



International Federation of
Library Associations and Institutions

Libraries without borders

*A licensing and cross-border survey undertaken by the IFLA
Copyright & other Legal Matters (CLM) Committee*

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IFLA CLM survey: Apr – May 2014

- Two questionnaires
 - Licensing
 - Cross border activities
- Responses from: IFLA CLM, EBLIDA, EIFL members
- **91 institutional responses**
- University libraries, national and state libraries, public libraries, special libraries





Countries surveyed:

- Australia
- Bulgaria
- Canada
- Colombia
- Croatia
- El Salvador
- Ethiopia
- France
- Germany
- Ghana
- Hong Kong
- Japan
- Lithuania
- New Zealand
- Niger
- Norway
- Poland
- Senegal
- Switzerland
- Uganda
- United Kingdom
- Uruguay
- United States





General observations

- Confusion and fear about copyright laws
- In the print environment, libraries are receiving requests for information from all over the world
- Digital licensed content in collections is increasing rapidly – in both developing and developed countries





Licensing

- Total global library spend on content: **\$23.8 billion USD (2011)**
- Libraries make up 70% of global academic publisher revenues
 - Total revenue from STM publishing in 2011 **\$9.4 billion**
 - *Libraries: as much as \$6.58 billion total STM revenue 2011*

Source:

[http://www.stm-assoc.org/
2012_12_11_STM_Report_2012.pdf](http://www.stm-assoc.org/2012_12_11_STM_Report_2012.pdf) (page 19)



Licensing survey responses

- In developed countries, licensed digital content comprised between 50% - 90% of total acquisitions budget
 - In countries other than US, on average over 50% of licences referenced overseas copyright laws
 - 85% of responses indicated domestic copyright laws overridden by licences (cf. consortia)
 - Most expensive licences
 - Elsevier Science Direct (ranged from \$100 000 USD to \$650 000 USD for different institutions)
 - ProQuest



In Africa and LAC

- Licensed content comprised between 0% - 50% of annual acquisitions
 - Senegal university library: \$197 000 USD on content
 - Niger special library – less than 10%
 - Colombia university library: approximately 1 billion pesos or \$100 000 USD (59% of annual budget)
 - El Salvador university library: \$69 000 approx on licences in 2013






Licence terms:

Ghana, university library:

“This Agreement shall be construed and interpreted pursuant to the laws of the State of New York applicable to contracts wholly entered into and performed in the State of New York. Any legal action, suit or proceeding arising out of or relating to this Agreement or the breach thereof shall be instituted in a court of competent jurisdiction in New York County in the State of New York and each party hereby consents and submits to the personal jurisdiction of such court, waives any objection to venue in such court and consents to the service of process by registered or certified mail, return receipt requested, at the last known address of such party. “

Germany, state library:

“This Agreement shall be governed by and construed in accordance with the laws of Pennsylvania. The federal or state courts of the United States located in Philadelphia, Pennsylvania, shall have jurisdiction to hear any dispute under this Agreement and service may be made upon Licensee by first-class mail to its address as set forth herein.”

A decorative horizontal bar at the bottom of the slide, composed of several colored segments: yellow, red, green, dark green, light green, and teal.



Commonly restricted terms

- Interlibrary loan (ILL)
- Interlibrary document supply (ILDS)
- International ILL and ILDS





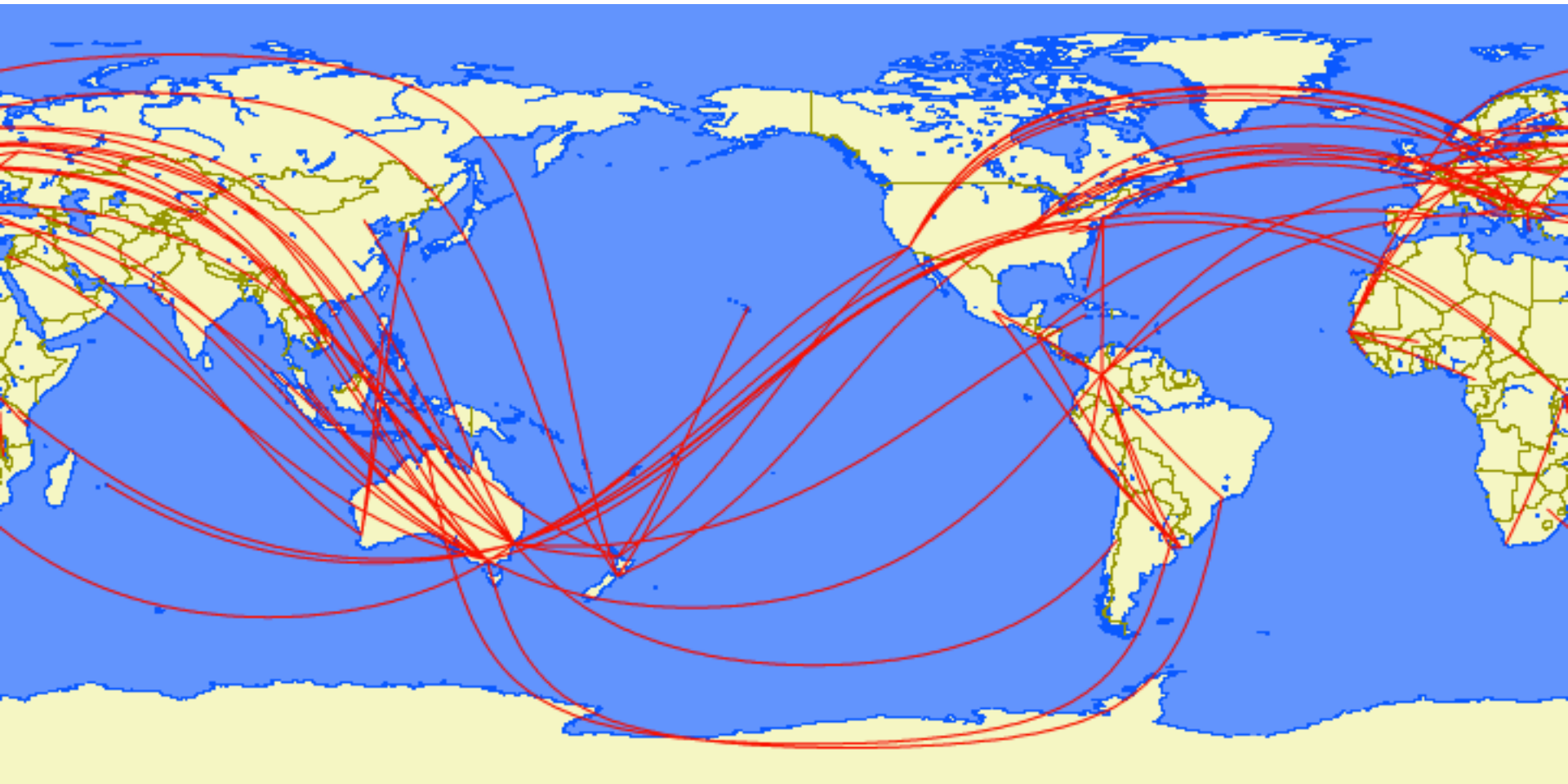
Cross border activities

- Libraries are receiving requests for items from their collections from all over the world
 - Research and study
 - Cultural heritage
 - Personal histories





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Colombia, university library:

Mexico, USA, Peru, France, Spain, Brazil, Argentina, Costa Rica, Uruguay, Venezuela (weekly basis)

Poland, university library:

Japan, Austria, Germany, Ukraine, Canada, Portugal, Russia, Slovakia, Czech Rep., USA, UK, Italy, France, Serbia, Belgium, Latvia and Spain. (30 – 60 times a year)

Australia, state libraries:

Afghanistan, Argentina, Bangladesh, Belgium, Brazil, Canada, Chile, Denmark, Finland, France, French Polynesia, Germany, Hong Kong, India, Ireland, Israel, Italy, Jamaica, Korea (South) and more





In print:

- Copies provided by mail, fax and email
- A number of cross border projects
 - ROADIS (**Réseau Ouest Africains de Documentation et d'Information sur la Santé**) – shared digital repository
 - WW1 commemorative project (New Zealand and Belgium)
- Ability to fulfill cross border requests differed between country
 - Eg. German special library: refuses 30% of requests





Observations

- In licensing environment, ability to lend or share information with libraries in other countries has decreased dramatically (“**information silos**”);
- **Flow on effects:**
 - Donation
 - Preservation
 - Gaps in knowledge base
 - Limitations on language

