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A Library Policy for Europe to Safeguard Human Rights

First of all I wish to thank the organizers of this conference – and especially IFLA president Ellen Tise – most cordially for the invitation. As EBLIDA president, I am very pleased that, with this meeting, IFLA puts the emphasis on necessary and essential changes also in Europe.

However, I don't want to hide the fact that my joy over the invitation and my curiosity to attend the conference were overshadowed and suppressed by the quite unbelievable catastrophe in Japan. In view of the suffering of the Japanese people after the terrible earthquake and tsunami and the growing threat of a nuclear disaster, a lot of things became less important. I suppose you have felt much the same way in the last weeks.

Concerned – and even obsessed – I followed the daily reports on the brave fight of the Japanese and read magazines and books about the subject. Among other things, I came across an interview with the German author, director and filmmaker Alexander Kluge. In 1996, ten years after the Chernobyl disaster, he published a book that collected witness reports from the reactor accident and stories in which the people affected deal with the incredible events. In this interview, Alexander Kluge was asked about the parallels between Chernobyl and Fukushima.

And then, in this interview, I was struck by a sentence, an image, that I can't get out of my head and that has unsettled me more than the whole news coverage of Chernobyl and Fukushima. It is a dreadful image whose horrors brought me back to the subject of this conference, especially of this session, and made me aware of its necessity.

What you need to know is that the Russian government closed off the area around the former reactor and declared it as death zone, because a remaining there still has fatal consequences. But Alexander Kluge reports that refugees from Kyrgyzstan and Tadzhikistan have settled illegally in this seriously contaminated zone. Their living conditions and the risk of death in the civil war at home seem to them more threatening and dangerous than the invisible and undetermined death in the death zone.

That somebody may perceive even this death zone as shelter reflects a crying injustice. This horrifying image of people who move into the death zone and regard

this area as their small paradise brings us to the topic and the importance of this session: the enforcement of human rights and the contribution of the libraries to this purpose.

IFLA president Ellen Tise has already pointed out the great importance of libraries in terms of the realisation of the basic right to access information. In the next 25 minutes, my task will be to approach the subject from a European perspective.

For many people, Europe is a continent of wealth and freedom. In the last 20 years, especially after the collapse of Communism in Middle and Eastern Europe, the European countries have moved closer together. This is a good thing, particularly in view of human rights.

The European Convention of Human Rights of the Council of Europe forms the directive for all 47 member states of the Council of Europe. And with the Lisbon Treaty in 2009, the Charter of Fundamental Rights was given binding legal effort to all 27 member states of the European Union. Article 11 of the Charter of Fundamental Rights guarantees the freedom of expression and information and article 14 the right to education in the EU. This is important – but have all problems been solved? I have my doubts.

The OECD, the Organisation for Economic Co-operation and Development, published a comparative study about the skills of pupils at the end of primary school in 34 countries a few months ago. The literacy of 15-year-olds in reading, mathematics, and science was tested. The survey is generally known as the PISA study and causes alarm and concern in many European countries. The reason is that the OECD study shows fatal gaps in education in European countries as well as significant differences between the countries.

Finland had the best European results in this survey. I believe this is not a coincidence, since Finland has one of the best, if not the best library system in Europe. But even in Finland, 8% of the pupils belong to a risk group. Their reading skills are inadequate.

At the end of the scale in Europe is Romania, where, according to the OECD, an unimaginable 40 % belong to the risk group. This is a shattering result. As per the OECD, 19 % of the pupils Europe are not able to read or can read only insufficiently. Thus almost 20 % of young Europeans run the risk of being substantially affected in their private and social life. Europe is saddled with a veritable time bomb – which poses a threat not just to education but also to economic and democratic development.

If we take this study serious, it means first that 20% of young Europeans cannot qualify for a number of professions because of their poor or non-existent reading skills and cannot play an active role in the economy. Secondly, that there is a large group which can no longer be reached with written information and can hardly take

part in a serious political discussion and thus is vulnerable to radical political positions.

There is a lot to do in Europe. It is a question of winning or losing a generation! And without well-developed, attractive libraries, we won't win this battle.

Another big challenge we have to face is the transformation of the media and information market. This provides opportunities as well as risks for our society, as the discussion over the gap between the information poor and the information rich shows.

May I remind you that 15 years ago, amongst futurologists it was chic to predict the death of libraries. The end of books was proclaimed. And libraries, with their large stocks of books, were considered to be symbols of yesterday's world, whose time was up. In the light of the new information and communication technologies, libraries were said to be no longer up-to-date. One of the leading gurus of digitization, Nicholas Negroponte, director of the renowned Media Lab at the Massachusetts Institute of Technology, got to the heart of the subject: „Libraries, a product of the Industrial Revolution, will fall out of use.”

But now, 15 years later, libraries are more vital than ever. They have changed in a way and at a speed that Negroponte could not have imagined. The new information and communication technologies have not given the death blow to the libraries, but, on the contrary, have stimulated and vitalized them tremendously. The result is a new concept or philosophy of libraries that uses new technologies as never before and focuses in its work on the user, his wants and needs. The actual work of librarians and the function of libraries have changed drastically over the last 15 years:

We librarians have the technology and the ability to make a decisive contribution to overcome the digital divide and to create a European knowledge area! We also have the will!

But strangely enough the laws in Europe restrain us from operating efficiently : Copyright legislation in Europe lags behind and is still primarily adapted to the concept of a library as a place where citizens may borrow copies of printed books.

How can we change that? This is the question I will deal with in the following comments.

Therefore, it is necessary – especially because many guests come from non-European countries – to recall the conditions under which European guidelines, directives and laws are developed as well as their binding force. Basically, there are two supranational organisations of interest for us. The oldest and greatest political organisation is the Council of Europe. The Council of Europe now covers virtually the entire European continent, with its 47 member countries. Younger is the European Union: The European Union (EU) is an economic and political union of 27 member states.

What is the difference between the two organisations?

While the member states of the European Union transfer national legislative and executive powers to the European Commission and the European Parliament in specific areas under European Community law, in contrary Council of Europe member states by contrast maintain their sovereignty but commit themselves through conventions (i.e. public international law) and co-operate on the basis of common values and common political decisions.

Both organisations function as concentric circles around the common foundations of European integration, with the Council of Europe being the geographically wider circle. The European Union could be seen as the smaller circle with a much higher level of integration through the transfer of powers from the national to the EU level.

It seems important to me that you remember three items:

1. First I ask you to keep in mind the difference between guidelines adopted by the Council of Europe and directives adopted by the European Community. European Community Directives have to be implemented into national legislation of all 27 member states which form the European Union. Guidelines adopted by the Council of Europe, the institution with 47 member states, that supports the promotion of human rights, democracy and good governance, only have recommendatory effects. They are not of a binding nature and do not commit governments to apply them. This is a very important difference, as we will see.
2. Regarding the cooperation with the Council of Europe, this means that we have a form similar to the cooperation between IFLA and UNESCO. The excellent IFLA/UNESCO Public Library Manifesto, that includes many articles of the UN Declaration of Human Rights, has – just like the guidelines adopted by the Council of Europe – only advisory effects. No government is liable to implement these recommendations in national programs or laws. A good example therefore is the “Council of Europe/EBLIDA Guidelines on Library Legislation and Policy in Europe“ published in 2000. These guidelines recommend to responsible authorities of the 47 member states „to adopt legislative or other measures which are in conformity with the principles outlined in the Guidelines, and to bring existing legislation into line with the same principles“. An excellent report by Barbara Schleihagen makes clear that a few states had modernised their library law, but only in Spain has a new law been implemented.
3. I now come to the third and – in my opinion – most important item, namely the possibilities of libraries in the European Union:

In contrast to IFLA’s work with UNESCO, the libraries of the 27 EU member states have to deal with a supranational legislator whose decisions are binding for the library work. Some people may see this as a menace, but it is also an opportunity. By now, we have a whole series of regulations in the EU that have a decisive effect on the daily work of libraries. Some have guiding effects, such as the Lending Right

Directive, others have rather restraining effects, such as the Copyright Directive 2001. All of these guidelines were not initiated by libraries. They were concluded with regard to the establishment of a European single market, and are therefore based on commercial interests. What I still miss in the EU, is a relevant paper that stipulates the principles of library work in Europe and requests the 27 member states to take measures to ensure the framework conditions for the work of libraries.

Such a document does not exist yet, and this is a failure.

The EU offers different ways to get at such a document, for example the development of a Green or White Paper. A Green Paper released by the European Commission is a discussion document intended to stimulate debate and launch a process of consultation, at European level, on a particular topic – like libraries. A Green Paper usually presents a range of ideas and is meant to invite interested individuals or organizations to contribute views and information – like librarians. It may be followed by a White Paper, an official set of proposals that is used as a vehicle for their development into law. For example, the European Commission published a “White Paper on Sport” recently. Whereas IFLA fully exploits the possibilities for the development of position papers with UNESCO, the European Library Community has so far neglected to efficiently use the EU’s possibilities for a “White Paper on Libraries.”

This is absurd, it is a mistake and we should change it!

Dear Colleagues, the most dominating, most overshadowing and most relevant event for all libraries in Europe is the economic crisis. And it is by far not over yet. In this last year dramatic changes have occurred: It is the biggest conversion of debts of all times. Many European states have, in order to save their banks, taken over their debts. That means instead of speculators the states are the debtors now. With that, the scope of action of the European states got considerably smaller. This money is now missing for other urgently needed measures in the fields of education, science and culture. In many European countries the economic crisis has also become a crisis for libraries. I have spoken with many colleagues from different European countries. They tell me that libraries are being closed, budgets are cut down drastically and many other services are being reduced.

Moaning makes no sense. In this situation, it is our task and duty as representatives of library associations and national authorities, to make politicians aware of the possibilities that libraries have to offer, and furthermore to try everything, to set “Libraries on the Agenda” – in every single country as well as throughout Europe. We have to convince politicians throughout Europe that libraries are a vital ingredient in counter-acting some of the most demoralizing aspects of the current financial crisis and that public investment in libraries shows a sense of civic responsibility. Finland in the nineties gave us an excellent example. The economic recession in the 1990s hit Finland very hard. During the recession book loans and library visits increased tremendously. The large group of unemployed people used libraries more than ever to read books, newspapers and magazines, to continue studying and to keep up with new developments and trends – and to get a positive perspective for the future.

The current crisis is more than just an economic crisis. It is more than a shock to our economic system. It is profoundly traumatic for the whole social fabric of our modern society. Government answers and actions intent on repairing our economic system are – without a doubt – necessary, but will not be enough. We will need a strong vision for our future – for the development of our whole society. Education, knowledge, and culture are important resources for our future and the key factors for the positive development of our society. Libraries guarantee free access to knowledge, cultural activities and creative thinking, regardless of education, gender, age, race, and religion to all our citizens.

As local providers of information, libraries offer different types of media to their community, function as centres of communication, and provide access to global and networked knowledge. In a world where so many aspects of our professional and daily life are currently changing, libraries in every community are essential service providers for the supply of information and education.

National Libraries create identity, they are becoming the digital memory of their nations.

And, to put it quite plainly: without Research Libraries, research in Europe would not be possible.

Our society is in a state of radical change. Libraries can make an important contribution to overcoming this crisis. Public investment in libraries shows a sense of civic responsibility and vision. I think many of us here today share this opinion. However, when I look around this hall, I think there are only few countries represented here, where the politicians are aware of the importance that libraries can play as an active force for improving the situation and the challenges that we face in the foreseeable future.

On the contrary, in many European countries the economic crisis also becomes a crisis for the libraries, where budgets become ever tighter as the recession hits harder. What I greatly miss in this situation, is that the European Commission does not give any impetus for an increased and more efficient use of libraries as a tool to overcome this massive economic and social crisis.

In this respect, I believe that a “Library Policy for Europe” is now not only an optional choice for us today. It is in this situation our collective duty to work for it.

Lobbying for European libraries is one of the main goals of EBLIDA which we perform at various levels. It is, essentially, the whole rationale for the establishment of our organisation. Establishing trust through the quality of our actions, representing the interests of European libraries and utilizing our networks effectively are the qualities that define our work. Not every initiative was crowned by instant success, but by persevering, we have succeeded in strengthening the position of all European libraries in effecting positive changes for the libraries and their users with every Copyright Directive since the founding of EBLIDA.

Our organisation has accomplished a lot, especially in the area of intellectual property rights. There is no doubt in my mind that without EBLIDA copyright legislation in Europe would be more restrictive, less user-friendly and provide less

scope for libraries to promote and give access to knowledge and information. However, I think we have to be honest and admit that all our activities have always been reactive, reactive against policies which would be detrimental to libraries and in fact to almost all European citizens.

I think it is time for a change. I think it is time to change our strategy. I think we should be on the offensive rather than the defensive – more proactive than reactive.

In the future, we need two combined strategies. First, we need a short-term strategy in order to change directives that were not initiated by us and that might harm the library. Second, we urgently need a long-term strategy that is more proactive and broader in scope.

Instead of waiting for the next hindering directive we should offer to the European Commission a positive and convincing vision for Libraries of the Future. The last years have seen the European Commission partially renewing its focus on the importance of libraries and other cultural institutions. This is evidenced by the recommendations of the 2010 initiative and the launch of the European Digital Library, or Europeana, as it is now called, which actively promotes digitization activities and access to knowledge and information. However, we should be aware that digitization activities are only a small part of what libraries can and should offer the European citizen and end user.

Not least in the public library sector the digitization of collections will be of much less importance than in national and university libraries. Public libraries are primarily concerned with giving access to materials and it will be the major challenge in the coming years to develop and ensure vibrant library services in a digital age. We need to be actively involved in issues such as lifelong learning, education, the promotion of culture, services to new user groups and so forth.

All these issues have to be – of course – discussed at the national level, but there is a strong need and an obligation to also discuss this at the European level. And this leads me to the question “Do we have a common library policy for Europe?” From my point of view, the answer is unfortunately a clear “NO”.

What we do have are some initiatives that libraries are integrated into. Moreover, we have certain recommendations and directives from the EU which have an important effect on libraries and sometimes guide but often hinder their work as for example the Copyright Directive from 2001. We are far away from having a common policy concerning European libraries. So far, there is no unified European library policy to speak of.

It seems that within the EU, common policies are only established on matters of economic interest such as legislation governing copyright. If we believe in the idea of a unified Europe, offering equal rights and opportunities for all its citizens, we will have to act for a common European library policy. We all know that the European library landscape is heterogeneous. This of course implies that citizens of different countries are not given equal and unrestricted access to information, education and cultural life even in Europe. One reason for this situation could be that only two thirds of the twenty-seven EU countries have legislation governing the library sector.

The burning question is: How can we help to improve the situation? Is a Library Directive, issued by the European Commission, the answer to the dilemma? In the near future, I believe it is unlikely that we will see a European Library Directive issued by the European Commission. Therefore, we should not put our hopes into waiting for the European Commission to take action for the introduction of a Library Directive. It makes much more sense to concentrate our lobbying activities on a White Paper that describes the role of libraries in the European Knowledge Society and recommends and encourages the member states to act on behalf of the libraries.

An ambitious common European library policy will need the best ideas coming from the best minds. EBLIDA has started to work on it together with NAPLE, the National Authorities for Public Libraries in Europe. But of course, a Library White Paper also has to include the National Libraries and Research Libraries.

Therefore, I suggest that all relevant library organisations in Europe work together on such a paper, propose it together and promote it together. EBLIDA is ready to enter into a cooperation of this kind. I hope, that in cooperation with our partners, we can formulate a common vision and arrive at a "Library Policy for Europe" for the benefit of our institutions and the citizens of Europe.