

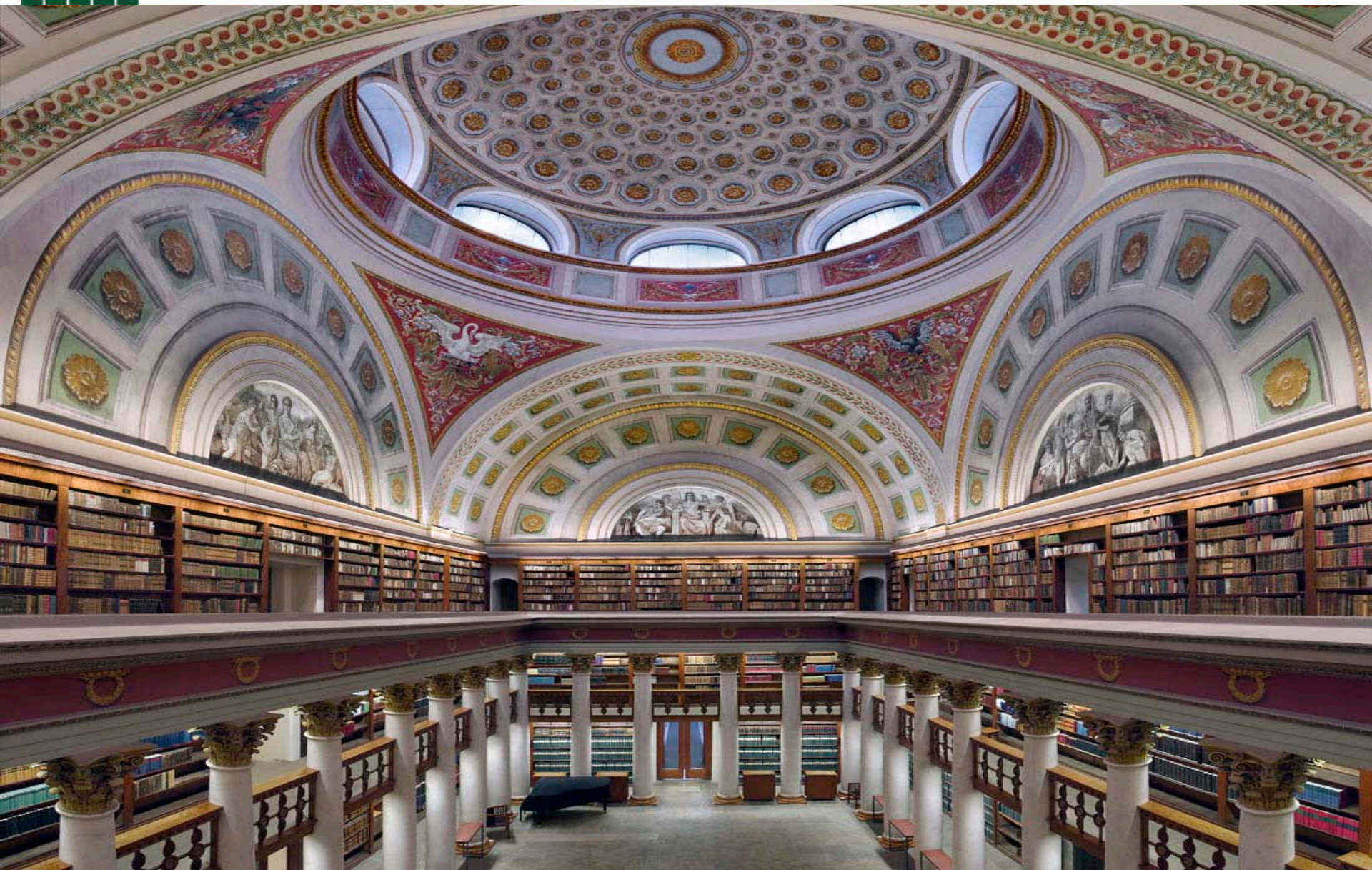


International Federation of
Library Associations and Institutions

ACCESS TO KNOWLEDGE AS A HUMAN RIGHT

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National Librarian, Finland







*We cannot solve the dilemmas
with the same thinking
that created them.*

Albert Einstein





TRENDS WE HAVE TO READ

- Multiple processes, more like a field of combat where the balance fluctuates.
- Respectively multiple discourses are a challenge to be integrated to the same picture.
- Navigating between Schylla and Charybdis

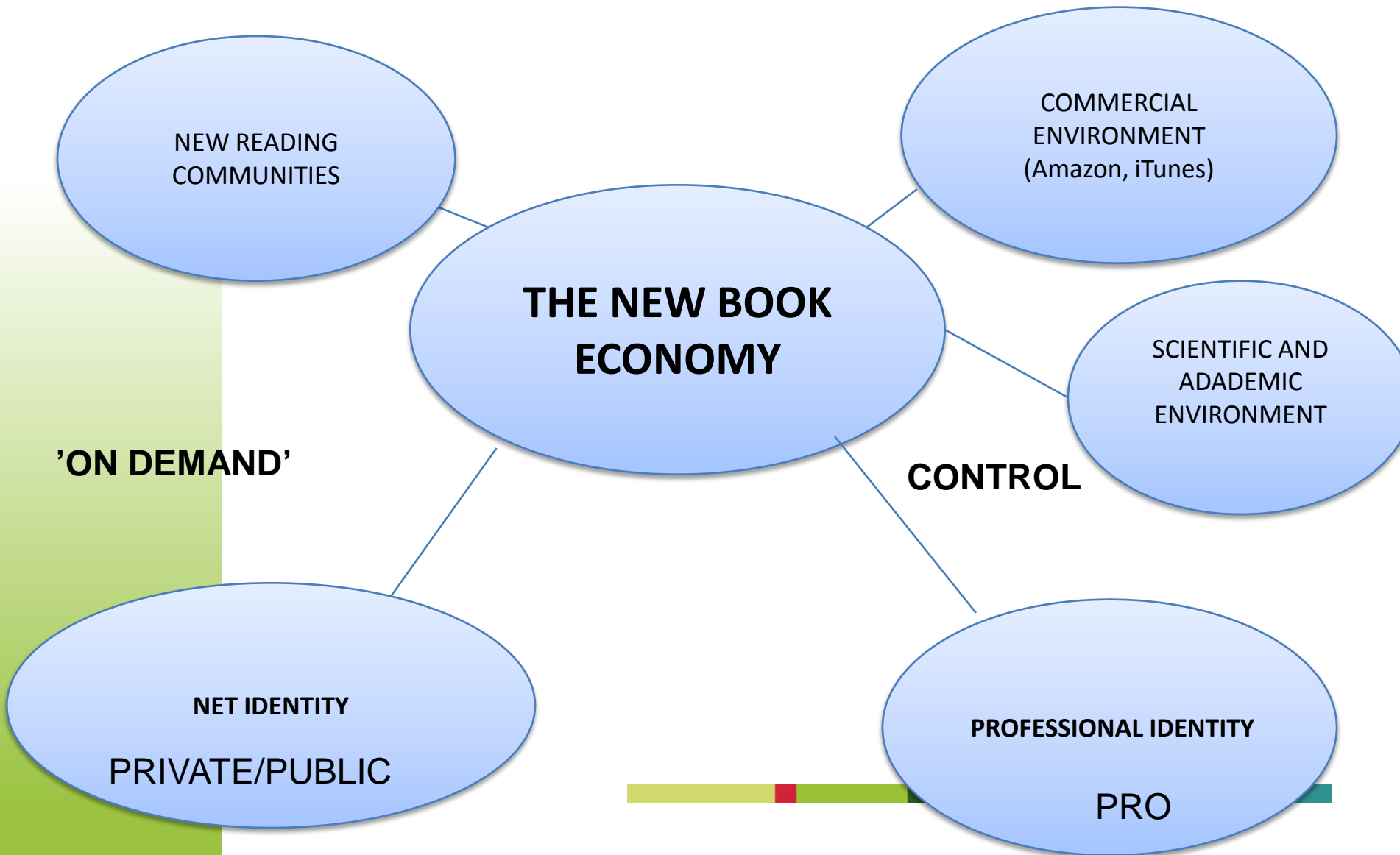


TRENDS...

Digital domain and the Internet

- We are still looking for a balance.
- Conflict with basic rights and with market principles.
- Even within EU there are different interests between DG Internal market and DG InfoSoc.

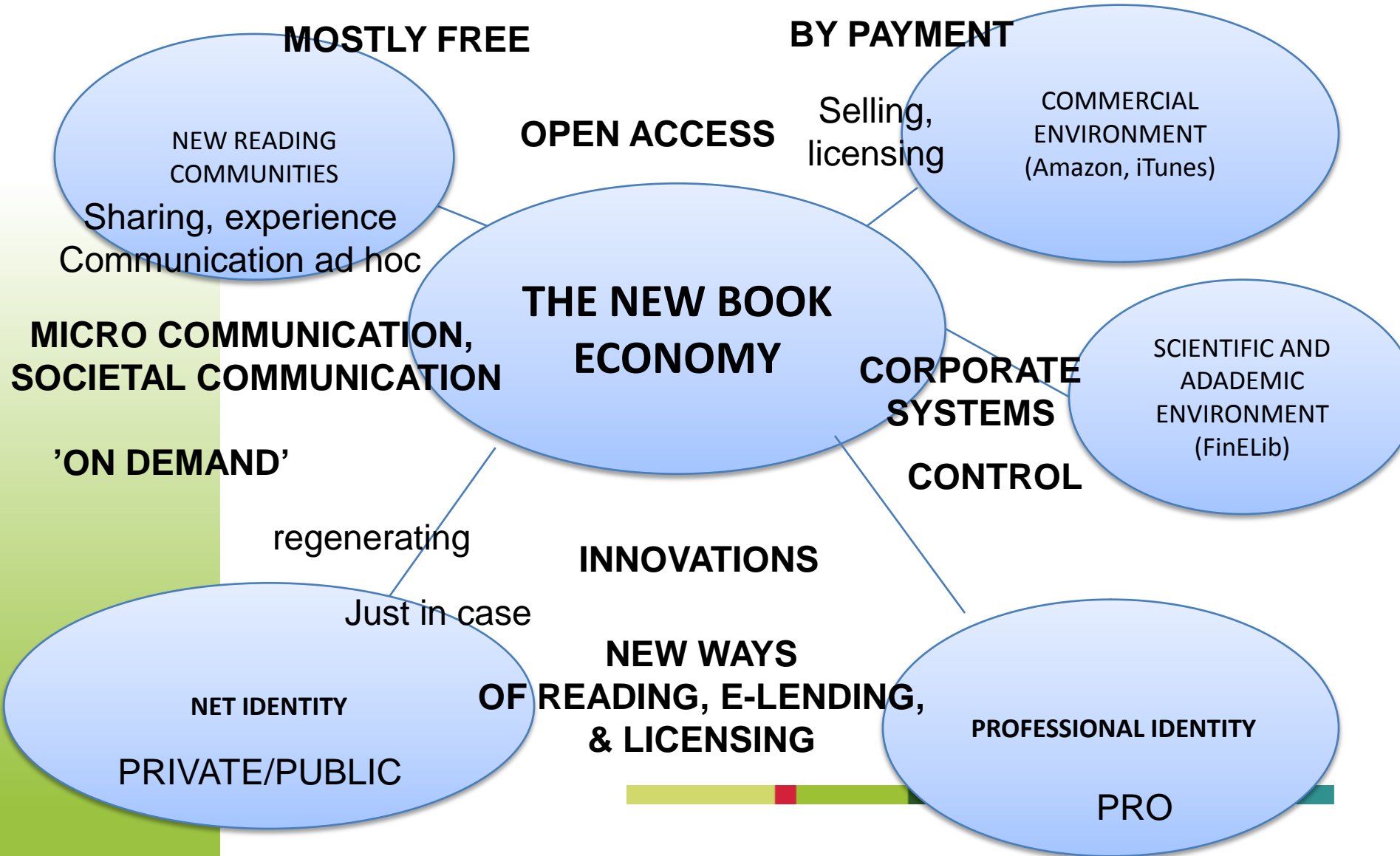






USER DRIVEN

CORPORATE DRIVEN





USER DRIVEN

NATIONAL
HERITAGE,
MASS
LICENSING

CORPORATE DRIVEN

MOSTLY FREE

BY PAYMENT



OPEN ACCESS

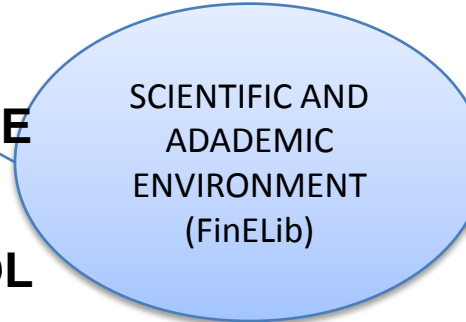
Selling,
licensing



**MICRO COMMUNICATION,
SOCIETAL COMMUNICATION**

**THE NEW BOOK
ECONOMY**

**CORPORATE
SYSTEMS**



'ON DEMAND'

CONTROL

regenerating

INNOVATIONS

Just in case

**NEW WAYS
OF READING, E-LENDING,
& LICENSING**



NET IDENTITY

PRIVATE/PUBLIC





MAIN TRENDS

- 1. Strong will to open public data for free use.**
- 2. At the same time a trend to strengthen enforcement of copyright.**
- 3. Digital agenda and the libraries.**



1. Strong will to open public data for free use.

- National heritage for free use/reuse of citizens and companies
- PSI directive, enhancement covers also universities and cultural organisations
- Open Access movement





The Directive on the re-use of public sector information

Europe's Information Society
Thematic Portal

European Commission > Information Society

Policies Activities Culture & Society Economy & Work Education & Training Quality of Life IS Industry Regions / World Research & Innovation

PSI - Home
What is PSI
Barriers to the Re-use of PSI
Actions at European Level
Legislative Actions
Monitoring Transposition
Mepsir Study

Public Sector Information Homepage :: Actions at European Level :: Legislative Actions - PSI Directive

Legislative Actions - PSI Directive

- The Council and the European Parliament have adopted The [Directive on the re-use of public sector information](#) (PDF file; EN language) which deals with the way public sector bodies should enhance re-use of their information resources (the Directive 2003/98/EC of 17 November 2003 was published in the [Official Journal](#) (L345/90) on 31 December 2003).
- The Directive is built around two key pillars of the internal market: transparency and fair competition. It sets minimum rules for the re-use of PSI throughout the European Union. In its recitals it encourages Member States to go beyond these minimum rules and to adopt open data policies, allowing a broad use of documents held by public sector bodies.





2. A trend to strengthen enforcement of copyright

A) The extension of term of protection to 70 years.

- Background: copyright laws were designed to protect the short term interests of an individual author. In the digital age traditional exemption rules like private use have new kinds of implications to economic interests of the author, e.g. peer-to-peer file sharing
- Proposal to the extend the term of protection of the performing artists, jumps up every time with a new chair of EU

B) Aims to strenghten enforcement of rights

- Background: Internet has made infringement of rights much easier, economic impacts of piracy are soaring
 - > EU-level: revision the 2004 directive on enforcement of IP-rights (consultation)
 - > national level: **DEA, Hadopi**,
In Finland HE 235:2010 -> a clash with basic rights, especially privacy



3. Digital agenda and the libraries.

- The unsolved dilemma of mass digitization:
 - **Orphan works:** a draft directive
 - **Collective licensing** of rights: draft directive





HOW WE CAN SHARE OUR HERITAGE?

What can National Libraries do?

- (1) Adopting the rules of market (Google, ProQuest),
- (2) Mass licensing (Norway: BOKHYLLA),
- (3) Inertia



Velkommen til Bokhylla.no



Velkommen til Nasjonalbibliotekets nye tjeneste, Bokhylla.no. Det er en glede for oss å gjøre ti tusen bøker tilgjengelige på Internett i fulltekst. I løpet av de kommende to-tre årene regner vi med at vi kan tilby 50.000 bøker - gratis på nett.

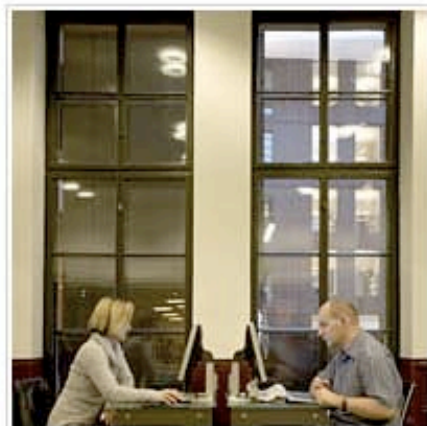
[Les mer ...](#)



Søk i alle bøker i NBdigital

søk

[hjelp](#)



Om bokhylla

Norges største digitale bokhylle er gratis for brukerne. Her kan du leie 14.000 bøker fra 1990-tallet på nett, pluss 3.500 eldre bøker.

[Les mer ...](#)

Bokhyllablog på NBdigital Beta

Sagt om Bokhylla / 10 på topp / Spørsmål og svar /

[Les mer ...](#)



1990

Gulfkrigen. Kong Olavs død. OL på Lillehammer. I løpet av tiåret blir over 100 000 titler pliktavlevert til Nasjonalbiblioteket. Enkelte av dem vil vare lenge.

[Les mer ...](#)



1890

Et av de mest fargerike tiårene i norsk litteraturhistorie, med politisk brytning, unionskonflikt, språkstrid, estetisk opprør og demokratisk kamp.

[Les mer ...](#)



1790

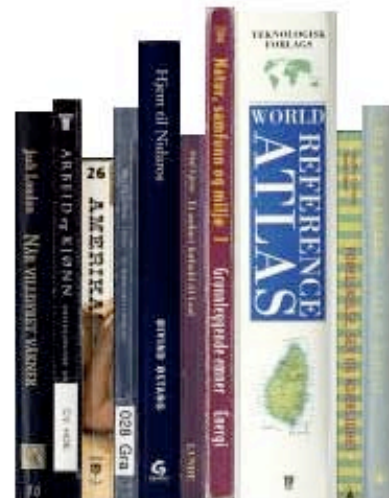
Litteraturen er preget av stor bredde i emner og genre, men skrifter om religiøse og teologiske emner dominerer fremdeles det litterære bildet.

[Les mer ...](#)

1690

Skrifter med religiøst innhold preger mye av litteraturen på 1690-tallet, men vi finner også historiske og topografiske fremstillinger, samt en del avhandlinger fra universitetet i København.

[Les mer ...](#)



Bok med ett klikk.



E-lending

- Libraries have no rights for *e-lending*, urgent need for viable agreements.
- Will be essential for the service of public libraries.
 - Working models from research libraries.



THREATS

- 58% of Europeans are online, public access intermediaries support particularly those who do not own a computer.
- This would mean a **focus on the human rights** implications of DEA, HADOPI etc.
- **Penalisation of public access intermediaries** that serve European citizens through secondary liability.



RESULTS

- **Forcing public access intermediaries to become a copyright police.**
- Strong conflict with the history of libraries.
- Financial and technical **costs** of this imposition (and their long term upkeep at a time of financial crisis!)
- **Impact on users' right to privacy.**



OPEN QUESTIONS...

- An effect on individuals' right to create in the digital age.
- Driving people to the Darknet?
- Conflicting with free market principles?



Darknet



WIKIPEDIA
The Free Encyclopedia

[Main page](#)
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[Current events](#)

Article [Discussion](#)

Reac

Darknet

From Wikipedia, the free encyclopedia

A **darknet** can be:

- [Darknet \(file sharing\)](#) - a closed private network of computers used for file sharing
- Alternate term for [network telescope](#), used to monitor network traffic on unallocated IP space (information security).





International Federation of
Library Associations and Institutions

WE STAND FOR ...





The IFLA Internet Manifesto

Unhindered access to information is essential to freedom, equality, global understanding and peace. Therefore, the International Federation of Library Associations (IFLA) asserts that:

- Intellectual freedom is the right of every individual both to hold and express opinions and to seek and receive information; it is the





- Intellectual freedom is the right of every individual both to hold and express opinions and to seek and receive information; it is the basis of democracy; and it is at the core of library service.
- Freedom of access to information, regardless of medium and frontiers, is a central responsibility of the library and information profession.
- The provision of unhindered access to the Internet by libraries and information services supports communities and individuals to attain freedom, prosperity and development.

Barriers to the flow of information should be removed, especially those that promote inequality, poverty, and despair.





- “Libraries and information services should support the **right of users** to seek information of their choice.”





- "Libraries and information services should **respect the privacy of their users** and recognize that the resources they use should remain confidential."





"In the face of restrictive digital copyright legislation and digital rights management, libraries should **advocate legitimate alternatives** to existing forms of copyright, such as **creative commons**, that increase rather than restrict access to information."





"Librarians have a **responsibility to advocate** copyright conditions that facilitate the preservation of digital materials and rights holders should be encouraged to recognise their obligation to ensure the long-term availability of online resources."





RESOLUTION

- Graduated response legislation that follows the format of the DEA and HADOPI could pose significant contradictions to the values of libraries and Internet provision in libraries
- For example, the privacy of Internet users must be respected and their information-seeking choices should be free of monitoring and surveillance





RESOLUTION

- When discussing any future graduated response legislation, **libraries, universities and educational establishments should be involved in any dialogue as key stakeholders.**





RESOLUTION

- IFLA calls upon the European Commission and the governments of member states **to recognise the important role of public access intermediaries** in providing access to the Internet and to respect the privacy of Internet users in the library and their information seeking choices.





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Thank you for listening





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