



EWC-FAEE AISBL

NEWSLETTER II- SEPTEMBER – 2007

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**European Writers' Congress –
La Fédération des associations européennes d'écrivains**

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“This project has been funded with support from the European Commission.
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WELCOME TO THE EWC-FAEE AISBL NEWSLETTER II-SEPTEMBER 2007

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Editor: Myriam Diocaretz (MDD)

Announcement:

News and documents concerning the **EWC and EWC-FAEE AISBL 2007 General Assembly, 28 October – Trieste**, the XXIst Congress, and the elections will be sent to all our members shortly in a special communication.

MEMBERSHIP NEWS

Applications for full membership – For Ratification at the XXI Congress – EWC and EWC-FAEE General Assembly 28 October 2007

In addition to the application of **The Writers' Union of Romania** (approved by the Board in January 2007), we have received the application of the **"Non-Fiction Literature Association – Bulgaria"**. Furthermore, we are pleased to announce three recent applications from full active EWC members to join the EWC-FAEE Brussels-based organization :

- ❖ LIETUVOS RAŠYTOJŲ SAJUNGA, the Lithuanian Writers' Union, **Lithuania**
- ❖ Letzebuerger Schreftstellerverband (LSV), **Luxembourg**
- ❖ Ένωση Λογοτεχνών Κύπρου, the Union of Cyprus Writers, **Cyprus**

We expect additional applications before the next Board meeting and the General Assembly in Trieste.

EWC Members' News

We have received the sad news about the official dissolution of the EWC member "Koepel van Vlaamse Auteursverenigingen – KVA" in a formal communication from Dr. Roger Rennenberg, former president of KVA. The former coordinating body of the Flemish writers' organizations was dissolved on June the 28th 2006, as announced officially in the Belgian Monitor. The good news is that it was the Board's decision that the responsibilities of the former KVA, including membership of the EWC, should again be taken over by the "Vereniging van Vlaamse Letterkundigen" (VVL), the association of Flemish writers, as was the case until the year 2000. The VVL has been an active EWC member until this year. We are looking forward to have VVL in our new organisation, the EWC-FAEE.

The Nordic Resolution – EWC-FAEE – and the IFRRO PLR Board Decision

The PLR developments continue to unfold. In the *2007 May – I – Newsletter*, we included the full text of the **2007 Budapest PLR Resolution**, formulated at the closure of the **4th European Authors' PLR Conference** held in Budapest, 19-22 April 2007. It is available online in our website. We also announced that IFRRO was planning a *Working Group on PLR* that would include and support publishers. Next came the **2007 Jokkmokk Resolution** on behalf of authors and translators by **The Nordic Writers and Translators Council**¹ Conference in Samiland, Sweden, May 25-26 2007. In this Resolution the NWTC made a strong appeal to the International Federation of Reprographic Rights Organizations (IFRRO) to "terminate further plans on handling PLR-issues within IFRRO" because "organising PLR-issues within IFRRO may imply equal treatment of writers' and publishers' interests in the administration of PLR-schemes" and concluding that "This may weaken the authors' position within the PLR systems." Equally significant was the Resolution's mandate that the **European Writers' Congress (EWC-FAEE AISBL)** "*conducts a thorough examination on the need and the basis for establishing an international PLR-organisation, similar to that of IFRRO on reprography.*"

EWC-FAEE gave **The Nordic Writers- and Translators Council's** remit a priority and acted on parallel levels: Both the **EWC-FAEE Secretary General Myriam Diocaretz** and the **President, Trond Andreassen**, had been conducting an extensive (email) exchange with Anne Louise Schelin (European Federation of Journalists), authors' representative to the IFRRO Board (2006-2008), during May; this was intensified in June. Moreover, the SG and Ms Schelin had met to discuss PLR matters in Paris (May 7) during the IFRRO Digital issues Forum. Next, the EWC Secretary General had a bi-lateral meeting in Brussels with the Director of the Federation of European Publishers (FEP), also an IFRRO member, to discuss the Resolution of the NWTC and its implications in the context of the impending IFRRO Board decision in the same week. The day after, the EWC-FAEE Secretariat sent a statement by President **Trond Andreassen**, co-signed with **Jim Parker** (PLR Registry UK), to the authors' representative A. L. Schelin, who delivered it to the IFRRO Board.

The IFRRO Board met in Washington, D.C. on 22 June. On the PLR plans, three statements were considered for the decision:

- 1) The 2007 Jokkmokk Resolution;
- 2) A statement on The Federation of European Publishers' position, including STM Scientific Technical and Medical Publishers, noting that in a number of EU Member States, both authors and publishers benefit from PLR remuneration. FEP has not "pleaded on whether it should be shared or not." Furthermore, FEP added that while it "understands the rationale of IFRRO to suggest such a Forum [...], it does not want such an initiative to put at stake the relationship with the writers and translators and therefore would recommend that this is not pursued further";

¹ *The Nordic Writers and Translators Council gathers 16 different authors' organisations in 7 different countries. Altogether they comprise 18.000 writers and translators*

3) The PLR Statement by Trond Andreassen and Jim Parker, as delivered by the EWC-FAEE Secretariat:

"Given the welcome spread of PLR schemes to a growing number of countries, Trond Andreassen and Jim Parker see the need for a more permanent and formal structure for coordinating PLR at international level. PLR is first and foremost related to authors' rights and is characterised by a variety of governance arrangements from country to country, including a number of government founded agencies. Therefore we feel it would be more appropriate for it to have its own organisation to take the lead in promoting PLR internationally. This would be more appropriate than relying on an organisation such as IFRRO, whose structure and statutes require it to promote authors and publishers equally, and membership of which would not be possible for a number of PLR agencies."

Trond Andreassen

Jim Parker

Cape Town 20. June 2007.

The issue of *IFRRO Executive News* June 2007, published on 10 July 2007, edited by Secretary General Olav Stokkmo, with a summary for its members on the main conclusions of the latest Board meeting held in Washington D.C., contains an item on PLR as a direct effect of the previously mentioned actions. The IFRRO statement acknowledges discussion of the Nordic Writers & Translators Council's Resolution, and the communication to the Board by T. Andreassen, signed with J. Parker, advising the IFRRO Board against the planned PLR Forum. During the same period, on 28 June, IFRRO Secretary General wrote a letter to T. Andreassen and J. Parker, following the discussions at the last IFRRO Board meeting, as a response to the Resolution addressed to the Board from the NWTC and their statement. Part of the letter is as follows:

"The IFRRO Board discussed the issue of a possible PLR-forum for IFRRO members administering PLR schemes and the possible extension of the full membership category at its meeting in Washington on 22 June, 2007.

In light of the views put forward in the Resolution from the Nordic Writers and Translators Council and the statement from the EWC President and the PLR Registrar of the UK, and on request from the authors' representative in the Board and myself, a unanimous Board decided to put initiatives regarding the PLR Forum and possible extension of the full membership category on hold. The single aim of the IFRRO Secretariat and the Board is to further the support of PLR and the cooperation between IFRRO members administering PLR, potentially involving and co-operating also with organizations outside IFRRO which administer PLR or work in support of PLR schemes.

For your information, the associate members of IFRRO on behalf of publishers presented a statement at the Board meeting in which they declare that their role is to "remind the European Commission of its obligation as guardian of the "acquis communautaire" to see that the legislation on PLR is applied in all Member States" and that they have "not pleaded on whether it should be shared or not." In the last part of the letter, IFRRO expressed the "hope" that they "shall still be able to exchange information and views in order to make a significant step closer to finding the best way to cooperate on the strengthening of PLR for the main benefit of the authors, translators and visual artists."

Therefore, the IFRRO Board resolved to put the current IFRRO PLR plans on hold. The news was announced in the *IFRRO Executive news No.6 June 2007*, [italics ours] as follows:

"BROADENING OF THE IFRRO IMPACT AREA AND POSSIBLE PLR FORUM"

At least 12 IFRRO members inform that they are involved in the administration of Public Lending Rights (PLR). With the aim to strengthen the PLR issue, the IFRRO Board meeting in March decided to establish a forum for these organizations to meet and exchange information. Following a Resolution by the Nordic Writers and Translators Council and a statement signed by Trond Andreassen (Secretary General of the Norwegian Non Fiction Writers and Translators Association and President of EWC) and Jim Parker (PLR, UK Registrar), *presumably in their personal capacities* handed over to the Board at the meeting, in which IFRRO is asked to refrain from establishing a PLR forum for its members, it was decided to put this initiative on a hold."

In conclusion: The EWC-FAEE welcomes the IFRRO Board decision.

SOFIA PLR International Conference

The French collecting society SOFIA hosted the 7th International Public Lending Right conference in Paris (6-8 September 2007). With a focus on the confluence of authors' rights and cultural policies, it aimed at reviewing the situation on PLR developments throughout the world. Different legal systems have been taking place while elsewhere authors are still seeking recognition of their lending right. The conference addressed the possible extension of the PLR in the practices of dissemination of digital books, an issue which was introduced by EWC-FAEE in the **Budapest PLR seminar for authors** in April 2007. The Paris conference proceedings will complement the reports compiled by EWC-FAEE from the Budapest PLR seminar, by emphasising the role played by the PLR in various national cultural policies in an international context beyond the EU. The SOFIA Call for papers included a request for feature articles on the current situation of the PLR at national level, the position of organisations with reference to PLR, personal forecasts and the future steps to be taken to protect author's rights in the digital world.

Website: <http://www.la-sofiaplrcconference2007>

Good News from Spain on PLR Progress

On 14 June 2007, the Spanish Congress approved the *Ley de la lectura, del Libro y de las Bibliotecas* [Law on Reading, Books, and Libraries], which regulates the remuneration for authors from Public Lending Right. The law will be applied following the publication in the Boletín Oficial del Estado, the official government publication. In this way the Spanish legislation finally incorporates the 1992 European Directive into its system. The new law includes lending of original and copies of a work with non-profit aims, for public institutions. Authors will receive remuneration for lending of their work in libraries, museums, archives, audio-archives, film-archives, and similar centres. Public libraries of municipalities with less than 5.000 inhabitants and libraries belonging to the Spanish educational system are exempt.

The actual amount to be remunerated to authors will be declared by Royal decree within a year. Until then, the remuneration will consist of 20 Eurocents for each title acquired for the lending purpose. Payments will be carried out by the societies and collective management organizations (CMOs). CEDRO, representing authors and publishers, will administer and distribute payment in Spain, and is currently negotiating with CMOs dealing with PLR at national level in other countries so that Spanish authors receive remuneration also from abroad. Already in March 2007, CEDRO paid PLR remuneration to 13 of its members for the lending of their work in the United Kingdom.

The debate is ongoing in Spain, as previously reported in the presentation by CEDRO in the PLR Budapest conference for authors. With the new law, readers from libraries will not be responsible for payment, and PLR will not be a burden to libraries' acquisitions budgets. A particularly strong opposition to PLR has come from the libraries. Such opposition had been an obstacle to implement PLR in Spain until now. Therefore, there are basic issues that still need to be reiterated and stressed to create awareness and to dissipate misunderstandings, misapprehensions, fear and animosity; namely, further explanations that readers do not pay "twice" for the sales of the book and lending because these are two different acts, and the fact that PLR is a matter of justice to authors who deserve payment for their work which facilitates a public service. CEDRO is aware that more needs to be done to reassure libraries and readers as well.

Source: CEDRO Informa, 15 June 2007. To subscribe: cedroinforma@cedro.org
<http://www.cedro.org> Edited and translated by M. Diocaretz

EUROPEAN CULTURAL POLICY

European Digital Libraries Initiative: the Stakeholders' Perspectives

Seminar, 14 September 2007, European Commission, 25 Avenue de Beaulieu, Brussels

The EC stakeholder seminar on i2010 Digital libraries is a follow-up of the 3rd meeting (18 April 2007), when the High Level Expert Group (HLEG) on Digital Libraries endorsed and presented to the European Commission an advisory report on copyright issues, prepared by its **Copyright Subgroup**, taking as centre of the discussions the Report and the ANNEX. The HLG established the mandate of the Copyright Subgroup to propose practical solutions on key implementation issues. The main focus has been on **digital preservation, orphan works, and out-of-print works** in the context of voluntary solutions. This is reflected in the Copyright Subgroup's "[Report](#) on Digital Preservation, Orphan Works and Out-of-Print Works, Selected Implementation Issues" and the "[Annex](#): Model agreement for a licence on digitisation of out of print works" available on the Commission's Digital Libraries site: http://ec.europa.eu/information_society/activities/digital_libraries/hleg/index_en.htm#Members

The Press release and the two documents are also available here:

http://ec.europa.eu/information_society/newsroom/cf/itemlongdetail.cfm?item_id=3366

The 14 September stakeholder seminar's focus is on orphan works, explored by 2 panels in a morning session, and out-of-print works, discussed by 2 panels in the afternoon. The speakers invited for this event represent, on the one hand, creators'

organizations, and on the other hand, cultural institutions. The aim is to give the opportunity to the stakeholders that have not participated in the Copyright Subgroup working sessions to provide direct feedback on the work done, from their own sectors' perspectives.

The Out-of-Print works (OPW) Panel will discuss the Copyright Subgroup's proposed solution for this category, which includes four elements:

1. A Model Licence
2. A procedure implying assessment of authorisation upon requests from libraries, museums and archives on a case by case basis
3. Databases for OPWs, to be used voluntarily and optionally
4. Rights Clearance Centres, as an alternative to and to work together with individual licensing and to be used voluntarily and optionally

In addition to the Orphan works solutions, the September seminar spotlight is on the **applicability of the Model Licence**, which has been developed by a team made up of representatives from the **European Writers' Congress (EWC-FAEE)**, the Federation of European Publishers (FEP), the International Federation of Reproduction Rights Organisations (IFRRO), and EBLIDA/British Library. Key elements of the discussion are the concept and definition of an out-of-print work contained in the Model Licence, which defines it as one that is not commercially available, as declared by the appropriate rights holder at his/her sole discretion, regardless of the existence of tangible copies of the work.

Speakers in the panel have also been asked to address the key elements of the Model Licence, which has been drafted with the aim of allowing it to be used for contracts on a national, multinational and European level. For the time being, the Copyright Subgroup limited the Model to enable the library (potentially also the museums and archives) to digitise and provide access to OPWs to users through **secure networks**. It is not limited in respect of territory, but the library may not provide access through **open networks**.

The general question which the different sectors are asked to tackle from the perspective of the creators' organizations and the cultural institutions respectively, has been formulated as follows: *"To what extent is the Model Licence applicable to the various sectors?"* Specifically for cultural institutions, assuming the potential applicability of the Model Licence, two themes will be highlighted, with emphasis on the second one:

1-Definition of out of print in the Model Licence, and main content of the Model Licence. If relevant, any challenges that might affect its applicability from the cultural institutions' perspective.

2-Implementation of the Model Licence.

a. How can an effective implementation be ensured?

b. What options are available for test-beds and the establishment of best practices?

We are pleased to include the draft programme, for your information. A report will be presented by the Copyright Subgroup after the event, and in connection with the work in progress regarding Clearance Centres for the EU-wide implementation of the solutions proposed so far. [MDD]

European Digital Libraries Initiative: the Stakeholders' Perspectives

14 September 2007, 9:00 am – 5:00 pm
25 Avenue de Beaulieu, Room 00S1 - Brussels
– chaired by Prof. Marco Ricolfi

Draft Programme

Morning session: *Orphan works*

9:00-9:15 ***Welcome address*** by Horst Forster, Director, DG Information Society and Media - European Commission

9:15-9:45 ***The European Digital Libraries Initiative: the State of the Art***
Prof. Ricolfi, Chairman of the Copyright Subgroup

9:45-10:45 ***Orphan works: Due diligence guidelines - general issues and sector specific experiences and needs***

Chaired by Tarja Koskinen-Olsson, IFFRO

- Céline Simonin, EFJ
- Véronique Desbrosses, GESAC
- Martin Beckett, Pyramide Europe
- Valérie Lepine, FIAPF
- Tom Rivers, ACT

10:45-11:15 **Coffee break**

11:15-12:30 ***What is being done by the cultural sector with respect to orphan works?***

Chaired by Jean-François Debarnot, INA

The libraries perspective

- Elisabeth Niggemann, CENL
- Jill Cousins, TEL
- Wilma Mossink, SURF Foundation

The archives perspective

- Claudia Dillman, ACE
- Tim Padfield, UK National Archives

The Museum, Libraries & Archives perspective

- David Dawson, UK MLA Council

The governmental organisations perspective

- Rossella Caffo, MICHAEL

12:30-13:00 **Discussion**

13:00-14:45 **Lunch break**

Afternoon session: *Out of print works*

14:45-15:45 ***The out print model license: proposal for adaptation to specific sectors and needs***

Chaired by Olav Stokkmo, IFFRO

- Carola Streul, EVA
- Cécile Desprings, FERA
- Alex Fordyn, ENPA
- Shira Perlmutter, IFPI

15:45-16:40 ***What is being done by the cultural sector in respect of out of print works?***

Chaired by Myriam Diocaretz, EWC

The libraries perspective

- Elisabeth Niggemann, CENL
- Ben White, British Library

The museums, libraries & archives perspectives

- David Dawson, UK MLA Council

The governmental organisations perspective

- Rossella Caffo, MICHAEL

16:40-17:00 **Discussion and wrap-up by Prof. Marco Ricolfi**

The European Parliament Report on Digital Libraries

The 1st meeting of the European Commission's [Member States' Expert Group on Digitisation and Digital Preservation](#) took place **on 19 June 2007** in Luxembourg. Part of the programme included the Copyright Report recently adopted by the High Level Expert Group in Digital Libraries, with particular reference to good practices for **orphan** and **out of print works**, delivered by **the Copyright Subgroup** with EWC-FAEE as one of the co-authors. Subsequently, on 16 July 2007, the European Parliament's Committee on Culture and Education adopted MEP Marie-Hélène Descamps's (France, PPE) report endorsing the Commission plan to establish a European digital library as a direct access point to the European cultural heritage and emphasizing the importance of multilingual access to the databases. In June, the EWC-FAEE held a meeting with the Federation of European Publishers (FEP) to discuss the Descamps draft, sharing the views on some amendments which would be needed, especially the mention of **authors**, and the need to stress **the respect for copyright holders** in the proposal. Other European cultural organizations, some of which were attending the July meeting, asked us about EWC-FAEE's views on the document (a common lobbying practice in Brussels), and we reiterated the two points mentioned above which were shared with FEP. The deadline to introduce the amendments was June 27th. The Descamps draft report was approved by consensus and without major amendments by the other Members of Parliament. The Culture Committee of the European Parliament voted unanimously minus one abstention (MEP Thomas Wise from the UK Independence Party) and one vote against it from Vera Flasarova (Czech Republic, United Left).

The document, programmed for adoption by the plenary in September, includes the reference to EUROPEANA, the French national library's initiative, as a welcome model to give access to full content of copyright protected books through booksellers and retailers.

From the several "minor" amendments proposed and adopted, we highlight the following [*bold italics ours*]:

Amendment 6 Marie-Hélène Descamps
Recital I

I. whereas coherent policies on digitisation and preservation of digital works must be put in place to prevent the irrecoverable loss of cultural content, ***while ensuring due respect for copyright and related rights***,

Amendment 31 Marie-Hélène Descamps
Paragraph 20

20. Underlines that any decision of this sort must be taken in cooperation with all the players involved, particularly ***authors***, publishers and booksellers

Amendment 32 Marie-Hélène Descamps
Paragraph 21

21. Proposes that in the European digital library, users should be able to find any kind of digital documents, in image and text mode, and consult them freely, in their entirety for out-of-copyright works or in the form of ***short*** extracts for copyright works, with the agreement of the copyright holders;

Amendment 33 Marie-Hélène Descamps
Paragraph 21 a (new/added)

21a. Proposes that provision be made for the on-line browsing of copyright-protected works through specialised websites providing the security guarantees required by rightholders

The full text of the report can be found here:

http://www.europarl.europa.eu/meetdocs/2004_2009/documents/pr/648/648386/648386en.pdf

And the amendments:

http://www.europarl.europa.eu/meetdocs/2004_2009/documents/am/674/674644/674644en.pdf

STUDY ON THE BOOK MARKET

Study on the Book Market released – 2007 –

By the MCA – COOPERATION AGREEMENT, Coordinated by AIE and EBF.

Final Version, June 2007.

Authors/Contributors:

AER: Association of Romanian Publishers

EWC: European Writers' Congress

AIE: Association of Italian Publishers

FEP: Federation of European Publishers

EBF: European Booksellers Federation

EKEBI: National Book Centre of Greece

Spanish Ministry of Culture

From the *Introduction* (pp.6-7):

"This study marks a step forward for the entire book chain. It is the first time that all the players in the book value chain come together to pool their data and present an overall view of the book sector. These players include writers, publishers, booksellers and public administrations. The study is based on the contributions of some of these players: they include European organizations (EBF; FEP, EWC-FAEE), national organizations (AIE and AER) and ministries (EKEBI and the Spanish Ministry of Culture). As such, it is not an academic study based on research conducted by scholars specifically for this study. First and foremost, the value of putting together our data and expertise helps to highlight what should be improved.

The study has shown up the lacunae that must still be overcome. To begin with, there are no reliable and comparable statistics on the book world at the European level. The study collects what does exist, but there are problems at all levels that hinder the creation of a reliable picture of the European book trade. In fact, statistics on all the aspects of the book value chain vary from Member State to Member State in terms of methodology, definitions adopted, data gathered, etc., making it impossible to compare them. This is true for data on book production, publishing turnover, distribution channels, and, particularly, on reading habits, which is the key element from both a cultural and a commercial point of view. This has clear political implications: it is impossible to plan any real book policy at a European level as long as we do not have any information about the state at which it is, or any criteria for evaluating the effects of such a policy. For this reason, we decided to start chapter 1 of this report with a general overview of the publishing market, and an analysis of the different definitions of books used in the different countries and in different contexts. The list is impressive and points out how much work must still be done to move the book sector towards a genuine European dimension. In spite of such

heterogeneity and the caution we must exercise in their use, it is reported in the first chapter that the main existing data on the sector referred to book production, the number of publishers and bookshops operating in each country, publishing turnover, and employment in publishing and bookselling. The project team was aware of this problem since the beginning, so the focus of the study was planned around certain key aspects of the sector, and made use of a qualitative analysis in order to identify key problems in the market and possible solutions, where possible. The core of this report contains the result of such analyses. The main advantage is, once again, the capacity of pooling expertise from different sectors of the book value chain. The topics on which the analysis focuses are: book distribution (chapter 2), reading attitudes and promotion (chapter 3), and technical standardisation (chapter 5)."

EWC-FAEE's main contribution appears in Chapter 1, on the *definitions of a book*, following the standard descriptions from UNESCO and the European Union. The definition selected by the editors, written by the EWC-FAEE Secretary General, is an original, contemporary one, rather than an official or standard one as provided by other international bodies, therefore the title given to the entry: "European Writers' Congress 2007: Definition of a Book" (pp.14-15). It is followed by the International Booksellers Federation – London resolution 1959, the ISBN Agency's definitions, and different national definitions of a book (including Finland, France, Italy, The Netherlands, Spain, Sweden, and the UK). The chapter closes, quite appropriately, with a definition of an e-book.

The Study has been available for downloading in the EWC-FAEE website since August. Wide dissemination and reviews are encouraged.

About the MCA Cooperation Project: EC Agreement: 2004 – 1484/001 – 001 CLT – CA24

The Multi-annual Cooperation Agreement in the field of books and reading is a project realised with the support of Culture 2000 programme of the European Union, coordinated by the National Book Centre of Greece (EKEBI) and in close cooperation with the following: Ministry of Culture of Spain, European Booksellers Federation (EBF), Federation of European Publishers (FEP), Italian Publishers Association (AIE), Romanian Publishers Association (AER) and European Writers' Congress (EWC-FAEE AISBL). The project ended in July 2007, and included the following thematic activities:

1. Annual organization of a European conference on books with the participation of the European and national organizations, associations and public authorities active in the book field. The participants address all book policy issues pending in the E.U. and suggest concrete measures to the E.U. institutions, the member states and the industry.
2. Study on the situation of the book market. Primary objectives: (a) to identify the needs of the book sector in key fields and (b) to identify the priority measures and actions to be taken by member states, the European Union and private industry to improve the current conditions and maximize the potential of the sector.
3. Long term reading policy targeting the European public. Aim: to collect best practices in book promotion at local level and present the conclusions during a conference.

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

Cultural Forum, 26-27 September 2007, Lisbon

The Portuguese Presidency of the European Union is hosting on September 26 and 27 a **Cultural Forum for Europe** in Lisbon. The Forum is the first of a series of gatherings of European cultural civil society representatives and cultural stakeholders. The initiative intends to begin implementing a new model of participation in the policy making process for cultural actors in Europe, as formulated in the three main objectives of the Commission's Communication on Culture "Communication on a European agenda for culture in a globalizing world": intercultural dialogue, the economy of culture and the international dimension of culture – and how to put these into practice.

The culture policy process will be as follows: After the Forum, the recommendations resulting from the Forum will be submitted to the ministers. Next, the Communication, which provides the framework, is expected to be adopted by the European Parliament and the Council of Ministers after their respective deliberations, under the Portuguese Presidency. As such, the Forum is an opportunity for cultural stakeholders to participate in the formulation of further objectives addressed in the Communication. Equally important, the forthcoming three-year Culture Council work plan of the Member States' Ministers of Culture will draw the work-plan priorities from those proposed in the Communication.

The main workshops in this event deal with themes relevant to EWC-FAEE core aims, in particular W2:

Workshop 1 - INTERCULTURAL DIALOGUE

- Civil Society and promotion of Intercultural Dialogue
- Dialogue and cohesion: an irrevocable commitment
- Cultural Diversity and market trends: striking the balance
- Cultural Diversity and multilingualism: two sides, same coin
- Roots, Identity and Globalization

Workshop 2 - THE ECONOMY OF CULTURE

- Creative Industries: source of growth, competitiveness, employment and innovation
- Entrepreneurship in the cultural sector: meeting the new challenges
- Financing sources: the need for creativity
- Educational Systems: the key to the future

Workshop 3 - EUROPE AND THE REST OF THE WORLD

- The role of Culture in shaping political dialogue
- Perceptions of Europe
- Revisiting the development policy
- Towards an alliance of cultures

The link to the Cultural Forum website: <http://www.culturalforum.pt/>

The European Literary Prize: The “Ambassador” and the “Emerging Authors”

EC Call to organise an Annual European Union Prize for Literature (fiction)

The EWC-FAEE participated in the first exploratory meeting held on February 5th on the options to create a European Literary Prize in 2008. As stated by the European Commission’s DG Culture, “The aim of the meeting was to discuss the manner in which the procedure for a European Literary Prize could be successfully organised in 2007 in order to show-case Europe’s contemporary literature in 2008.” To launch the idea of a European Award for Literature the Commission found it necessary first to delve into the basic requirements and the most feasible manner to coordinate the procedure for such prize, in a way which could satisfy all invited stakeholders (writers and translators, publishers, booksellers, Frankfurt Fair representatives). On the basis of the input from the February meeting, the Commission prepared a Call for proposals which has been published, for the selection of a competent body or consortium which will be responsible for the organization and implementation of an annual European Union Prize for Literature (fiction) as published in the EU’s Official Journal on 17 July (OJC 163).

As stated in the Call, although there is some flexibility for the criteria, the basis for the selection has been drawn. The award will be set at two parallel levels. The first one includes a “grand” author of European literature who will act as an Ambassador, and the second one is a group of “emerging” authors to be chosen by competent bodies designated within the Member States. The criteria of “emergence” established in the preliminary guidelines of the Call have defined the condition that their work must have been translated into a minimum and maximum number of languages. The exact criteria for the selection of the Ambassador and the emerging authors are to be specified further by the selected body.

The selected body must work in close consultation with partners from Member States, and is expected to organise the awards ceremony in 2008. The applications deadline is on October 10. EWC-FAEE has been invited by a prospective consortium to be a partner. The total amount to be awarded to a single organising body has been limited to the total sum of € 200.000 corresponding to 60% of all costs; the selected consortium must contribute with the additional 40%. At the moment of releasing the present Newsletter, the EWC-FAEE decision is pending, given that the main challenge concerns the funding of the 40% from the partners. This is an important EU-wide initiative in which we are convinced that EWC-FAEE cannot be absent. We are actively seeking the way to become involved in the implementation of the EU Literary Prize. From 2008 onwards, we would seek to engage our member associations as part of the suggested Member States collaboration.

To read the text of the call, and the specifications:

http://ec.europa.eu/culture/eac/how_particip2007/conditions/literature_en.html

EC COMMUNICATION ON CULTURE: A European Agenda for Culture in a Globalising World

The EC Communication on Culture was published by the European Commission on May 10th after having been approved by the college of Commissioners on the same day. Entitled *Communication on a European agenda for culture in a globalizing world*, it is presented by the Commission as an ambitious document, which should open the way to more and better Community and national coordinated actions at EU level in the field of culture. Since the EC announced the preparation of such document early 2006, the possibility of the EU finally formulating a coherent and explicit EU agenda for culture raised high expectations in the cultural sector. In addition to seeking a strong political declaration which would recognize the intrinsic, social, political and economic dimensions of culture, operators across Europe demanded an EU strategy based on a solid commitment to "mainstream" culture in all relevant policies.

The strongest proposal of the EC in its Communication is to set up an Open Method of Coordination in the field of culture. This flexible soft law mechanism, to be embedded in the European Council work plan, has already been used in other fields of weak or complementary EU competence like education, youth or social affairs. The method works in stages: Member States fix guidelines and common objectives that they regularly review through a common system of reporting. As the Culture Council adopted on the 24th of May conclusions "on the contribution of the cultural and creative sectors to the achievement of the Lisbon objectives", it can be expected that Member States will be ready to use the Open Method to advance this dossier but other objectives such as intercultural dialogue, cultural diversity or mobility still need to find their national champions.

The recent adoption of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions was certainly one of the driving forces behind the drafting of the Communication. When implementing the Convention, the EU and its Member States have the opportunity to take actions and develop policies, which support cultural expressions beyond their strict economic value. Another important strand of the Communication is devoted to improving dialogue with European civil society.

A regular and structured dialogue with civil society actors is crucial to ensure that EU policies and actions genuinely reflect the needs and practice of the cultural practitioners around Europe. The instruments to structure this dialogue as presented in the document are a good start, and the mention of the **Civil Society Platform on Intercultural Dialogue**, very encouraging, but further attention to some of the terms of engagement as well as a more frequent event than the "biannual European Cultural Forum" proposed, will be needed if civil society actors are to make sure that their voice is heard and their expertise taken into account.

To support the emergence of civil society representative bodies or alliances, the EC will also have to renew its commitment to support the European actors who struggle to develop long-term strategies in a very insecure financial environment.

In the Culture Council meeting of 24 May, the Communication was presented as a preliminary item of information. Only one of the Ministers of Culture present evoked

the need for a budget that can match the ambitions of the Communication. A discussion for the future... In the meantime, the key priority will be to build ownership and political will in the Member States to advance on the objectives of the Communication, and for European cultural organizations to engage in a parallel process to clearly determine how they can contribute to keeping up the momentum that the Communication has generated at EU level.

Source: The EU Insider, June 2007, <http://www.efah.org>

Eurobarometer Qualitative Study on the Europeans, Culture and Cultural Values

In 2006, the European Commission (Directorate General Education and Culture) commissioned a qualitative Eurobarometer study to learn more about the perceptions Europeans have on culture and its contribution to developing a sense of community and belonging to a shared European area. The survey was carried out in the current 27 Member States of the EU. It was based on the methodology of group discussions. It means that in each country, two groups, including about 25 participants aged between 20 and 55, were asked about their perceptions on aspects linked with "culture" and "European culture". One group of higher-middle social and educational level: socio-professional categories of business owners, liberal professions and top managers and middle-level managers; mostly university level of education. One group of lower-middle social and educational level: socio-professional categories of self-employed craftsmen and small shop owners, lower-level managers, (non managerial) office employees and manual workers; mostly secondary level of education. The objectives of the study were, in particular, to analyse:

- ✚ The meaning or meanings, for the Europeans, of the notion of culture in a wide sense of the term – not limited to classical culture and fine arts – and the importance of culture in their life.
- ✚ Their perceptions of European culture and its components that make it specific and different from other cultures.
- ✚ The link between culture and values shared by the Europeans.
- ✚ The interest for the European cultural diversity and for the cultures of other Europeans.
- ✚ The perceived and the expected role of Europe in the domain of culture.

We invite you to read the summary report, which is based on the results of the surveys carried out in the 27 countries covered by the study:



http://ec.europa.eu/culture/eac/sources_info/studies/pdf_word/report_synth_Cult_06_en.pdf



http://ec.europa.eu/culture/eac/sources_info/studies/pdf_word/report_synth_Cult_06_fr.pdf

European Parliament Resolution of 7 June 2007 on the Social Status of Artists in Europe

The Culture and Education Committee of the European Parliament (EP CULT) held its last monthly meeting on the 7th and 8th of May. On the agenda, among many other items, was the vote and adoption of Claire Gibault's (ALDE, France) own initiative report on The status of artist in the European Union. Despite its low profile because of EP CULT's limited competence in the field, the report triggered a fair amount of

debate. A number of European cultural associations submitted recommendations on the text and over 80 amendments were presented by Members of the European Parliament (MEPs) in the Committee. Even though the initiative of Claire Gibault had been welcomed by a majority of civil society actors because of the importance of the issues addressed, many pointed out the lack of consultation with the sector during the drafting process. However, the text adopted in the Culture Committee – which was then voted on in the EP plenary on the 6th of June – does include a number of interesting recommendations to the European Commission (EC) and to the Member States: the development of a European professional passport and of a practical legal handbook, the launch of a pilot project on a European electronic social security card or the development of Community rules on visa and work permit arrangements for artists. The report also asks the EC to carry out surveys on work-related illnesses in the artistic fields and on art education. Another interesting proposal is the setting up of an Erasmus-type European mobility fund for the exchange of teachers and young artists.

The only rapporteur's recommendation that stirred quite a bit of controversy was the introduction of a levy on revenue generated by the commercial exploitation of the cultural heritage that falls into the public domain. This proposal was rejected in Committee mainly due to a strong opposition from the EPP-ED group. After negotiating with the different groups, Gibault reintroduced the amendment in plenary, this time using a lighter language and only inviting the EC to carry out a study on the issue. The concrete impact of the adoption by the EP of a report on the social status of artists is extremely uncertain, as many other reports of the same kind have already been adopted in the past with little or no impact. It will be interesting to observe how much of this debate will resurface when the EP CULT prepares its report on the recently published EC Communication on Culture. Will the Parliament advocate the development of a European cooperation on the social status of artists using the open method of coordination? Would the EC support such proposal and are the Member States ready to embark on such journey?

Source: The EU Insider, June 2007, p.2 www.efah.org

The Proceedings of the Scientific Publishing in the European Research Area Conference, Brussels, 15-16 February 2007 are now available online

The conference "Scientific Publishing in the European Research Area: Access, Dissemination and Preservation in the Digital Age" was organised by the Commission, with the participation of the Commissioner for Science and Research Janez Potočnik and the Commissioner for Information Society and Media Viviane Reding. The conference was a follow-up from an expert study concluded in 2006. It was attended by 445 participants from all concerned stakeholder groups sending a very clear signal to the European Commission of the crucial importance of the issues discussed. The conference served as springboard to present the adoption of the "Communication on Scientific Information in the Digital Age: Access, Dissemination and Preservation" which had just been published on the eve of the conference day. Commissioner Reding stated in her closing speech that scientific publishing will be a priority on the agenda of the Portuguese Presidency.

The EWC-FAEE Secretary General attended the conference. The Copyright workshop was dominated by the Creative Commons and the publishers' perspectives. On the whole, in the conference, the way in which copyright was addressed was highly simplified. Many of the authors invited to speak were scholars speaking on behalf of

their institutions (universities, scientific societies, foundations), or of their institutional e-publishing initiatives in which they work as scientists. In the context of the conference, authors' issues as such were not made relevant. There is a need for a forum for specific authors' issues. For example, the *author pays* model and "the author and reader pay" systems were often mentioned by publishers and remained unchallenged from the audience, when suggesting that the author should pay the entry prices in the submission fee for peer-review. Such insistence is justified by the general assumption that authors are (always) funded. In short, "Who pays" the submission fee for scientific publishing in academic journals remains a key question in a debate that should also involve authors and their author-function perspective, to discuss actual costs of publishing with transparency, including the peer-review processes. Last but not least, it would have been fruitful to have had the *changing author position* as topic addressed by authors in the business models workshop, which was chaired by the publishers.

The proceedings of the conference are now available on the conference webpage
http://ec.europa.eu/research/science-society/page_en.cfm?id=3459
http://ec.europa.eu/research/science-society/page_en.cfm?id=3459

Background:

European Commission "Communication on Scientific Information in the Digital Age: Access, Dissemination and Preservation"

The Communication [Ref.: IP/07/190 15/02/2007] provides an outline of the current state of play in Europe regarding scientific publishing and the preservation of research results, examining organisation, legal, technical and financial issues. As presented by the Commission, the rationale *behind* "**Scientific information in the digital age: Ensuring current and future access for research and innovation**" is as follows:

"Access to research results has a significant role to play in driving innovation and maintaining the quality of research. Developments in digital technology challenge existing business models and practices for making research results available, and with open access research funding bodies are taking different approaches. The Commission has therefore today launched a policy document to examine how new digital technologies can be better used to increase access to research publications and data as an important driver for innovation in our increasingly knowledge-based economy. With this new approach, the Commission launches an EU-level framework to support new ways of promoting better access to scientific information online and to preserve research results digitally for future generations."

Within the complexity involved in communicating scientific and research information in digital environments, the key issues addressed include but are not limited to online availability (most often by subscription), since about 90% of all science journals are now available online; new "open access" publishing with free and wide online access to publications; the need for better access to research data; the road open to new types of uses and services; re-use of past results as the raw material for new experimentation. Digital preservation is equally important.

Relevant documents available at:

http://ec.europa.eu/research/science-society/page_en.cfm?id=3184
http://ec.europa.eu/information_society/activities/digital_libraries/doc/scientific_information/communication_en.pdf

http://ec.europa.eu/information_society/activities/digital_libraries/
http://ec.europa.eu/information_society/activities/digital_libraries/doc/recommendation/recommendation_en.pdf
http://europa.eu.int/information_society/activities/digital_libraries/doc/culture_council/council_conclusions_nov_2006.pdf

European Commission Public Consultations

1. Access to knowledge: Invitation to contribute to the public consultation on the Green Paper on the European Research Area

Last April, the European Commission adopted a Green Paper on "The European Research Area: New Perspectives." The Green Paper identifies "effective knowledge-sharing" as a key area for the ERA and asks whether there is a need for EU-level policies and practices to improve and ensure open access to and dissemination of raw data and peer-reviewed publications from publicly funded research results. With the Green Paper on the European Research Area (ERA), the European Commission launches a broad institutional and public debate on what should be done to create a unified and attractive European Research Area, which would fulfill the needs and expectations of the scientific community, business and citizens.

The consultation, in the form of an online questionnaire, is open to everyone with an interest in addressing in more detail the questions raised in the Green paper, and in contributing to the development of a European knowledge society. The questionnaire's focus is on six main dimensions, namely:

- Realising a single labour market for researchers;
- Developing world-class research infrastructures;
- Strengthening research institutions;
- Sharing knowledge;
- Optimising research programmes and priorities; and
- Opening ERA to the world.

The Commission will use the results of the debate to prepare initiatives that will be proposed in 2008.

Green Paper on "The European Research Area: New Perspectives"
http://ec.europa.eu/research/era/consultation-era_en.html#greenpaper

Annex to the Green Paper:

It provides a detailed assessment of progress and an analysis of the current situation and challenges regarding the European Research Area.

http://ec.europa.eu/research/era/pdf/era_swp_final.pdf

The European Commission online questionnaire

http://ec.europa.eu/research/era/questionnaire_en.html

2. Public Consultation on e-Science Digital Repositories

E-SciDR Study Public Consultation on Digital Repositories

The Commission has launched a public invitation on e-Science Digital Repositories. The research community is invited to respond on the development of e-science digital repositories in Europe. The consultation is part of the e-SciDR study funded by

the Commission to promote further the use of digital repositories in Europe (<http://www.e-scidr.eu/>). The results will inform the senior decision makers in the Commission on the current status of digital repositories holding digital data and publications for use in the sciences (the latter is understood in the widest sense, encompassing disciplines from the humanities and social sciences to the life sciences and physical sciences). Most important for EWC-FAEE members is that it will also inform the EC on the status and the views of all stakeholders in repositories, including authors, and propose policy options to the Commission. Thus, the study will influence the ways in which funding will be directed to repository development and will provide an important input to developing future policy initiatives.

Source: OAI Open Archives Initiative [OAI-general] July 24, 2007

The Commission's online invitation to the consultation:

<http://ec.europa.eu/yourvoice/ipm/forms/dispatch?form=eSciDR>.

TV without Frontiers and Contribution of the Cultural and Creative Sectors to the Lisbon Objectives

Council meeting, 24-25 May 2007, Brussels

The Education, Youth and Culture Council of Ministers, chaired by the responsible German federal Ministers, reached a political agreement on the revised *Television without frontiers* directive. The Council also adopted conclusions on the "*contribution of the cultural and creative sectors to the achievement of the Lisbon objectives*".

Source: MAKING CULTURE MATTER, EFAH Newsletter #3, July 07. www.efah.org

Convention on the Protection and Promotion of the Diversity of Cultural Expressions Conference of Parties

From 18 to 20 June 2007, the first session of the Conference of Parties to the *UNESCO Convention on the Protection and Promotion of the diversity of cultural expressions* was held in Paris and attended by the 57 States that had ratified the Convention in March (63 Parties to date). The main objective of the conference was to establish the operational and monitoring bodies of the Convention, an important step towards concrete implementation.

<http://www.efah.org/index.php?id=25&pagelang=en>

Source: MAKING CULTURE MATTER EFAH Newsletter #3, July 07

Council of Europe's Colloquium on Intercultural Dialogue in Lisbon (22-24 June)

This colloquium marked the conclusion of the Council of Europe's consultation for its White Paper on Intercultural Dialogue to be published in the autumn. It involved high-ranking representatives from UNESCO, the OSCE, ALESCO (Arab League Educational, Cultural and Scientific Organisation), ISESCO (Islamic Educational, Scientific and Cultural Organisation) and the Anna Lindh Foundation – all organizations which the Council of Europe is wooing for cooperation on intercultural dialogue. Experts presented their analyses of the consultations of different target groups: national governments, religious organizations, NGOs and migrant

organizations. Moreover, six of the Council of Europe's steering committees (made up of experts delegated by Member States) presented their collected thinking on intercultural dialogue from the points of view of human rights, migration, the media, education and gender equality.

Source: MAKING CULTURE MATTER Newsletter #3, July 07 www.efah.org

The Civil-Society Platform for Intercultural Dialogue

An initiative of the European Forum for the Arts and Heritage (EFAH) and the European Cultural Foundation (ECF), supported by the Network of European Foundations (NEF)

We continue our updates on the progress of this Platform established last November (2006). EWC-FAEE's Secretary General plays an active role as member of the Steering group. Among the latest developments, we highlight the participation in the structural Contact Group for the European Commission's Year of Intercultural Dialogue, the formulation of the Rainbow Paper as consultation to civil society, and the continued work to participate in the final steps of the White Paper on Intercultural Dialogue prepared by the Council of Europe for November.

Contact Group for the Year of Intercultural Dialogue Constituted

As reported by *Sabine Frank*, Co-ordinator of the **Civil-Society Platform for Intercultural Dialogue**, on 26 June the Platform met as a Contact Group for the first time with Xavier Troussard (DG Culture, EAC). It is an informal conduit for mutual information and advice between *the steering group of the Civil Society Platform for Intercultural Dialogue*, representatives of the Social Platform and the Youth Forum on the one hand and representatives of the European Commission on the other. The Social Platform and the Youth Forum gave an overview of their experience with the current Year of Equal Opportunities; the EC gave an update on the Calls under the Year of Intercultural Dialogue, DG EAC's collaboration with other DGs, the national strategies for the Year, and the work on the communication strategy.

The Platform, in turn, gave an update on the development of the "Rainbow Paper". The EC offered to promote the work of the Platform with the tools of the Year and to help feature it in the events of the year. Among the ongoing and pending issues is the description of the contact group constituted from the Platform, whose aim will be to participate in a structural way in consultations with EAC for all activities of the Year. Once agreed, the contact group constitution and the terms of agreement with the EC will be announced publicly. Moreover, the Platform will represent the results of the Rainbow Paper consultation with political recommendations in the field of culture to the Commission.

Sources: Personal communication and EFAH Newsletter #3, July 07 www.efah.org

Rainbow Paper: A Consultation to Civil Society on Intercultural Dialogue

The Civil Society Platform for Intercultural Dialogue's "Rainbow Paper" consists of eight key questions on how intercultural dialogue may be improved and how to achieve a more integrated and effective approach in policy terms. It seeks answers from a broad range of civil society actors, from the arts and beyond, with experience of, or interest in intercultural dialogue. With the 2008 European Year of Intercultural Dialogue fast approaching, a broad range of civil society actors are being asked to

contribute their proposals for improvements in this area. The "Rainbow Paper" was elaborated jointly by the Platform's Steering Group, which includes the EWC-FAEE; after the consultation there will be a synthesis of the recommendations produced by the Civil Society Platform for Intercultural Dialogue. The collective result will be the basis for the Platform's dissemination campaign in the course of the *European Year of Intercultural Dialogue 2008*.

As stated in the Rainbow consultation, the overall aim is to identify the different sectors' joint areas of engagement or their overlapping interest areas, in other words areas where art and non-art, education, social, human rights, anti-discrimination, minority, inter-religious NGOs find cross-cutting issues on which they can collectively engage in the multi-layered process which Intercultural Dialogue is. One constant theme for EWC-FAEE, for example, has been to seek a common-ground and discourse with European networks working for the freedom of speech, and promoting cultural diversity. Another issue has been to connect the work of authors with issues within culture, education and life-long and adult learning.

The resulting draft **Rainbow Paper** will be tested at various events across Europe in the course of the autumn, starting with the Stakeholder Forum on Culture under the Portuguese EU Presidency. We want your help in testing the results at your own events. The Rainbow results will be available in French, Spanish, and German, and possible additional languages. In short, the action is more of a Rainbow process, for further dissemination and the basis of debate and call to action in 2008. We invite you to make of the Rainbow initiative also your initiative!

The Rainbow Paper will be the basis for the Platform's dissemination campaign in 2008: starting with the opening of the Year under the Slovenian EU Presidency, the Platform secretariat and participants will push the recommendations across policy sectors in all relevant forums, and in as many European countries as possible. **The Contact Group² for the Year of Intercultural Dialogue** will monitor the Year's projects and events. All this will lead to further informed and revised recommendations at the end of 2008. The Rainbow Paper as well as the revised recommendations will be at the disposal of all Platform participants and EWC-FAEE members at any time throughout the campaign and a means of sharing information and experience will be set up in the course of the year 2008.

To access the consultation paper & contribute (English, Français, Deutsch, Español):
<http://civilsocietyplatform.eurocult.org>

² A conduit for mutual information and advice; composed of the steering group of the Civil Society Platform for Intercultural Dialogue, representatives of the Social Platform and the Youth Forum, and representatives of the European Commission.

NATIONAL NEWS FROM OUR MEMBERS

From Germany: An Important Partial Success in Favour of Creators and other Rights holders

Here are some of the results of our untiring protest – an important partial success! The members of the Bundestag did not support the proposal of the Ministry of Justice. At least two main aspects were decided in favour of creators and other rights holders:

- ❖ Flat rates will be fixed and charged for all devices that are fit to duplicate copyright protected works – in both analogue and digital ways.
- ❖ The Collecting & Licensing Societies / RROs will collect the lump sums and distribute them among the entitled rights holders.

Initially, the draft legislation had provided for an upper limit through two pre-requisites:

The flat rate was supposed to take effect only if a device was used at least 10% for copying material under copyright protection. Furthermore, the lump sum was supposed to be limited to the maximum of 5% of the device's retail price, while any kind of accessories, in particular printing cartridges etc., should remain excluded from the deal. These limitations would have resulted in substantially less funds for distribution, and creators would have had their expectation dashed of receiving equitable remuneration for the use of their works. To have averted this negative outcome is a partial success; however, concerning, for example, the issue of "as yet unknown types of use", the new legal text has not been modified according to our criticism.

July, 2007. Reported by Ingrid Protze, EWC-FAEE Board Member, with thanks to Lore Schultz-Wild for collaborating in the translation.

Postal Rates Petition for Books in France

Over 7000 signatures were obtained for a petition initiated by l'Atelier du Gué éditeur to support the free circulation of ideas and in favour of postal rates. The campaign was successful in creating awareness in the media, and obtaining positive support. The petition is to be submitted to the Ministry of Culture as well as to the Ministry of Industry, which regulates *La Poste* (French Postal service). The petition will be delivered in September 2007, to coincide with the time of the renegotiation of the contract between *La Poste* and the French State, a pact which defines the mission of the postal public service.

The petition addresses the request for postal rates specific for books. On the one hand, there is recognition that *La Poste* is a privileged service for the dissemination of books and literary journals produced by independent publishers, supporting booksellers, libraries and the general public. The current excessive prices of the rates puts in doubt the sustainability of independent publishers, and consequently affects

the right to freedom of expression, reduces the book economy, and weakens democracy. The petition was signed by all types of members of civil society, including authors and readers. The current changes due to the privatisation of the postal system lead dangerously to abusive rates, more constraints to apply the press rates, and the elimination of reduced rates (such as the special postal carrier for booksellers, etc). All these measures damage writers, literary creation, publishers, readers, and the entire book chain.

Source: Courriel de l'Union des Ecrivains, N°8 juillet 2007. Translation and summary by M. Diocaretz. uniondesecrivains@wanadoo.fr

FROM OUR ALLIES AND PARTNERS

VAT: Opening Pandora's Box: Panic on Board? **Special contribution by Françoise Dubruille, Director, European Booksellers Federation, Brussels**

In spite of its previous reassuring communications to the book trade that the study undertaken by the Copenhagen Economics was a global study only, the Commission has come up with a summer surprise and proposals for new VAT rates in its Communication (2007) 380. If the proposal of the Commission were to be accepted, books would have a **10 to 12% VAT rate**.

The European Commission, in its Communication adopted in July 2007, considers that there is a real need for a simplification and rationalisation of the current VAT rates structure, in particular the reduced VAT rates. It believes that there is a place for more flexibility which would allow Member States to apply reduced rates of VAT to local supplies. However, this flexibility needs to be balanced to ensure the proper functioning of the Internal Market and to avoid disproportionate compliance costs for business. To this end, possible ways have been put forward but no concrete proposal has been made regarding new categories of products or services, given the need for prior political deliberation by Member States. At the same time, the Commission proposes to extend, until the end 2010, most of the derogations due to come to an end soon.

"The application of VAT reduced rates is a very sensitive issue in an area where the unanimity principle forces all stakeholders to be inclined to compromise. Today I am very happy to launch a broad political debate between Member States; we need their views before defining a coherent and achievable long term policy", said László Kovács, the Commissioner for Taxation and Customs Union. "We consider that a new framework for reduced rates is needed, more rational, more transparent and more flexible for the Member States".

The main conclusion of this study is that from an economic perspective a single uniform VAT rate (per Member State) is the best policy choice. It would slightly improve consumer welfare in comparison with the current situation, reduce distortions in the functioning of the Internal Market, simplify the rules and thus reduce compliance costs for business.

Are Books Threatened?

Although the Copenhagen Economics study is comprehensive and covers the whole spectrum of VAT rates, full and reduced, it is obvious that one of the strongest rationales justifying the study (in addition to the review and rationalisation of the system), is to analyse the impact of extending reduced rates on locally supplied services (see page 86).

In effect, this involves a rationalisation of VAT rates, and in its present Communication, the Commission proposes a VAT rate between 10 & 12% for cultural goods (including books). If you want to know the most likely scenario right now, just remember that the Ecofin Council of Ministers needs unanimity to take a decision in tax issues. It is more than likely that some Member States would find it very difficult to accept. In particular the UK and Ireland, who benefit from a 0% VAT rate on books, food, baby clothes and shoes, are likely to veto the proposal.

What are the Next Steps and What is the Calendar?

The Commission's proposal should be debated at the next Ecofin Council Meetings (9/10 – 13/11 – 4/12).

The Commission's objective is to have its proposal approved by the end of 2008.

The new VAT rates would then be applicable in 2010, in the case of an agreement and a unanimous vote of the Ecofin Council, which is highly unlikely.

What is EBF going to do? The EBF Executive Committee will prepare a written reaction to the communication and send it to Commissioner László Kovács, advocating in favour of books.

To read the Proposal of the Commission, go to:

http://ec.europa.eu/taxation_customs/taxation/vat/key_documents/legislation_proposed/index_en.htm

To read the study made by the Copenhagen Economics Group, go to:

http://ec.europa.eu/taxation_customs/resources/documents/taxation/vat/how_vat_works/rates/study_reduced_VAT.pdf

To read the communication of the Commission, go to:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/07/1017&format=HTML&aged=0&language=EN&guiLanguage=en>

BELA – The Online Authors' Library in Belgium

The BELA site is a collective project, an initiative created by SACD Belgium in partnership with the [SCAM](#) (Société Civile des Auteurs Multimédia – Civil Society of Multimedia Authors). The website is open to creators from different media (audiovisual, literary, radio, performing arts, etc.) and to all concerned private and public parties including publishers, producers, cultural organizations, libraries, information centres, theatres, performing arts companies, production houses, ministries, schools, etc... BELA has an extensive database and a collective digital platform. The development and management of data and of the website, as well as the contractual negotiations, are run by the non-profit organization **La Maison des Auteurs**.

The BELA authors' section, which is still under construction, already offers a preview with about 40 authors' biographies and information sheets. In the future, direct contact with authors, their works and projects will be possible online. For publishers, BELA is described as a place to heighten their profiles and to promote alternative distribution channels in Belgium and internationally.

A multidisciplinary repertoire works with a search module. The excerpts, audio and visual files and some full texts are free of cost. Other texts and works are available through a price ranging from € 1,00 to € 10,00. If one wants to download a large number of works or have access to the works for a specific period, it is also possible, by contacting the management. All works available in BELA are copyright protected.

[La Maison des Auteurs](#) is a Brussels centre of activities for authors, and the location of several European and international organizations, such as EWC-FAEE, and IFRRO. In Belgium, the SACD offers a wide range of services to meet authors' professional requirements. This includes: collecting and distributing royalties; free legal advice for contract negotiation or for questions on authors' fiscal or social status; the collective management of authorizations required to exploit works; financial assistance for projects and promotion actions. www.sacd.be

La Bibliothèque en ligne des Auteurs <http://www.bela.be>

Summary and translation by M. Diocaretz.

Video on Digital Books

Editis, one of the major publishing houses in France, offers on <http://www.editis.com/content.php?lg=fr&id=274> a film (in French) featuring the different uses of a e-book in the future (book, downloading tool, internet, transferring files, travel guide, booking tool, e-mail etc...). The video tells the story of a couple. He is a writer and is just finishing his book before sending it to his publisher. She is a teacher. They both spend a week-end in Bruges (Belgium). The film also features their bookseller and how they buy digital books.

Source: EBF – European Booksellers Federation, 16 July 2007

IFLA / IPA Joint Press Release, Geneva & The Hague, 27th June 2007

A joint steering group of the International Federation of Library Associations and Institutions (IFLA) and the International Publishers' Association (IPA) has agreed on key principles of access to orphan works. The statement was implicitly submitted in direct support of the work carried out by the **Copyright Subgroup** of the **High Level Expert Group** (HLG) on digital libraries recently published by the European Commission. The Press release is as follows:

The position paper is a contribution to the international debate on so-called "orphan works": "Orphan Works" are works in copyright whose owner cannot be identified and located by someone who wishes to make use of the work in a manner that requires the rights owner's permission. In a joint statement the international umbrella organizations of librarians and book and journal publishers have set out principles aimed at facilitating the use of orphan works.

The joint statement on orphan works was agreed by the Joint Steering Group, a working group established by IFLA and IPA to discuss issues of mutual interest. The statement sets out five principles to be followed by users of orphaned works:

- A reasonably diligent search should be undertaken to find the copyright owner.

- The user of an orphan work must provide a clear and adequate attribution to the copyright owner.
- If the copyright owner reappears, the owner should be reasonably remunerated or appropriate restitution should be made.
- If injunctive relief is available against the use of a previously orphaned work, the injunctive relief should take into account the creative efforts and investment made in good faith by the user of the work.
- The use of orphan works in non-exclusive.

Claudia Lux (IFLA), co-Chair of the IFLA/IPA Steering Group declared: "Orphan works are bad news for all concerned: for information users, librarians, publishers and authors. Creativity and progress are stifled when so many works are consigned to a legal limbo because their copyright owners cannot be traced. The principles which IFLA has agreed with the IPA are an important step forward because they set out clearly what bona fide users of orphan works must do to avoid being held liable for copyright infringement, and what should be done if a missing copyright owner is found after the work has been used. If applied, the principles would ensure that the rights of copyright owners are respected without exposing users of orphan works to an intimidating level of risk."

Herman P. Spruijt (IPA), co-Chair of the Steering Group declared: "Copyright is crucially important to publishers. We must ensure that it supports access to knowledge and takes into account the interests of all those contributing to the knowledge economy, including publishers. As part of their business publishers seek authorisation to use previously published works, including orphan works. Publishers will therefore benefit from a pragmatic, common sense approach that balances the legitimate interests of all sides. Our principles will help to achieve this."

The full statement can be found at:

<http://www.internationalpublishers.org/images/pdf/IndustryPolicy/IFLAIPA/JointStatements/ifla-ipa%20orphan%20works%2020070607.pdf>

Lecture for authors by EWC-FAEE in Bogotá, Colombia World Book City 2007

IFRRO's partner in Latin America, [CERLALC](#) (Regional Centre for the Promotion of Books in Latin America and the Caribbean) has a key role in activities in this year's UNESCO World Book City. In April, the National Copyright Direction, the Colombian Book Chamber, WIPO and CERLALC organised a seminar during the 20th Bogotá International Book Fair.

"Books, From the Bookshelf to the Internet"

The seminar offered a variety of presentations on the book chain from the copyright perspective, highlighting challenges of the digital environment facing reading and writing in the region. Olav Stokkmo spoke on behalf of IFRRO. By invitation of the Centro Colombiano de Derechos Reprográficos (cdr), and with the sponsorship of IFRRO's International Development Committee, EWC-FAEE Secretary General Myriam Diocaretz gave an evening lecture in Spanish on 25 April to a multi-stakeholder, national and international relevant audience including representatives of collecting societies active in Latin-America such as CEDRO (Spain), and The Copyright Licensing Agency (CLA, UK); publishers organisations such as the International Publishers' Association (IPA), and, in particular, Colombian authors especially invited

for the occasion. The aim of the lecture "Gestión colectiva desde la perspectiva autoral" [Collective Management from the Author's Perspective] was to address authors, and to create awareness of the need for them to gather under a national organisation which can strive to defend their rights and for fairer contractual conditions. The lecture was followed by a discussion that demonstrated a significant concern authors have about what is already happening with their work through the Internet. The lecture was one more concrete form of collaboration between IFRRO and EWC-FAEE.

IFRRO European Development Committee Invites EWC-FAEE to Join (EDC)

At its last meeting the IFRRO Board reviewed the membership of the IFRRO Committees and Working Groups and approved that EVA (European Visual Artists), EWC-FAEE and FEP (Federation of European Publishers) each appoint a member of the European Development Group which is chaired by Samantha Holman.

The remit of the EDC is as follows:

The Regional Groups assist local rightsholders of published and printed material in guaranteeing copyright protection of their works through:

1. the development of a proper copyright legislative framework at national, regional and international level
2. the setting-up and development of RROs in the region
3. combatting all forms of illegal copying

The EWC-FAEE appointment of a representative is pending from a decision by its Board.

Director General of WIPO and President of Bulgaria Highlight the Economic Importance of Creative Industries

The huge economic potential of the creative industries was at the heart of talks between the Director General of the World Intellectual Property Organization (WIPO), Dr. Kamil Idris and the President of the Republic of Bulgaria, Mr. Georgi Parvanov, in Sofia on July 5, 2007. Discussions focused, in particular, on the dynamism of the creative industries sector and its potential to generate employment and promote trade and wealth creation. Discussions also underlined the strategic importance of intellectual property in the development of both the creative industries sector and the national economy in general. During his visit, Dr. Idris also met other top officials, including Mr. Stefan Danaliov, Bulgaria's Minister of Culture, Mr. Kostadin Manev, President of the Patent Office of Bulgaria and Mr. Liubomir Kyuchukov, Deputy Minister of Foreign Affairs, to review existing cooperation between the Organization and Bulgaria. Dr. Idris also presented the results of a comprehensive study on the economic contribution of Bulgaria's creative industries which show the enormous potential of the sector as a driver of the country's economy.

In talks with President Parvanov, Dr. Idris welcomed the expanding cooperation between WIPO and Bulgaria which has in recent years included activities to promote the strategic use of IP for development, capacity building programs, technical and legal assistance, and public outreach. They emphasized the need to strengthen cooperation in raising public awareness of the critical importance of intellectual

property to development. The Director General applauded Bulgaria's efforts to use the intellectual property system for wealth creation and welcomed efforts by the Government of Bulgaria to enhance the development of the country's intellectual property infrastructure, including, in particular, in the field of intellectual property legislation. He further commended national efforts to strengthen enforcement of intellectual property rights.

A common thread in the Director General's discussions in Bulgaria was a pledge to further support research and capacity building programs in the following areas: *the fight against copyright piracy, the training of creators in the management of their intellectual property assets, awareness-raising activities for the judiciary, and educational programs for students.*

At a presentation at the University of National and World Economy, the leading academic institution in Bulgaria for teaching of intellectual property, Dr. Idris noted the findings of a recent study assisted by WIPO which revealed the dynamism of Bulgaria's creative sector and its significant contribution to the national economy. Dr. Idris also pledged WIPO's support in the implementation of the study's recommendations.

The study, which was initiated in July 2006, in cooperation with the Ministry of Culture, showed that during the period 2003-2005 this sector exceeded the national average rate of economic growth and grew by some 50%. In 2005, Bulgaria's creative industries accounted for 4.51% of the gross output of the country and 3.42% of the gross value added. In terms of employment, the study further illustrated that copyright industries employed some 105,000 people, representing 4.3% of the total employment in the country. Over a three-year period the employment growth rate in this sector was more than triple the national average rising to 13.3% as compared to the national average of 3.5%. This sector generates more jobs than "hotels and restaurants" and "agriculture" sectors. The Rector of the University, Professor Borislav Borissov, highlighted the importance of the study for identifying intellectual property, and in particular the creative industries, as a pillar and driver of the Bulgarian economy.

The leading copyright industries in Bulgaria are the publishing industry, software and databases, radio and television, motion pictures and video, music, and visual arts. While book publishing and software and databases are the two largest copyright-based industries, the greatest growth is registered in production and distribution of motion pictures and video – which has tripled in the past three years, registering a growth rate of 166%. The second most dynamic growth area is software and databases – which registered 93% growth in that period, followed by architecture, which grew in terms of value added by 81% and in terms of employment by 16% in that same period.

WIPO is currently engaged in assisting similar studies in more than 20 countries. The studies are based on a methodology developed by WIPO for surveying the economic contribution of *copyright-based industries*. The empirical data generated by these studies is being used to inform and support policy-making in many countries. Geneva PR/2007/500

WIPO Publishes a Guide on Managing IP for Museums

Museums, and the broader cultural heritage community, now have access to a new guide, commissioned by the World Intellectual Property Organization (WIPO), to help them use the intellectual property (IP) system to improve the management of their collections in the digital environment.

The first part of the Guide describes IP issues of relevance to museums such as *rights in scholarly content*, technologies developed in-house, and branding tools that provide recognition and awareness of the museum in a commercial context. It also sets out recommended best practices in managing IP to enable a museum to identify its IP, understand its rights in using its collections, and strengthen its ability to deal with critical IP issues as they arise. The second part of the Guide reviews existing business models that could provide museums with appropriate opportunities to create sustainable funding, and deliver on their stated objectives.

The “WIPO Guide on Managing Intellectual Property for Museums” by Ms. Rina Elster Pantalony – a Canadian expert on these issues – recognizes the important role that IP plays in providing access to collections, and in preserving and managing the valuable works they contain. Copyright and trademark law in particular are of growing importance to museums in fulfilling their mandates and meeting users’ needs. Effective management of IP rights will enable museums to harness the Internet as an educational and communications tool.

In the digital age, the cultural heritage community is increasingly faced with the responsibility of managing its own IP, as well as managing uses by third parties and users throughout the world, often on diminishing budgets. Effective use of the IP system allows museums to meet international standards of best practice, and can offer significant opportunities to leverage their goodwill, authenticity, uniqueness and scholarly expertise to generate a return on investment. Geneva, PR/2007/505

The WIPO Guide is now available online at:
http://www.wipo.int/copyright/en/museums_ip/

“The Position of the Speaker”: Workshop at documenta 12

LabforCulture.org and documenta 12 magazines collaborated to present two workshop weeks during the 100 days of documenta. The first of two workshop weeks, Paper and Pixel, took place from July 16-22 in Kassel, co-organised by Nat Muller (NL) and Alessandro Ludovico (IT). From August 13-19, the second workshop week titled The Position of the Speaker, co-organised by critic and curator Simon Sheikh (DE/DK) for documenta 12 magazines, took place in Kassel. The theme for this workshop was the constructions and delimitation of a specific figure: the speaking subject. How does this figure emerge through discourse, and what are its functions? What can be said and not said in order for a speaking subject to appear as real, as authentic, as authoritative and/or as truthful? What is implied in certain

speech acts and subject positions, such as the figure of “the reporter” and “the artist”, as well as the “witness” and the “source”?

As well as taking a philosophical and political approach, this workshop also attempted to integrate the exhibition, not as objects to be analysed, but rather as propositions from which to depart: How are subjects positioned, and how is truth produced, and subsequently, staged? This could be a way to make the editors reflect on their own work in a performative and productivist way rather than as merely observing and commenting. Or, to put it another way, what roles as speaking subjects are occupied through such an approach, and which ones are evacuated? What will a phrase such as “the editor as producer” indicate, and how is this related to acts of reportage within art and within documenta 12? Source: **LabforCulture.org** <http://www.LabforCulture.org>

Conference on the Northern Dimension and Culture

October 8 – 9, 2007, in Kajaani, Finland.

The Conference is organised by the Finnish Ministry of Education and it is part of the official programme of the Finnish Chairmanship of the Nordic Council of Ministers. It brings together experts from the European Commission, the Russian Ministry of Foreign Affairs, the Ministry of Culture and Mass Communications of the Russian Federation and agencies subordinate to it, the Nordic Council of Ministers, the Nordic ministries of culture, the ministries of culture of the Baltic Sea States, Northern regional intergovernmental organizations and various cultural and art networks and institutions in order to produce concrete proposals for the upcoming EU-Russia Cooperation Action Plan on culture. The Conference also aims at paving the way for more coordinated cooperation between the Nordic countries and the Nordic Council of Ministers, the three regional intergovernmental organizations active in the Northern Region and cultural actors in North-west Russia in order to gain better results when implementing Nordic Russia cooperation, the Northern Dimension policy and the EU-Russia Strategic Partnership.

Source: Ministry of Education, FINLAND

Ms Maija Lummpuro, Counsellor for Cultural Affairs, Cultural Export Division, Department for Cultural, Sport and Youth Policy, Ministry of Education, Finland, maija.lummpuro@minedu.fi, +358 9 160 77292.

Links:

Online registration form and conference programme and background memorandum in pdf format:

http://www.minedu.fi/OPM/Tapahtumakalenteri/2007/10/kajaani_process.html

Webpage of the Kajaani Process:

http://www.minedu.fi/OPM/Kulttuuri/kulttuuripolitiikka/osallistuminen_eun_kulttuuritoimintaan/eu_venxjx_pohjoinen_kulttuurinen_kumppanuus/index.html?lang=en

Kajaani-process publication in pdf format:

http://www.minedu.fi/OPM/Julkaisut/2006/The_Kajaani_Process?lang=fi&extra_locale=en

EFAH Annual conference 2007 at Fabryka Trzciny, Warsaw, 8-11 November

EFAH will celebrate its 15th annual meeting and the first held in Poland. Key themes in the programme feature broadening the context of EFAH's activism, and discussions on what really motivates and mobilizes cultural actors today at a European Level. The conference website is now online, the programme is under development. www.insideout2007.com

The **EWC-FAEE Secretariat** welcomes Members' and cultural organizations' issues, reports and statements that can be of interest to or may require the support from authors and its associations and from cultural actors. We also welcome your requests to cover specific topics. Please contact directly m.diocaretz@inter.nl.net



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