

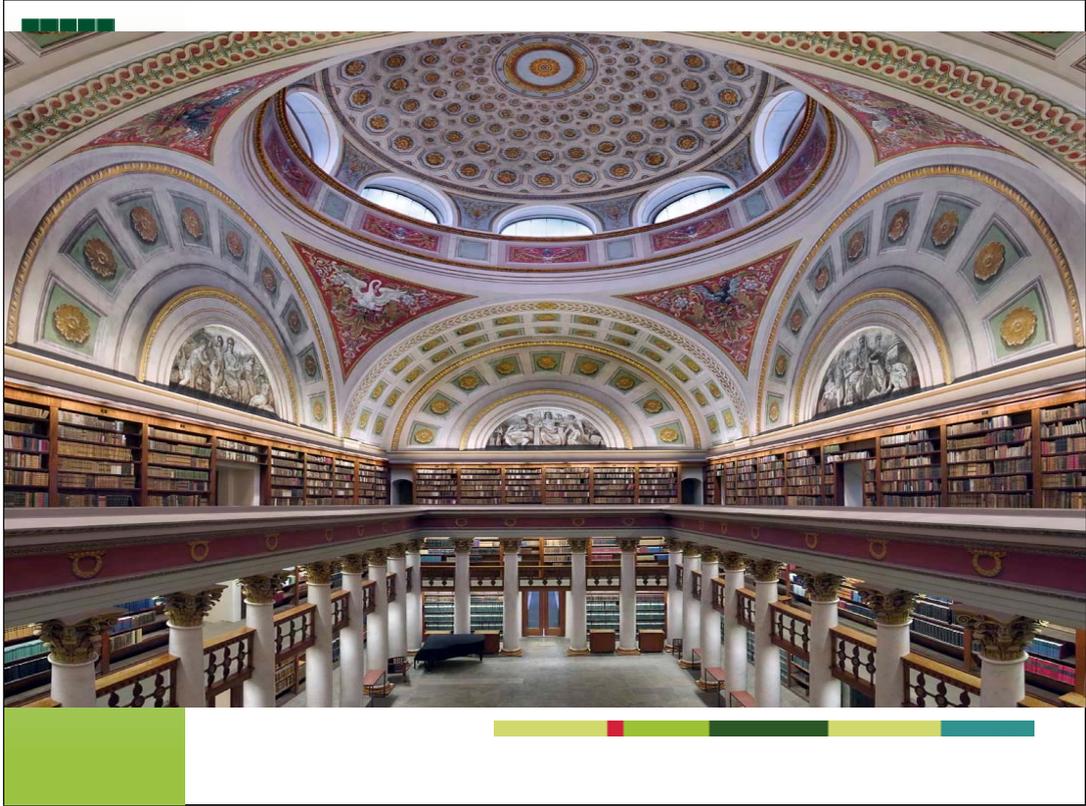


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# ACCESS TO OUR DIGITAL HERITAGE

KAI EKHOLM  
National Librarian, Finland  
Chair of FAIFE







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

Albert Einstein





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## 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



- In an IFLA battleground sense we have to notice trends at the level of WIPO, the Commission, North America
- We also have to be aware of ACTA/TPP etc. – trade agreements and discussions being conducted outside of normal channels. How do we get invited to these places? What sort of partners do we need?



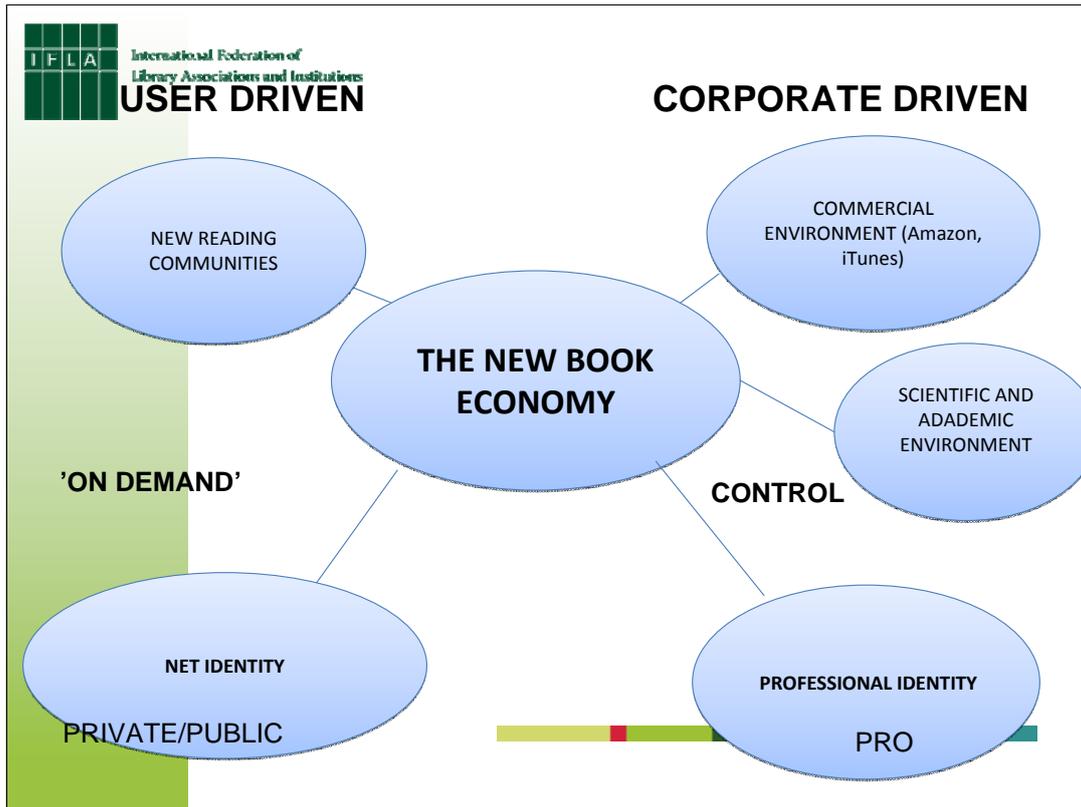
## TRENDS...

### *Digital domain and the Internet*

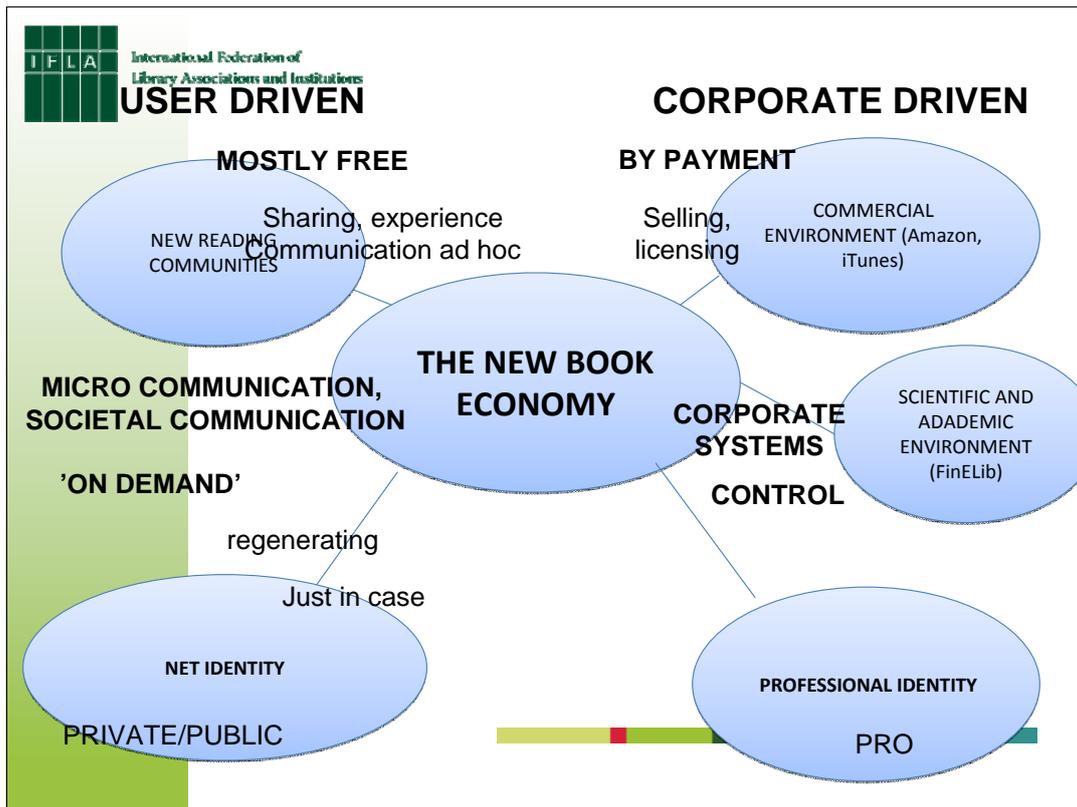
- We are still looking for a balance.
- Conflict with basic rights and with market principles.
- Even within EU there are different interests between DG Internal market and DG InfoSoc.



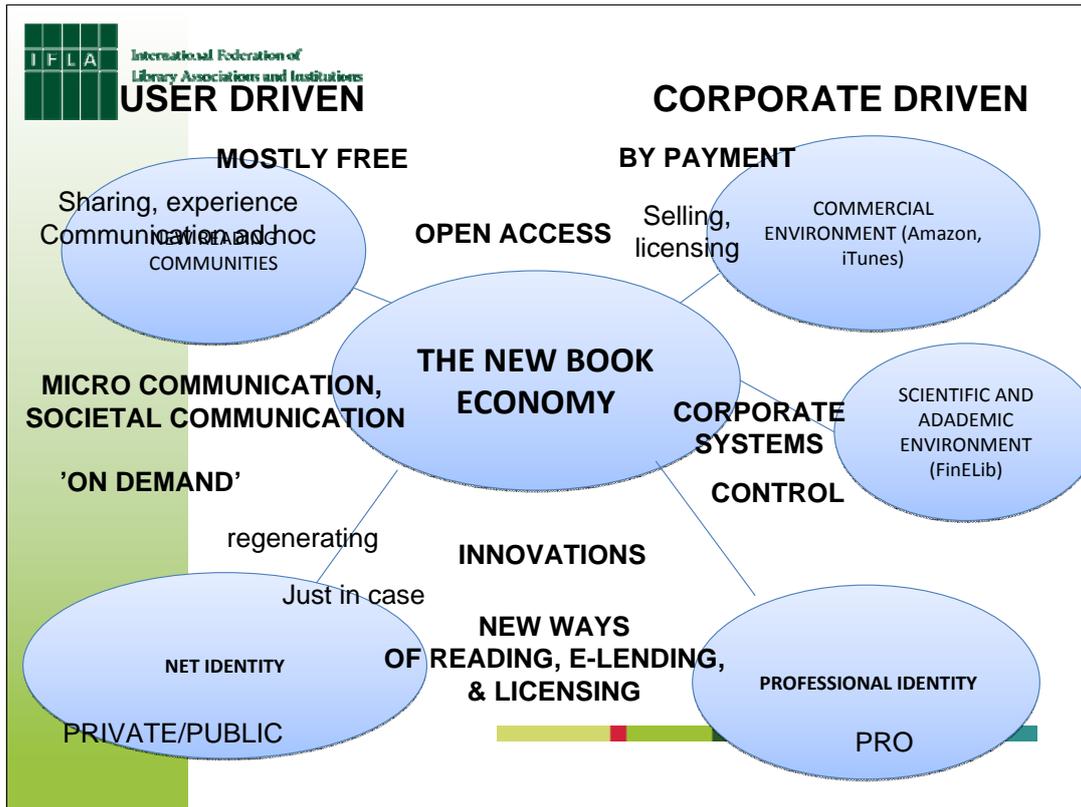
• I don't have too much to add here, save for the idea that the Internet was founded on an idea of neutrality. It grew on the basis of that idea, and to change that playing field to favour too many rights or too few would need to be handled extremely carefully. There is an important counter-balance to those pushing for more protection – the real and actual habits of Internet users. Far too often our legislative environments seem to be drawn up by people who don't use the technology day to day. Online, if something doesn't work, people have other options – even if they are illegal. It is not to specifically reference John Gilmore's point about the Internet perceiving censorship as damage and routing around it, more to suggest that it will be user habits that play a major role in the type of internet that will be built, and that market forces that push too hard will fail. Users can see what does and doesn't work, and will act accordingly to get what they want.



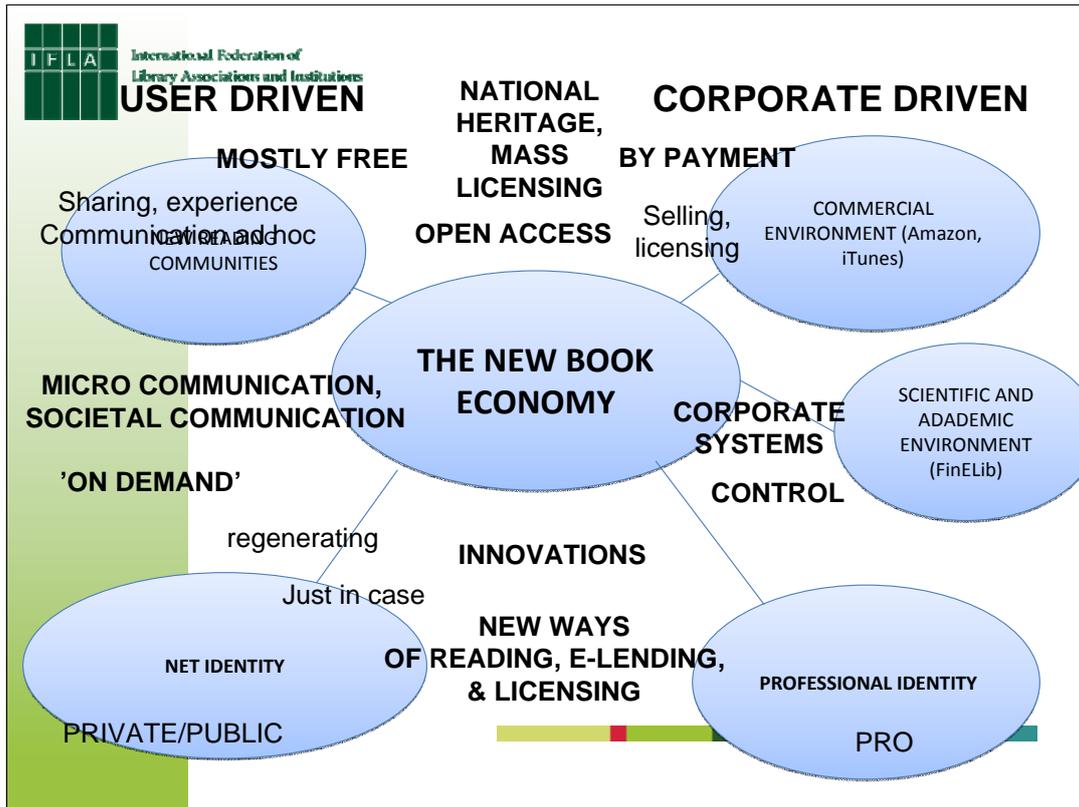
This might need a little tidying – the top left circle has some text overlap. I look forward to you talking us through this one!



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## 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.**





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## **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





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# The [Directive on the re-use of public sector information](#)



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.





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## 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 extend the term of protection of the performing artists, jumps up every time with a new chair of EU

### B) Aims to strengthen 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



Just to note that A) will be covered by presenters in the Copyright session in more depth

Something on sound recordings: <http://kluwercopyrightblog.com/2011/04/06/o-no-not-again-term-extension/>



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### 3. Digital agenda and the libraries.

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





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## 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.



Duplicate slide? (with no.6)

### 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 ...](#)



### Om bokhylla

Norges største digitale bokhylla er gratis for brukerne. Her kan du låne 14.000 bøker fra 1990-tallet på nettside, pluss 3.500 eldre bøker.

[Les mer ...](#)

### Bokhyllablog på NBdigital Beta

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

[Les mer ...](#)



Søk i alle bøker i NBdigital

søk  
help



### 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

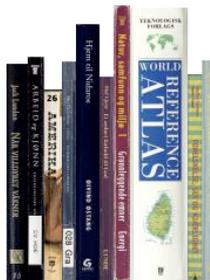
Litteraturen er preget av stor bredde i emner og genrer, men skrifter om religiøse og teologiske emner dominerer fremdeles det litterære bildet.

[Les mer ...](#)

### 1690

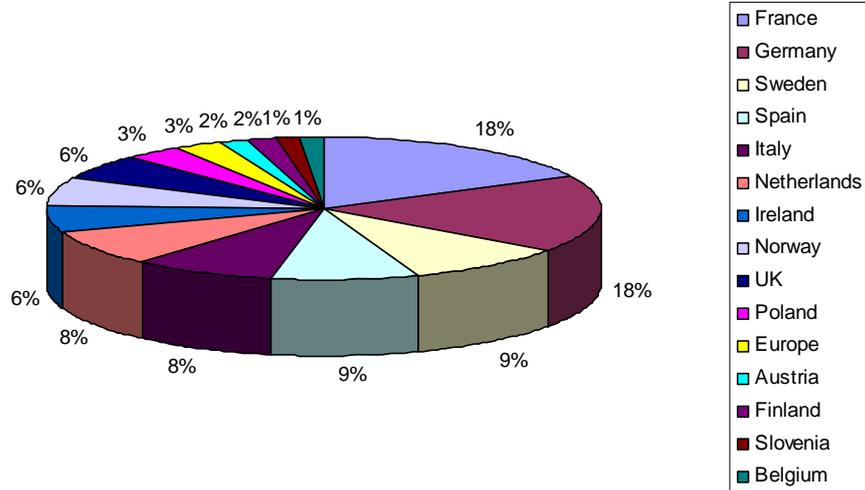
Skrifter med religiøst innhold preger mye av litteraturen på 1690-tallet, men vi finner også historiske og topografiske fremstillinger, samt en del avhandlinger fra universitetet i København.

[Les mer ...](#)

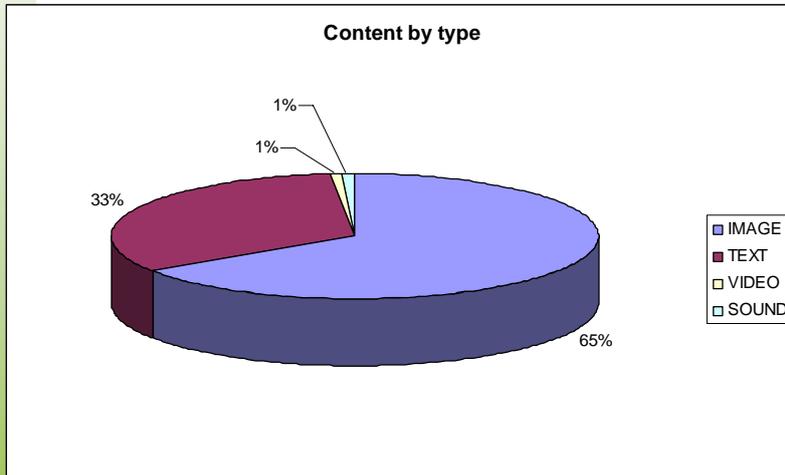


Bok med ett klikk.

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# Content by type / Europeana





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## DIGITIZATION MEANS RESOURCES





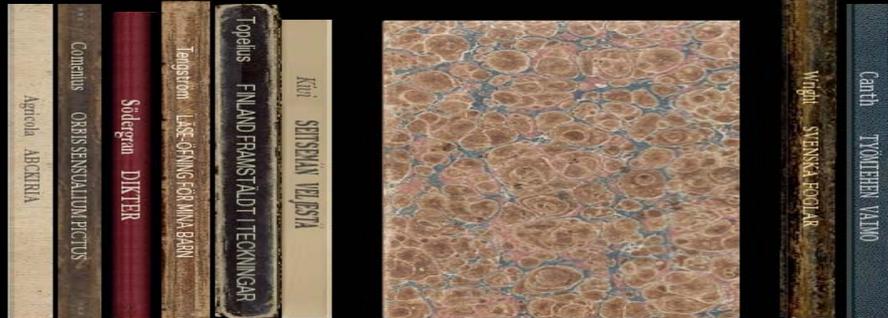
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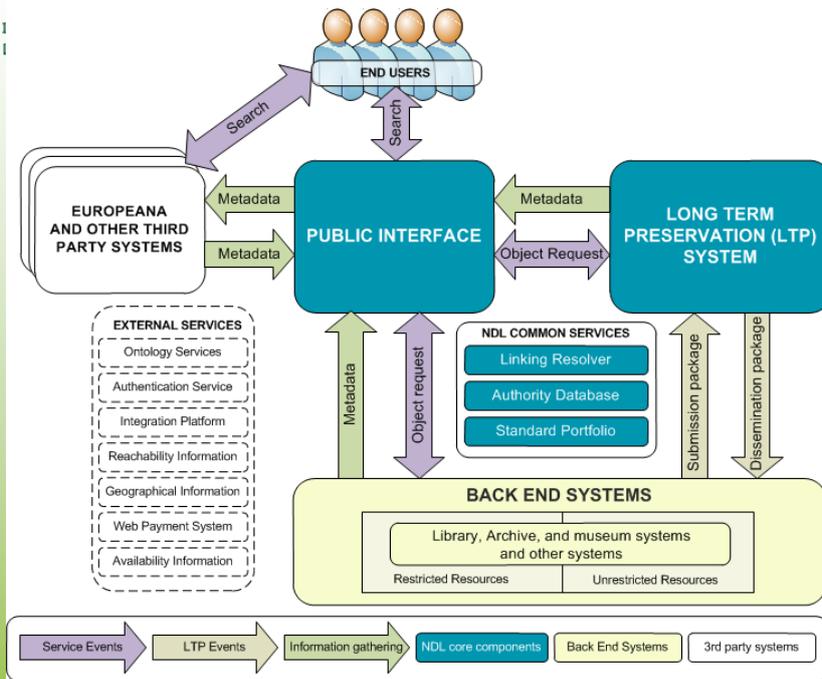
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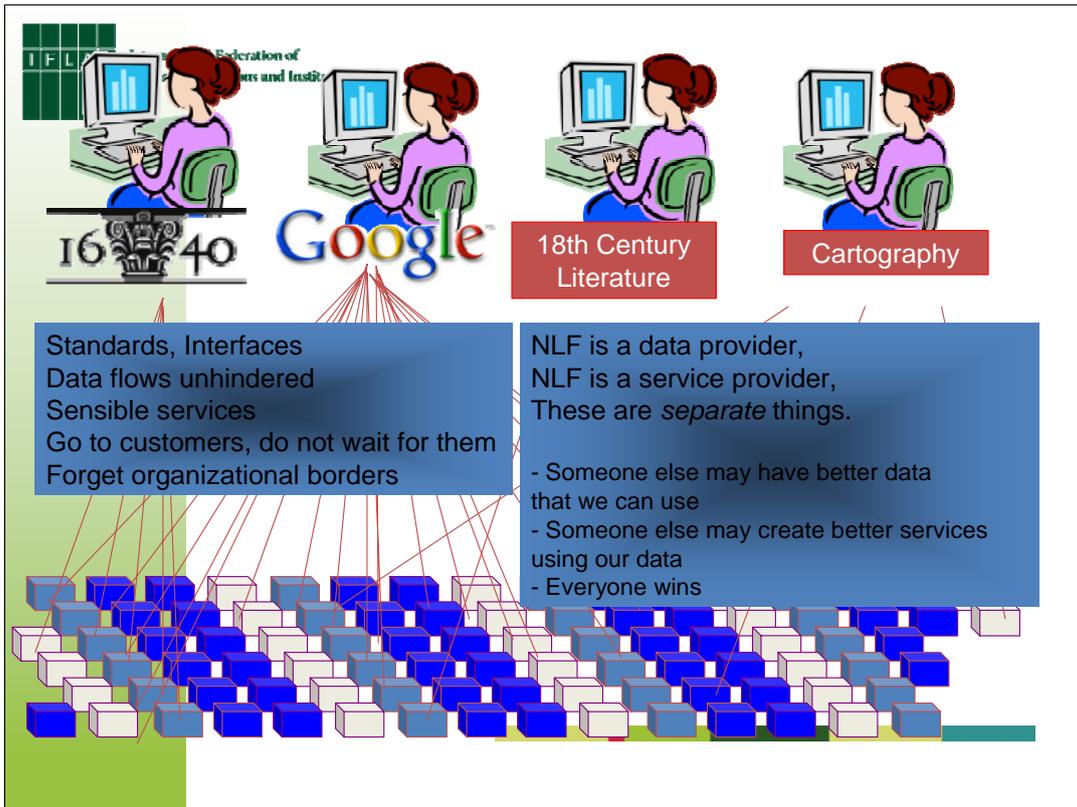
# MAKE IT VISIBLE



- [http://www.kansalliskirjasto.fi/verkkokirjat/hylly/hylly\\_fi/hylly\\_fi.html](http://www.kansalliskirjasto.fi/verkkokirjat/hylly/hylly_fi/hylly_fi.html)









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WE STAND FOR ...

**IFLA**  
**Internet Manifesto**





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# 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





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



As mentioned above, users of public access intermediaries should have the rights to access the same information as home users



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"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."





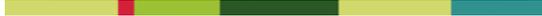
"Librarians have a **responsibility to advocate** copyright conditions that facilitate the preservation of digital materials and rights holders should be encouraged to recognise their obligation to ensure the long-term availability of online resources."





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# Thank you!





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