22 April 2007

**Danièle MUFFAT-JEANDET, European Commission<sup>1</sup>**

Thank you for inviting the European Commission again to this Conference. And again accept my apologies for not being able to join you in Budapest. I hope this small contribution will help you. It will include a short general introduction on PLR at the European level, to the attention of the new participants in particular, and give an update on the work of the European institutions since your last seminar.

## **I. General Introduction**

Let me repeat that the Directive concerning rental and lending rights and certain related rights is certainly an important piece in the Internal Market and in the copyright and related rights harmonisation process. This Directive aims at providing for a balance between the different rights and interests.

I would like to start with some important information: Directive 92/100/EEC has been codified in **Directive 2006/115/EC** of the European Parliament and the Council, of 12 December 2006 [OJ L 376, 27.12.2006, P. 28]. The codification process aims at up-dating the text of an old directive, but does not affect the content of the directive. However, it means we all have to get used to new references...

For PLR, the main provisions today are as follows. Under **Article 3 (ex Article 2)** of the Directive, the PLR is granted to authors, performing artists, phonogram producers and film producers. If the Member States may exclude phonograms, films and computer programs from the application of the exclusive lending right, **Article 6(2) (ex Article 5(2))** recalls that they must provide for remuneration at least for authors. **Article 6(3) (ex Article 5(3))** allows a Member State to exempt "certain categories of establishments" from the payment of the remuneration. However, it cannot concern all public establishments and this limited number of establishments must be clearly identifiable.

Indeed, given that this Article is derogating to PLR, the Commission considers that this provision has to be interpreted narrowly. The national legislator remains free to determine the categories of lending establishments and therefore those which can be exempted, but there is a limit: PLR, as defined in **Article 2(1)(b) (ex Article 1(3))**, cannot be deprived of adequate effect; therefore, all, or almost all, categories of public lending establishments cannot be exempted from PLR according to Article 6(3).

The Commission view about these provisions was first confirmed by the European Court of Justice in the Case C-433/02, European Commission against the Kingdom of Belgium. The ECJ, in its decision of 16 October 2003, agreed with the Commission and concluded that Belgium had failed to fulfil its obligations under Articles 1 and 5 of Directive 92/100/EEC. Following this decision, a new "Arrêté Royal" was adopted in Belgium and the Commission could conclude that Belgium complied with the Directive in principle. National courts are now competent to judge any alleged incorrect application of the national legislation.

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This Court's decision contains some interesting arguments. It constituted a strong support for the Commission's approach of the application of harmonised PLR and reinforced the Commission's position in the other infringement proceedings initiated after the Commission's report of 2002. This Court's decision has been followed and confirmed by others in 2006, as we shall see in a moment.

## **II. The state of play for PLR in the EU**

The Commission drew a report on the application of PLR in the Union in a Communication that was delivered to the European Parliament and to the Council in September 2002.

This Report indicated that PLR was applied in very various ways across the European Union. Therefore, in April 2003, the Commission decided to open the informal step of the infringement proceeding set out by Article 226 of the EC Treaty and sent letters to 10 Member States regarding their national situation and asking comments from their side. The issue was mainly a non or a bad implementation of Articles 1 and 5 of the Directive, concerning the remuneration of the authors for the public lending of their works.

On the basis of the Member States' answers, the Commission did not pursue the case against Greece where the principle of the exclusive PLR had been maintained in the law, but the Commission took further steps in 9 cases [Press Releases of 16 January 2004, IP/04/60].

Now more Member States have implemented PLR or are in the process to do so, although others are still reluctant to change their legislation.

### **1. New legislations**

1.1. In September 2004, **France** adopted two decrees, No 2004/920 and 2004/921, amending its Intellectual Property Code, to define:

- the lending establishments concerned (following the 2003 law, only school libraries are exempted) and the conditions for the agreement of the societies which will be responsible for the collective management of the remuneration for PLR;
- the State contribution in the remuneration, in the form of a lump sum for each user registered in public libraries.

These amendments completed the implementation of Directive 92/100/EEC. Therefore, on 14 December 2004, the Commission decided to close the infringement proceeding against France [Press Release of 21 December 2004, IP/04/1519].

1.2. On the contrary, the Commission lodged a case against **Luxembourg** before the ECJ, in April 2005 (Case C-180/05) [Press Release of 21 March 2005, IP/05/347]. In its decision of 27 April 2006, the ECJ confirmed that Luxembourg had failed its obligations under Articles 1 and 5 of the 92/100/EEC Directive.

Following this decision, Luxembourg adopted and notified the Commission two new acts. The "règlement grand-ducal" of 8 January 2007 [Memorial, Recueil de législation, A-N°3, 25.01.2007, P. 29] defines the remuneration for PLR, to be paid by the State or the commune, depending on the lending establishment concerned, and to be distributed to right holders by collective management

societies. The "arrêté grand-ducal" of 15 January 2007 [Memorial, Recueil administratif et économique, B-N°5, 25.01.2007, P. 62] provides for an exhaustive list of lending establishments exempted from the payment of the remuneration. This completed the implementation of PLR in Luxembourg. The Commission could therefore close the case.

1.3. The Commission lodged a case against **Italy** before the ECJ in May 2005 (Case C-198/05) [Press Release of 21 March 2005, IP/05/347]. In its decision of 26 October 2006, the ECJ confirmed that Italy had failed its obligations under the 92/100/EEC Directive.

Following this decision, Italy adopted and notified the Commission a new provision included in the Law N° 286 of 24 November 2006 containing certain urgent fiscal and financial provisions. Paragraph 132 of this law creates a fund for PLR, which will be distributed by the SIAE according to certain rules to be determined in a decree signed by the Minister of cultural goods and activities after consulting interested parties. Without the text of this decree, the Commission had to initiate an infringement proceeding under Article 228 of the Treaty, but is expecting a notification which will complete the implementation of PLR in Italy as soon as possible.

## **2. Draft Legislations**

2.1. The Commission lodged a case against **Spain** before the ECJ in January 2005 (Case C-175/05) [Press Release of 21 December 2004, IP/04/1519]. In its decision of 26 October 2006, the ECJ confirmed that Spain had failed its obligations under the 92/100/EEC Directive.

Following this decision, the Spanish Government adopted and notified the Commission a draft law to apply the Court's decision. This text could be approved by the Spanish Parliament before summer 2007. Meanwhile, the Commission had to initiate an infringement proceeding under Article 228 of the Treaty, but is expecting a notification as soon as possible.

2.2. The Commission lodged a case against **Ireland** before the ECJ in April 2005 (Case C-175/05) [Press Release of 21 December 2004, IP/04/1519]. In its decision of 11 January 2007, the ECJ confirmed that Ireland had failed its obligations under Articles 1 and 5 of the 92/100/EEC Directive.

Following this decision, the Commission had to initiate an infringement proceeding under Article 228 of the Treaty. However, the Irish authorities have long ago taken steps to amend their national law to implement PLR. We know that the different competent authorities have already agreed on certain principles. The Commission services have been following this process which could be achieved in the coming months.

## **3. Situation unchanged**

3.1. The Commission lodged a case against **Portugal** before the ECJ in February 2005 (Case C-53/05) [Press Release of 21 December 2004, IP/04/1519]. In its decision of 6 July 2006, the ECJ confirmed that Portugal had failed its obligations under Articles 1 and 5 of the 92/100/EEC Directive.

Portugal has not informed the Commission of any step taken to apply the Court's decision. The Commission is therefore pursuing an infringement proceeding under Article 228 of the Treaty.

3.2. In December 2004, the Commission sent letters of formal notice to **Denmark, Finland and Sweden**, on the basis of a possible indirect discrimination in their PLR system [Press Release of 21 December 2004, IP/04/1519]. Since then, the Commission has been negotiating with the authorities of these countries in order to find a constructive solution.

### III. Conclusion

2006 has been an important year for PLR in Europe. The European Court of Justice adopted several decisions which cannot be ignored. The Commission will ensure that these decisions are respected by the Member States concerned. Thank you very much for your attention. I wish you all a successful seminar.

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#### **IFRRO Plans a Forum on PLR**

Anne Louise Schelin (European Federation of Journalists), elected to the IFRRO Board as representative of the authors and creators (text, audiovisual, graphics) until 2008, recently informed us about the IFRRO Board plans to establish a Forum on PLR and related activities. In our opinion, this is a worrying development, given that IFRRO's initiative may lead to support publishers and RROs in this area, to a large extent. The EWC-FAEE is following closely the subsequent developments. We have informed A. L. Schelin of the potential consequences of this action, as we foresee it, for authors, translators and journalists, and on 7 May 2007 we requested that she gives us prompt updates on IFRRO's plans. Furthermore, the new IFRRO PLR Forum will be discussed soon by the EWC-FAEE Board and is being handled with utmost priority.

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#### **The Nordic Writers and Translators Council Conference in Samiland, Sweden, May 25-26 2007, and the 2007 Jokkmokk Resolution on PLR**

The Nordic Writers and Translators Council (NWTC) held its most recent Conference in northern Sweden. It was the first conference taking place in Samiland and it was organised by the Sami hosts.

As reported by EWC-FAEE President, one of the key issues was PLR. The Nordic organisations, which were the first to establish PLR, fear that the initiative taken by IFRRO in this matter (see previous item) may create a new agenda which may be an agenda to favour the publishers.

The NWTC gathers 16 different organisations from 7 countries and represents over 18 000 members. Given its importance, we include here the Resolution adopted by the Council.

## Resolution

### Gathered in Jokkmokk on May 25th - 26th 2007, The Nordic Writers- and Translators Council

-strongly supports the Finnish writers' demand that the administration of PLR shall be executed by the writers' clearing house SANASTO.

-asks that the International Federation of Reprographic Rights Organizations (IFRRO) terminates further plans on handling PLR-issues within IFRRO. Consequently, organising PLR-issues within IFRRO may imply equal treatment of writers and publishers interests in the administration of PLR-schemes. This may weaken the authors' position within the PLR systems.

Allow us to remind of the fact that the PLR-system was inaugurated and is developed in most countries as an explicit support to authors, especially book writers and translators.

-asks that The European Writers Congress (EWC) conducts a thorough examination on the need and the basis for establishing an international PLR-organisation, similar to that of IFRRO on reprography.

Jokkmokk, Sweden, May 26th 2007

*The Nordic Writers and Translators Council gathers 16 different authors' organisations in 7 different countries. Altogether they comprise 18.000 writers and translators*

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## EUROPEAN DIGITAL LIBRARIES

🇪🇺 **"Report on Digital Preservation, Orphan Works, and Out-of-Print Works. Selected Implementation Issues"** (adopted by the High Level Expert Group **i2010: Digital Libraries** at its third meeting on 18.4.2007)

**The High Level Group (HLG) - Copyright Subgroup** of the **European Digital Library Initiative**, Information Society & Media, European Commission, is led by Commissioner Mrs. Viviane Reding, and chaired by Prof. Marco Ricolfi. The report on preservation, orphan works and out-of-print works evolved from the Interim Report published last October (2006). It is a result of collaborative efforts since last year with continued developments and fine-tuning during the expert working sessions held in Milan (25-26 January 2007), Brussels (19 March and 18 April 2007). The Copyright Subgroup's work entails specialised legal and technical joint research, reporting and formulation of documents currently dealing with *orphan works* and *out-of-print works*, and a licensing model for EU implementation.

**The Contributing Authors to the report are: Prof. Marco Ricolfi**, Chairman of the Subgroup; **Lynne Brindley**, Chief Executive of The British Library; **Claudia Dillman**, Director of Deutsches Filminstitut and President of Association des Cinémathèques Européennes; **Tarja Koskinen-Olsson**, Honorary President

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of IFRRO; **Toby Bainton**, Secretary of the Society of College, National and University Libraries, and Chair of the Copyright Expert Group of EBLIDA – European Bureau of Library, Information and Documentation Associations; **Anne Bergman-Tahon**, Director of FEP - Federation of European Publishers; **Jean-François Debarnot**, Directeur Juridique of INA - Institut National de l'Audiovisuel; **Myriam Diocaretz**, Secretary General - The European Writers' Congress, and **Olav Stokkmo**, Secretary General – IFRRO.

The second document which was released and adopted by the HLG on the same day is the “**Model Agreement for a Licence on Digitisation of Out-of-Print Works**” prepared by the contributors from the Copyright Subgroup mentioned above. The next activities of the Copyright Subgroup are the organisation of a seminar in Brussels on 14 September 2007 hosted by the European Commission: “The European Digital Library Initiative: the Stakeholders’ Perspectives.” The focus will be the 18 April Report and the Model Licence by the Copyright Subgroup. In the morning, the Commission will provide an update on their approach, and the Chair, Prof. Ricolfi, will report on our work done so far. In the next sessions on “Due Diligence Guidelines: Sector Specific Experiences and Needs” and on “The Model Licence,” the invited speakers will be representatives of the creative sectors. The afternoon, which is being co-organised and co-chaired by EWC-FAEE, will be devoted to the test-bed issues, asking the cultural institutions (museums, libraries, archives, and Ministries of Culture) what is being done in connection with orphan and out-of-print works, and how can they function as test-beds for our initiatives. Furthermore, the EWC-FAEE will be participating in the team to present a Europe-wide implementation plan to the HLG in September 2007; therefore, the seminar is a first concrete step towards such aim.

*"Protection of intellectual property is important to stimulate creativity and innovation in the knowledge-based economy." - Viviane Reding*

(18/04/2007) "Protection of intellectual property is important to stimulate creativity and innovation in the knowledge-based economy. Solving copyright issues in an online-environment is therefore crucial if we are to make the vision of a European Digital Library a reality", said Viviane Reding, the EU's Commissioner for Information Society and Media who founded the High Level Expert Group on Digital Libraries a year ago. "I will therefore look with great interest into the recommendations made by the High Level Group to see in which way the European Commission, the Member States and the relevant stakeholders could best follow them up. After the discussions so far, for me an approach based on wide-spread agreements between libraries and rightholders looks promising if they manage to make the user interests a priority."

Keeping in mind the role set by Mrs. Reding for the HLG, it has been of strategic importance for EWC-FAEE to be a member of the Copyright Subgroup, so that authors’ role and interests can be taken as equal in importance to other stakeholders, rather than being taken for granted or being spoken about by others, especially by publishers. Speaking of stakeholders, a recent development, as of 18 April 2007, is that the newest member to have joined the Copyright Subgroup is Google, a fact which prompted an official statement from Anne Bergman-Tahon, Director of FEP (Federation of European Publishers), specifically announcing that FEP would not discuss issues of copyright in the Subgroup in the presence of Google, in view of the several legal cases in progress involving both organisations.

The European Commission's web page where the Report and the Model Licence have been published:

[http://ec.europa.eu/information\\_society/newsroom/cf/itemlongdetail.cfm?item\\_id=3366](http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=3366)

The Press release

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/508&format=HTML&aged=0&language=EN&guiLanguage=en>

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-  **EUROPEANA The French prototype Portal launched by the Bibliothèque nationale de France (BnF)**
  -  **EWC-FAEE Recommendations to the author of the BnF economic model study**

The BnF collection under the digital library project Europeana assembles approximately 12 000 documents from the public domain of its own resources, from the National Library Széchényi of Hungary and the National Library of Portugal. The recently launched prototype is the beginning of what has been designed to be a portal that will offer services for online access to publications, as a support to the EU digital libraries initiatives. In this context, the BnF commissioned a study to Mr. Denis Zwirn, President and General Director of Numilog, to formulate and recommend an economic model for publishers to distribute contents under copyright within the European Digital Library framework. The study was delivered on 10 April 2007, and will be made public in the coming weeks; its original title is: **«Étude en vue de l'élaboration d'un modèle économique de participation des éditeurs à la bibliothèque numérique européenne» (EUROPEANA).**

In March 2007, Mr. Zwirn came to our office for a presentation of his proposed model. We had a fruitful exchange of information on e-publishing practices and business models. I provided specific constructive criticism on his formulation of the model for publishers, suggesting the need for further specification on the notion of rights or rightholders, given that the "book-chain" in the e-services BnF plan contained only publishers and booksellers. By using first the example of out-of-print works, I explained that authors were also often the rightholders and not the publishers. Mr Zwirn was receptive and accepted the authors' position and the many dimensions of the notion of rights (moral and economic) and of the "rightholder" concept, and the nature of copyright and contractual agreements which should not be simplified, especially for works under copyright. The recommendations made on that day to the BnF EUROPEANA study have been taken into account, according to an acknowledgment note received by EWC-FAEE after the consultation meeting. The EWC-FAEE recommendation has three basic points. As formulated in the official March 15 2007 message, the EWC-FAEE position regarding EUROPEANA was as follows:

1— We support the BnF initiative as part of the i2010 digital libraries initiative to allow access to European knowledge resources in the public domain. We understand that the study commissioned specifically demands an economic model for publishers to facilitate their participation in the EUROPEANA services. However, we consider it fundamental to *include the mention of "authors" and/or "their heirs"* among the relevant rightholders to be consulted whenever necessary for digitisation, distribution and sales of their work under copyright in digital form, in addition to the publishers; this *explicit and unequivocal mention* is

recommended because a publisher may not be the one or the only one to hold the rights, or may not hold the rights any more or not at all. Excluding authors as rightholders means that this exclusionary practice will be repeated in the contractual and licensing agreements, to their moral and economic detriment.

2—The EWC-FAEE AISBL requests that authors are kept informed of the developments of the prototype, the launching of its portal, and the evolution of the copyright business practices of the EUROPEANA project.

For a national public institution such as the BnF, it is recommended that it fulfills pro-actively its responsibility to inform and consult authors—including writers, translators, and illustrators—who are important stakeholders (as rightholders) in this proposed business model. A special suggestion we put forward is that in the first place all French and francophone authors' associations should be consulted and be kept updated. EWC-FAEE will inform its members throughout Europe about the EUROPEANA services and will follow closely the handling of works under copyright and the role of authors within this service.

3—The author of the study had already (only) consulted EWC-FAEE member **«Société des Gens de Lettres de France»**. I took the opportunity to recommend that they also consult the **«Conseil Permanent des Écrivains, Illustrateurs et Auteurs de l'Écrit et du Livre»**, and the **Union des Écrivains**, all three founding members of our EWC-FAEE Brussels association.

In the final draft of the 80 page study in French, section **3.5.4 L'accord des auteurs et des ayants droit** [The agreement of authors and rightholders.]<sup>2</sup> Mr. Zwirn has explicitly recommended that the authors or their (other) rightholders (heirs) be 'related' to the deployment of the portal. In relation to the initiatives that respect the rightholders, he specifies that "the authors' associations should be informed regularly about the development of the project and about its ways of functioning, and their opinion should be gathered. The commercial exploitation of digital versions of works supposes the **explicit agreement of the authors** [...]." Furthermore, "The simple indexing of a work in a search engine for full text search implies theoretically a form violation of the moral right of the author, which is not to be taken away and which requires also his/her explicit agreement." Finally, in this section I highlight the report's recommendation clearly stating that "the publishers should bear all responsibilities, not the BnF, in the acts to secure the rights for dissemination of a given work in digital form, and it is up to them to offer the indexing to a search engine." The aggregators or distributors must make sure that the publishers perform their task of obtaining the "explicit" rights from the authors or heirs.

On May 9 I had a meeting with the Union des Écrivains in Paris. On 10 May 2007 they held their General Assembly and wrote a letter to the new President of the Bibliothèque Nationale de France, Mr. Bruno Racine. Union des Écrivains stresses that authors must participate on a par with the publishers in the negotiations regarding the EUROPEANA project for the digitisation of the holdings of the BnF. The EWC-FAEE will continue to support our French members in this development. The letter has been posted in our website, and was announced in our e-monthly.

The link to the Portal prototype:  
<http://www.europeana.eu/>

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<sup>2</sup> What follows is my free translation and paraphrasing of this section of the final draft, a version which has not been released to the public yet. The original French version remains as the definite version to be consulted.

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## EUROPEAN CULTURAL POLICY

### **2008 – European Year of Intercultural Dialogue (EYID): EC Calls for proposals**

The European Commission has published two types of 'calls for proposals' to mark 2008 as European Year of Intercultural Dialogue. The first is an 'open call for proposals': [http://ec.europa.eu/culture/eac/dialogue/open\\_07\\_2007\\_en.html](http://ec.europa.eu/culture/eac/dialogue/open_07_2007_en.html) and will fund approximately 8 to 10 transnational project proposals focusing on intercultural dialogue. The second is a 'restricted call for proposals' available only to national authorities / Ministries in each participating European country, and will contribute up to about 50% of costs for approximately 1 national initiative in each country.

The restricted calls are in the following link:

[http://ec.europa.eu/culture/eac/dialogue/restricted\\_08\\_2007\\_en.html](http://ec.europa.eu/culture/eac/dialogue/restricted_08_2007_en.html)

The deadline for both calls for proposals is **31 July 2007**.

Last year, as a preparatory exercise to conceptualise the above Calls, the European Commission launched a "Call for ideas" addressed to civil society and all other interested parties to promote intercultural dialogue in Europe. The EWC-FAEE also contributed with a proposal. The key questions which could be addressed are:

A) How can one contribute towards identifying, evaluating, developing and exchanging projects, experience and good practice in intercultural dialogue on a European scale?

B) What information and communication initiatives could contribute towards involving all European Union residents, and particularly young people, in the promotion of intercultural dialogue in day-to-day life (e.g. schools and other places of education, sporting and cultural activities, the workplace, etc.) and familiarising them with it?

C) What specific European-scale initiatives likely to reach, directly or indirectly, as many people in the European Union as possible – and particularly young people – could contribute towards promoting intercultural dialogue?

The results of the Call for ideas 2008 – European Year of Intercultural Dialogue (EYID) have now been published:

[http://ec.europa.eu/culture/eac/dialogue/contributions/call\\_idea\\_en.html](http://ec.europa.eu/culture/eac/dialogue/contributions/call_idea_en.html)

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## **Communication on a European Agenda for culture in a globalising world**

As reported to you by email on the day of its adoption, **the Communication on a European Agenda for culture in a globalising world**, and a Commission staff working paper with the contributions by other community programmes and policies are available on the EC Europa website at the following address: [http://ec.europa.eu/culture/eac/communication/comm\\_en.html](http://ec.europa.eu/culture/eac/communication/comm_en.html)

The communication has been published as the take off of the "legislation procedure" on the new strategy for culture in the EU at policy level. There are currently several working groups from federations based in Brussels and forthcoming debates to tackle this Communication, since it is a very important policy document. The EWC-FAEE is participating in future discussions within civil society and with the Council of Europe. Of key importance for EWC-FAEE members is the context in which this Communication surfaces. Let us recall that the overall presentation of the European cultural and creative sectors and their strengths and weaknesses have been outlined by KEA for the European Commission in "**The Economy of Culture in Europe - A strategy for a creative Europe**" (2006). Furthermore, the new common cultural agenda for **Europe 2007-2013**, linked to the process of "European integration" brings to the forefront the proposal of the foundation of a "**Creative Europe.**" On the whole, there is a cumulative effect which allows us to rethink the ensemble of documents. Moreover, 2009 will be the year of Creativity: The EWC-FAEE is preparing some projects that will highlight the creative domain in writing and translating, while proposing that the European Commission carries out an economic study and a Communication on how to strengthen the role of authors in Europe.

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## **The Civil Society Platform for Intercultural Dialogue**

Since our announcement of the launching of the Platform and the report (Cultural Policy <http://www.european-writers-congress.org/>) the cross-sector civil-society initiative to complement the **EC European Year of Intercultural Dialogue 2008** has developed further. In February 2007 the Secretary General of EWC-FAEE, as member of the **Civil Society Platform for Intercultural Dialogue**, was invited to be a member of the Steering Group, a committee which has met in February, April, and May 2007 to define further the objectives and plan of action of the platform. The core stakeholders of the Platform are EFAH and ECF, supported through NEF. The Platform Coordinator is Sabine Frank, Deputy Secretary General of EFAH.

The Steering Group of the Platform consists of the following cultural networks:

*European Federation for Intercultural Learning (EFIL)*

*European Festivals Association (EFA)*

*European Writers' Congress (EWC)*

*European Roma Information Office (ERIO)*

*European Network Against Racism (ENAR)*

*European Cultural Foundation (ECF)*

*Intercult*

*European Forum for the Arts and Heritage (EFAH)*

As reported by the coordinator, although the Platform has the financial support of the Network of European Foundations (NEF), and the European Cultural Foundation (ECF) for 2007, the Platform needs organisations to sponsor the participation of their staff, and to host follow-up working groups. The great challenge also is to secure a continuation of the platform in 2008 and part of this planning has been delegated to the Steering Group.

### **The Platform as a consultative partner to European cultural and political bodies**

The second general meeting of the platform was held on 5 March 2007 in Brussels, and was attended by 80 representatives from both European and national organisations of the culture, life-long learning, youth, minorities, and anti-discrimination sectors, a Ministry of Culture (Spain), and many observers, such as Members of Parliament.

The programme featured a presentation by Xavier Troussard (EC DG Culture) on the European and national public policy frameworks for intercultural dialogue. In his presentation, X. Troussard made an official offer of a "structural association of the Platform with the Year of Intercultural Dialogue." The idea is to have platform representatives participate through a long-term consultative relationship on the political goals of the implementation of the year of Intercultural Dialogue. Although the details have not been provided, the invitation has been accepted by the Platform coordinator on behalf of its members.

The 5 March meeting offered the attendants the possibility to work in the framework of 4 thematic workshops to identify issues of common concern and priority:

Workshop 1: Intercultural Competence

Workshop 2: Intercultural Management and Governance of NGOS

Workshop 3: Intercultural Dialogue through Participatory Artistic Activity

Workshop 4: Intercultural Dialogue Mediated by Consumable Cultural Products

For more information about the platform and the link to the 5 March 2007 report: <http://www.efah.org/index.php?id=153&pagelang=en>

The Platform has raised increasing interest from the part of political bodies. The **Council of Europe** has invited the Platform to a consultative meeting in the framework of the Council of Europe preparation for a "White Paper on Intercultural Dialogue," due in December. The consultation process started in January 2007. Council of Europe, Directorate General IV, 67075 Strasbourg, France. Link: <http://www.coe.int>

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### **🇪🇺 "THE BOOK IN THE 21<sup>st</sup> CENTURY", Athens European Conference on Books, Saturday June 30<sup>th</sup> & Sunday July 1<sup>st</sup> 2007, Athens, Greece**

#### **CONFERENCE OUTLINE:**

Following their Multi-annual Co-operation Agreement in the field of books and reading (MCA), the partners to the MCA project funded by the European Commission within Programme Culture 2000 —The National Book Centre of Greece, the Ministry of Culture of Spain, the European Booksellers Federation, the Federation of European Publishers, the Italian Publishers Association, the Romanian Publishers Association and the European Writers' Congress— will

address in this Conference the book policy issues pending in the European Union and suggest concrete measures to the European Union institutions, the Member States and the industry.

The Athens European Conference on Books, the 3<sup>rd</sup> and last one within the Cooperation Agreement in the field of books and reading, will focus on the European book policies in the enlarged European Union and will give priority to the digitisation of the book trade.

The project website: <http://www.booksineurope.org>

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