



knowledge without boundaries

# EIFL-IP

Promoting a fair and  
balanced copyright system

## Thought leaders in Latvia: libraries and e-books

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Results of an EIFL-IP funded project

### The Context

The introduction of e-books in libraries is proving to be something of a challenge with thorny technical, pricing and legal issues to overcome. Library associations, such as [EBLIDA](#) and [IFLA](#), are organizing campaigns and drafting principles in support of library e-lending services.

In Latvia, a Baltic state with a population of just over two million, the e-book market is just emerging with an estimated 400 e-book titles (annual publishing output c. 2,000 titles). So far, little interest has been shown in e-book services by libraries - except for two public libraries - due to the low penetration of e-readers in Latvia, lack of resources to proactively develop e-book services, and not least of all, lack of understanding by librarians and publishers about the legal framework for e-lending.

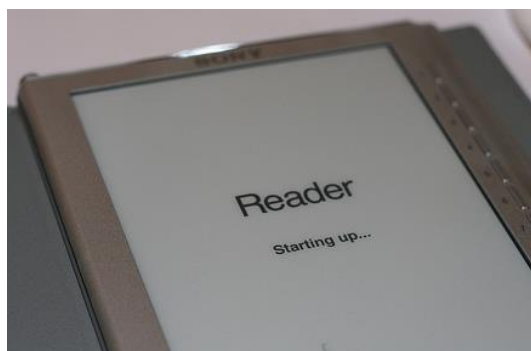


Photo credit: James F Clay

However, as the number of e-book titles in Latvia is sure to grow, and demand for e-books in libraries will increase, it is imperative to raise awareness of the issues now, identify problems and reach agreement on a sound legal framework so that libraries are ready when the market has developed.

### Project Objectives

The project was implemented by the [National Library of Latvia \(NLL\)](#) that serves as a competence centre for the library sector and is responsible for the development of best practices. The objectives were to:

- raise awareness of the legal aspects of e-book lending in libraries among all stakeholders;
- develop agreement on best practice principles for e-book acquisition and lending in libraries;
- draft proposals for legislative change to enable e-lending in the public interest.

There were three target groups:

- librarians and book publishers interested in developing e-book lending services in libraries;
- library customers and the general reading public interested in using e-book services;
- policy-makers and politicians responsible for law and policy affecting e-books.

## Strategies and Tactics

- An overarching strategy was to be “early adopters”. If we had waited until later, we might have been cast as the “villains” – accused by publishers for interfering in the e-book market, and by users for failing to provide state-of-the-art services.
- Hire an experienced legal expert to guide us through the legal jungle, freeing us to focus on library needs and ensuring that our decisions were “translated” into sound legal language.
- Use of the mass media with materials tailored to the problems of e-books in libraries. The strategy paid off with significant attention from the media that asked thought-provoking questions of publishers.

## Key Achievements

- ✓ **Increased knowledge of legal e-book issues by librarians and publishers**, who had not fully realized the implications for library lending; both groups have started to consider where they stand on the issue. There is increased awareness, too, among policy makers and the general public.
- ✓ **Agreement among libraries on principles for e-book lending.** Although no agreement was reached with publishers, it was essential that the library sector defined their needs and articulated their position clearly.
- ✓ **A proposal for a pilot project to test the e-lending principles in the Memorandum of Understanding (MoU) by a major Latvian publisher - an unexpected and welcome result.**
- ✓ **Certainty about the current legal framework for e-books in Latvia to enable clear, strategic forward planning.** An added benefit was the development of proposals on other copyright issues that will be followed up separately.
- ✓ **Libraries were recognized by the general public as progressive institutions embracing technological progress**, thanks to widespread media coverage.



Karīna Bandere, Project Manager, NLL explains e-books and libraries on Panorāma, the evening news programme of the public broadcaster LTV1

## Activities

The activities consisted of three main phases.

**Phase one – conduct a study aimed at developing a national legal framework for the lending of e-books by libraries in Latvia.** We examined the international legal environment and literature; undertook a comparative analysis with Latvian law; identified laws requiring change and drafted proposals for amendments. We reached the conclusion that the legal obstacles lie mainly with the international framework, so we decided to re-focus to define best practices for e-book lending, develop a model licence and a Memorandum of Understanding (MoU) for stakeholders. The draft MoU covers the acquisition, lending, preservation and promotion of e-books, rights management and user privacy. The draft model licence embodies the principles of the MoU in a legal document - a contract between a publisher and library.

During discussions, several other library-related copyright issues were raised that we decided to address separately that include proposals for widening the availability of digital collections, and introducing a new exception for indexing scientific works.

**Phase two – organize an advocacy campaign for multi-stakeholder agreement on the principles of e-lending, and to discuss the proposed legislative changes.** Discussions took place with over 150 senior librarians, public library directors, publishers and publisher associations, as well as policy-makers at seven meetings in a variety of fora. As a result, local e-book distributor, [e-gramatas.lv](http://e-gramatas.lv) announced in October 2012 that their technical platform supports implementation of the MoU principles; and on 13 February 2013, the MoU was unanimously adopted by the Library Council, a consultative body to the Ministry of Culture with c.15 members representing the library sector in Latvia.

*'It might have been tempting to argue that e-books are no different from printed books, but we recognized where the legal fault lines lay, that are international. So we decided to prepare the ground at national level, while case law and legal opinion develops on issues such as "digital exhaustion" in the EU and beyond'. Uldis Zarins, Project Manager*

Zarins was invited as an e-book expert to a Ministry of Culture seminar, "Alternative models for distributing works in a digital environment" in April 2013 during "Week of Creativity", and has presented on challenges for e-book lending at library seminars (Oct. 2012 & May 2013)



Photo credit: Leta

The response from the publishing industry to the MoU has been mixed: publishers need more time to consider the impact of e-lending on book publishing in Latvia, and to examine publisher experiences in other countries. Therefore, the consultative Council for Literature and Books, with representatives from the [Latvian Book Guild](#) and the [Latvian Publishers' Association](#) (as well as libraries), encouraged the Ministry of Culture to organize an international conference on e-books, but did not endorse the MoU.

In March 2013, the separate set of proposals for copyright law amendments were presented to a specialist Working Group on copyright at the Ministry of Culture. As a result, the NLL was asked to polish the proposals, discuss with a broader group of stakeholders and to next present them at the Education, Culture and Science Committee at the Saeima, the national parliament of Latvia.

**Phase three – organize a dissemination campaign to raise awareness among the general public about e-books and libraries.** The target groups were the broad library network, the general reading public and the mass media. A [campaign page](#) on the NLL website included a downloadable project banner. An online survey to gather public opinion created a buzz on social networks, and resulted in 18 news items on Facebook, Twitter, and Draugiem.lv.



Press releases explaining the core concerns of libraries and e-books were disseminated to major media channels, as well as the network of 800+ libraries. On 26 February 2013, a public discussion brought together all the target groups, highlighting the need for dialogue between libraries and publishers. The discussion received widespread attention from news agencies, national TV and radio channels, as well as Latvian publishers, bloggers, and social media, generating a wide ranging discussion about the role of libraries offering e-books, legal deposit and expectations for the future. As a result, libraries got great coverage with 28 news stories and interviews on national TV, radio, newspapers and in online media.

## Lessons Learnt

- Be the first to raise the issue. Because libraries first raised the e-books issue (rather than publishers or law-makers), the image of libraries as “thought leaders” that care about the rights of society and access to knowledge has been strengthened.
- Start from a position of strength. We first did our homework with a detailed study so that libraries could agree the issues, then we presented our proposal as the starting point for discussions with stakeholders.
- Engage the broader public - but only when fully prepared. We made a conscious decision to start public discussions towards the end of the project when we were well-informed and sure of our focus.
- Be bold and persistent with a clear message for partners, policy makers and the media.

## The Future

The project has kick-started four exciting tracks:

- The Ministry of Culture Working Group on copyright agreed that the National Library of Latvia should fine-tune its proposals for amendments of Copyright act, discuss further with stakeholders and bring before the Education, Culture and Science Committee at the national parliament.
- A pilot project testing the principles of the Memorandum of Understanding has been agreed to make 5-10 e-books available in the public libraries of one city for at least three months, followed by a nationwide e-book awareness campaign with the publisher. Watch this space!
- Awareness raising: the project team is being invited to speak about e-books at library events, and to participate in expert discussions at Ministry level.
- National media coverage. The national media, most notably daily culture programmes, “[100 grami kultūras](#)” on TV and “Kultūras rondo” on the radio, have promised to cover the issue in future.

*EIFL-IP supported this project with a grant of €4,000. The project began in July 2012 for a duration of eight months. For more information, please contact the Project Manager, Uldis Zarins [Uldis.zarins@lnb.lv](mailto:Uldis.zarins@lnb.lv)*

*For information on other EIFL projects in support of national copyright law reform, visit [www.eifl.net/advocacy-campaigns-national-copyright-law-reform](http://www.eifl.net/advocacy-campaigns-national-copyright-law-reform)*