



**Position Paper of the European Writers' Congress –
La Fédération des Associations Européennes d'Ecrivains”
«EWC/FAEE» AISBL**

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HEARING

of the study group “European Digital library” on:
“Promoting broad public access to the European Digital Library”
17 October 2007

European Economic and Social Committee, Brussels

Good afternoon. First of all, I wish to thank the EESC for inviting the voice of authors to this Hearing.

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

Having regard to,

- ❖ the EC communication “i2010: digital libraries” “(COM[2005]0465)
- ❖ the Council conclusions (14 November 2006) (2006/2040(INI))
- ❖ the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural expressions
- ❖ the European Parliament resolution of 27/09/2007 on i2010: towards a European digital library)
- ❖ the Working Document on the European Digital Library, 8/10/2007, by Ms. Pichenot TEN/292-R/CESE 1208/2007 FR/SG/CAT/ym
- ❖ The contributing role of the EWC-FAEE in the High Level Group – Copyright Subgroup on digital libraries¹
- ❖ the Submission of the EWC to the stakeholders consultation on i2010 digital libraries (01/2006)

The EWC-FAEE,

stresses that it represents authors of all types of literary works, both fiction and non-fiction, and that it strongly supports the Commission’s initiative to make Europe’s cultural and scientific resources accessible to all;

recalls the relationship between the role of authors and the role of libraries,

brings to mind that authors also form an important and natural part of civil society, more than of the cultural “industry”;

¹ With special reference to the HLG report (April 2007) and the Model Licence for out of print works, and definition of orphan works and search guidelines.

emphasises that authors stimulate reading and reflection;

recalls that authors are the foundation, origin and source of all books that fill the libraries, and of the book-chain,

recalls that authors are the pillar of content creation and of the knowledge of all kinds, including the visual, and musical expressions that nourish culture.

The EWC-FAEE,

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

reiterates that “freedom of speech and of information are core European values and that we must see the digital libraries initiative as a legitimate impulse to digitise our culture and knowledge and as an effort to strengthen access to knowledge by civil society;”²

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

The EWC-FAEE,

Welcomes Ms. Marie-Hélène Descamps’s amendments in her recent report, particularly amendment 6, Recital I, emphasizing the need for «coherent policies on digitisation and preservation of digital works, *while ensuring due respect for copyright and related rights,*” and underlining that “any decision of this sort must be taken in cooperation with all the players involved, particularly *authors, publishers and booksellers*” [amendment 31, Paragraph 20]; *proposing “that provision be made for the on-line browsing of copyright-protected works through specialised websites providing the security guarantees required by rightholders,*” [amendment 33, Paragraph 21a], *and*

we welcome the inclusion of these amendments and the addition of the notion of “authors” as important right holders, especially in articles 22 to 26 and 28 of the European Parliament September Resolution.

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The EWC-FAEE,

recommends the consultation and/or involvement of authors’ organisations in all Member States, in the dialogue about and/or plans to introduce new economic models at European, national or regional level, regarding digital libraries, as these models potentially affect the economic sustainability of hundreds of thousands of authors; for instance, the EUROPEANA prototype and model has not structurally or formally engaged authors in France, and Hungary yet in the process;

recommends, specifically in paragraph 2.1.4.1. of Ms Pichenot’s text on the proposal for a public debate on mass digitalisation, in point b) stating:

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

² Response on the EC Consultation on digital libraries, January 2006, Trond Andreassen, EWC-FAEE President.

that inclusion should be made of contractual arrangements with right holders in addition to publishers, whenever relevant, and recommends the addition of “out-of print works,” and works out of distribution, given that these rights revert, in some countries, directly to the authors or their heirs; furthermore, requests the mention of the voluntary Model Licence for out-of-print works adopted in April 2007 by the High Level Group on digital libraries, for prospective implementation at European level.

Moreover, the EWC-FAEE

recommends the use of good practices and of already existing clustering models by which all main stakeholders are bound by a common agreement. Such is the case of the new model of joint collaboration set up in Norway, on March 14 2007, in which the National Library, together with representatives of rights holders, “has initiated an extensive digitalisation programme with the aim of transferring all of the library collections from an analogue to a digital platform (including copyright protected literary works), and storing them in the Library’s digital secured storage.”

This key pilot project will “make available in a digital format via the Internet” the collections in the northern region. All involved “have a common goal, which is to enable access to literature and other copyright protected material, and to give the public an insight into and knowledge of the diversity in the Norwegian cultural heritage.”³ Such agreement is a pro-active test-bed to gain experience and to become the springboard for future digital dissemination of copyright protected works.

Thus, the EWC-FAEE also recommends that we reach a new stage in the European digital libraries processes, by understanding that copyright should no longer be seen as an obstacle; on the contrary,

we recommend that copyright be seen as an enabler for creativity since it is the economic, legal, and legitimate instrument for authors to continue to work in the production of cultural resources.

Copyright is an enabler, also because it is an incentive and important instrument of support for the sustainability of the future creative generations in Europe. It is the incentive for the citizens/creators of tomorrow.

From another dimension, in the context of the Kea *Study on the economy of culture*, (2006), we stress the key role and the socio-economic impact of the cultural & creative sectors regarding the value added to EU GDP and the contribution to EU growth: “the sector’s growth in 1999-2003 was 12.3% higher than the growth of the general economy.” We recall that the cultural and creative sectors’ impact on employment is significant.⁴

Therefore, a balance must be kept between giving access to cultural resources and ensuring that cultural production maintains a dynamic context of sustainable cycles of creativity for the future generations.

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Last but not least, we support the aim to improve public information about the digital libraries process and its operational developments, such as TEL, TEL-ME-MOR, MICHAEL, EDLnet, etc.

³ An Agreement has been entered for the digital availability of copyright protected literary works, between the National Library of Norway, the Norwegian Publishers’ Association, The Norwegian Authors’ Union, the Norwegian Non-Fiction Writers and Translators Association, The Norwegian Critics’ Association The national Licensing and Collecting Society.

⁴ According to the study, “In 2004, 5.8 million people worked in the sector, equivalent to 3.1% of total employed population in EU25.”

We support the aim to involve civil society in the debate. For this, purpose, I suggest an initiative towards a task-force through pan-European and cross sector organisations to reach all Member States, and invite the EESC to participate in the activities of the Civil Society Platform for Intercultural Dialogue to form a citizen's network with cross-sector European social networks, on digital libraries.

Equally important, the EESC can contribute to disseminate the invitation to civil society to join the partner section in the Portal of the European year of Intercultural Dialogue 2008, and can generate in it a dialogue for citizens on digital libraries.

In conclusion, we support empowering citizens to have access to information on the digital libraries process, and to enable them to voice their needs and interests⁵, in order to further develop the social dimension of digitisation.

I fully support the establishment of a task force or platform of citizens for Information Society.

Thank you.

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⁵ It is a known fact from research findings that new technology innovation may fail not for its technological dimension but because it was designed without concern or consideration of end-user needs or for ignoring the human dimensions of its users.