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# FRIDAY, APRIL 4TH 2014



## Welcome

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Vincent MONADÉ

*President of the CNL [the National Book Centre]*

Mr Minister, Mr Jacques Toubon, Ladies and Gentlemen, friends, first of all I must thank you for coming. This well-known formula takes on its full meaning here today. 18 countries are represented here, today and tomorrow, from all over Europe. When we sent out the invitations, I didn't expect so many of you to attend. What does this success mean? Above all, it is evidence of our strong attachment to Europe. Whether we are citizens of a European Union Member State or not, the deep feeling of being European is what unites us all. It is also due to our strong, deep-rooted passion for our jobs and for the reason for our jobs, books. We are all different. Some come from regulating countries where a fixed price exists, where the profession is supported by public institutions or by the State, where creativity is protected, supported and aided. Others come from more liberal countries, where competition is given free rein, countries in which culture receives no support, or very little, from the State. But it doesn't matter: what we all have in common is a love of books, a love of those who write books, those who publish them, and those who distribute them.

As you know, the book sector is the leading cultural industry in Europe. It accounts for a turnover of €22.5bn, and employs millions of people, directly or indirectly. But it's also a giant with feet of clay. Here today, we have a Greek publisher; the government in Greece, pushed by the troika, is ready to abolish the fixed book price. This will be a disaster for the network of independent bookshops in Greece, a disaster for publishers, some of whom will disappear, and others that will be taken over. Throughout Europe, the Internet multinationals are waging a latent, but very real war on the content producers. They do not play the competitive game as they claim, however: they practise social dumping and tax optimisation, they enslave their clients to proprietary and non-interoperable systems, forcing them to purchase exclusively from their websites.

Copyright, the cornerstone of creativity and the book chain, a chain comprising authors, translators, publishers, bookshops and libraries, is being attacked from all angles. To listen to some, it is the cause of the cultural poverty in which so many Europeans still live. I digress, but this morning I've heard some speeches, not European but North American ones, in which the question of copyright has been discussed in a manner that is very different from the way we view it. Copyright has apparently obstructed the circulation of ideas, expertise, knowledge and the arts, culture and books; undoubtedly since the 18th century, when it permitted the dissemination of ideas, culture, expertise and knowledge. What a contradiction! Throughout Europe, copyright allows the use of a work in a physical or virtual medium, it makes it possible to circulate works, as we know well, given that we finance translations in every language in Europe and worldwide. It allows media libraries to lend to a large readership in all our countries, and enables the democratic sharing of knowledge and creativity. Copyright is not the enemy of modernity, unless you think that modernity means stealing. It guarantees authors and publishers protection of their work and their investments. How is this contradictory with the digital era? Would Apple, for example, allow free circulation on the Internet (as "everything must belong to everyone") of its patents, research, inventions and technology? No, of course it wouldn't. So if it's valid for an Internet multinational, why not for an author or publisher? This fight for copyright brings us all together. We're all on the same side, all defending this principle.

On this basis, we can, we must, I believe, found a joint initiative and a network. We have met here for a day and a half, and we have a packed programme of round tables and informal discussions ahead of us. Many of you have come from afar to be here, and this is because we all feel the need, at the same time, to organise ourselves. With our partners here in France – the French Publishers' Association, the Society of Men of Letters, the French Bookshops' Association, the French Institute, and the Ministry of Culture and Communication – we have come together. Despite our differences and our divergences, we will all fight together. I'm sure you all do the same in each of your countries. So why not all work together? Together, we will be a force that makes a difference.

I'd like to make two proposals. The first is that this European Book Conference is only the first in a long series. Why not decide here and now to meet once a year in a European country, as an institution dedicated to books and to book sector professionals, to discuss, debate, share and invent innovative solutions to the problems we face, to take joint initiatives which we can then relay to our national authorities and the European authorities.

My second proposal is that on Saturday, we sign two texts. Firstly, a simple declaration that we are each committed to acting, using our own specialisms and resources, to defend copyright, reduced rate tax on books, and fair competition in the sector. Secondly, for those that wish to do so, we will send a very humble message of support to our Greek friends, to a country that is the origin of democracy, European culture, books and thought in Europe.

This, my dear friends and colleagues, is what I propose. But whatever you decide, I must tell you how moved I am, sincerely and from the bottom of my heart, to see us all together today. Some people question the validity of Europe sometimes – I'd like to say to them, looking at us all here today, look, this is Europe.

Thank you.

## INAUGURAL SPEECH



### Jacques TOUBON

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*Delegate of France for taxation on cultural goods and services*

Ladies and Gentlemen, President of the National Book Centre, the representatives of ministries, governments and foreign organisations who have come here this morning to take part in the first meeting, I would like to welcome you, and simply you tell you how I find things, given my experience and my long practice in these matters - on a political level, naturally (I'm not an author, or at least very little, nor a publisher, bookshop, distributor or director of a public body responsible for these matters), but at a political level, I try to understand everything that is going on in the public sphere in this sector. From this viewpoint, I will say straightaway that Vincent Monadé and his team's idea to launch this conference today, against the backdrop and at the same time as the Chaillot Forum on culture in Europe, seems an excellent idea to me, and naturally, it must succeed. It mustn't be a one-off, it must genuinely be a medium-term enterprise, as the characteristic of books, as you all know, is that its very concept, production, distribution, and intellectual and economic scope make it very much a long-term enterprise. This characteristic has always been present in knowledge and culture, through writing and through books.

It's a very good idea for three reasons.

The first is that our national situations are much more disparate in the book sector than in many other sectors. If we compare it to a sector in which public intervention is very high in Europe, i.e. the film and television sector, our national systems are clearly more similar in this sector, as they have been governed by relatively precise European directives for 30 years. It is therefore more natural that the various type of national film centres that exist in the European Union work together. That's why for the last ten years, the national centres have been meeting, whether at their annual meeting in Cannes, or whenever necessary, if there's a crisis, or if there's work to do for the European Commission. As Vincent has said, in the book sector, our situations are much more diverse. What characterises books in relation to the public authorities – more precisely, what characterises the public authorities in relation to books in all the countries in Europe, is the significant budget investment through (it must never be forgotten) public libraries.

In all our countries, in one way or another, nationally, at universities, in local authorities and libraries, public access to books is one of the most common and most developed investments. There are even countries in which public access to books represents the majority share of book distribution. This is therefore very significant in terms of budget and tax implications. However, by contrast, in terms of book economics and the book industry, there are very few countries that are genuinely committed to intervention or regulation. Around fifteen of them practise in one way or another the system of publisher fixed prices; most of them, that is 25 out of 28, apply reduced-rate VAT to printed books.

These are the two subjects on which I would say there are the most similarities, but there are also great differences in the content of intervention and the way it is carried out – you only need to look in this programme at the lists of different organisations in different countries, their fields of action etc., to see that, unlike other sectors, and once again film and television is the natural example, there is not much similarity between these organisations. I think that currently, this is one of the difficulties – why? - or one of the

needs, to be more precise. Often, in countries which refuse any type of intervention or regulation, the idea is that things can be regulated through contracts, through business relationships, contractual relationships and essentially through the players in the market; under these conditions, public or parapublic bodies appear a little like parasites, or at least seem to be tacked on to an economic reality that makes its way independently without any public intervention.

I think that today, the emergence in the book sector, as has been happening since 2001 in the music sector, and also for several years in the film, video and television sector, of online publication and distribution changes the facts of the problem, from two viewpoints. Firstly, because we can no longer simply expect, without doing anything, that the totally unequal relationship between the clay pot and the metal pot, as in Aesop's fable, can continue. This is the relationship between the major players in the IT and digital publishing sectors, technical intermediaries, suppliers of software and application platforms etc., and on the other side the players in our own book sector, who are the authors, publishers, distributors and bookshops. In reality, there are two worlds being created today: one world that is made richer by digitalisation and online publishing, and a world which, even when it submits to the terms of the first, will naturally only get poorer. This is a dual poverty: economic and financial, and also - even though we might say that when it comes to culture we can live on love and fresh air – a conceptual and intellectual poverty. A book is an object, that's clear, it's a product, but it also represents meaning, knowledge, emotion, and that's why an intellectual work cannot be treated like any other product or service. So that's the first reason: we must find a way to end this situation where, once again, the metal pot is in the process of irretrievably breaking up the clay pot, which is us, the European book industry. It must be recognised, however, that the European book industry, unlike other sectors, is not a small industry at all: it includes 6 out of 10 of the largest companies in this sector in the world, and in terms of turnover, prosperity, authors, rights etc., it has power. Therefore, by definition, we are starting from a situation where the developments caused by the digital revolution are in some way drying up this power in favour of the IT sector and the GAFSA companies (Google, Apple, Facebook, Amazon), although we are not starting from a situation of a sector in difficulty, but by contrast a strong sector, from all points of view. This is the first reason.

The second reason is that digitalisation, the new situation, naturally creates problems and therefore necessitates the search for solutions, which can only be cross-border, and must be at European level. As we know very well, we can no longer work on our own, not just because of European regulations (competition regulations, tax regulations, interest market regulations), but simply due to the reality of affairs. A service may be set up in a certain place, but it is provided in fifteen other countries, consumers are everywhere, and naturally technology knows no borders (this is obvious), so we must be ready to adopt solutions that are suited to the nature of the situation, i.e. cross-border solutions. Here, for example - Vincent was right to allude to it, and in the forum next door they have already begun talking about it seriously, plus there is a round table this afternoon especially on this subject – here, for example, great attention must be given to considering how European solutions can be adapted to the needs of a form of territorialisation of intellectual property and copyright; and at the same time, how to adapt our European copyright to this new situation. We have all seen the damage that has been caused in the music industry by untimely interventions, on the subject of multi-territorial licences etc., so for books, even though we have the techniques, the trading rights, and the international trade in literary rights, we must still be very attentive to this question.

Simply, therefore, we undoubtedly need – and I say this to our neighbouring countries who have not yet developed a system of regulation and public intervention in this sector – it seems obvious to me that we need nationally, since we are national democracies, governments and Parliaments elected by the people of the nation, at national level, to develop regulation and intervention systems of this kind, which can unite and bring us together to deal with the problems and solutions we all have, and perhaps one day in a European manner. Personally, I am very much in favour, on cultural matters, of one day

having shared competence between the European Union and the Member States on a number of subjects (something that does not currently exist). As you know (I will digress here, but not for long), as regards institutions, since the Maastricht treaty, culture is no longer alongside the European Union, it is part of the European Union, but not under its sole competence, and not at all as a shared competence between the Member States and the European Union, but in terms of support action. This means that Mrs Vassiliou, who will speak later, can provide support etc. This is the creative European programme today, the basis of which is the Media plan for writing, development, promotion and broadcasting of film and television. But above all, and in my opinion this must happen, either via an inter-governmental agreement, otherwise we would have to change the treaties and we're not ready to change them, so by an inter-governmental agreement or through increased cooperation, all the countries, or a good number of them, must agree to put in place a number of elements of Community policy. It is clear that digitalisation and online publishing encourages, and indeed demands this. There can be no national response to digitalisation and online publishing, which by definition is international, European and worldwide.

Therefore, I think that this initiative will undoubtedly prosper, and that there are a number of sectors in which we must find the means at national and then at European level, to adopt solutions, which if not joint solutions must at least be similar. I say this without wanting to always push forward the French-German pairing, although I am quite attached to it all the same, as it is indisputably a driving force in Europe. It is clear, for example, from the way in which over the last two or three years the French government, French professionals and the German professionals and German government have worked together on these matters and achieved common positions, which have now been translated into the coalition contract for the new CDU/SPD coalition government led by Angela Merkel in Berlin, that this is an example of what we should try to achieve. There are witnesses to this here, from the Börsenverein. When I arrived in Berlin for the first time three years ago to explain that we had to work on applying a reduced rate to books published online, many people stared at me wide-eyed, saying "what is he talking about?" I mean that it was not a subject for discussion at the time, and that gradually a number of these topics have become themes. As we saw in the most recent draft of the manifesto recently adopted by the Federation of European Publishers, the Federation of European Writers and the Federation of European Bookshops, which has now been sent to all the candidates at the European elections, and to all the MEPs, this is an absolutely striking demonstration that there is now a formidable awareness – at least by those who are directly involved, meaning the creatives and professionals. In my opinion we must try to achieve this same approach between governments, at the level of public policy, even on topics as difficult as this, i.e. topics on which there is jealousy about national sovereignty, and topics that are very complicated to deal with, such as taxation. We absolutely need to clarify these topics all together.

In this joint action, there are a number of themes which to me are absolutely evident. Everything related to regulations, obviously, i.e. everything that can help to create a state of affairs for books, and for other cultural industries too, avoiding the strict, stupid, unfair application of the rules of undistorted competition. The best example, of course, is the publisher's fixed price; this price, as has happened in France, and Spain too, for example, must be extended to online books, not only printed books. In terms of regulation, everything related to government aid must be considered through the prism of competition law, but not pursued in any way. We must make sure that the next Commission to be elected, or to be appointed next autumn, instils an approach to competition that is different from what has been implemented up to now. When a number of business agreements lead to the emergence of a possible European online services industry, competition should be introduced, and the Commission should not take decisions that favour monopolies, which in my opinion is a complete contradiction, as it's the exact opposite of the European personality and identity. So there is a lot to consider about regulation, and I believe we need to discuss it together. It's clear that to start with, our approaches are often extremely different on this subject.



And then naturally, there is taxation, which can be considered on two levels: indirect taxation, which I have spoken about, i.e. VAT – I think that we can deal with this in the next Parliament and the next Commission. At the moment there's a blockage, as there are roughly a dozen countries which are in favour of a reduced rate for online books, but the others either don't care or are hostile for reasons of fiscal ideology. The Commission has decided, due to a lack of political courage, to do nothing until its term of office runs out, even though all the elements are in place, and studies exist which present a position, whatever it is, but it is up to the Commission to take the initiative and to say something so that we can start to discuss it; even if they don't say anything, the debate exists, and we have started it, we started it four years ago, but it's clear that it's not making progress. For example, I was talking about Germany, which has a very good position on the reduced VAT rate for online books, but unlike the French, who have taken initiatives, it says: I won't take the initiative, I'll wait for the Commission to make a proposal and then I'll decide – which is a position typical of the German government, and I don't judge it, but the reality is that Germany's support for a reduced rate is conditional on the Commission's initiative. This is the reality. So this is the situation, and this is the major work for summer and next autumn, as it's necessary that the new MEPs elected at the end of May, who will take their seats in July, and the new Commission which will actually be installed in October after all the validation procedures, must all be properly and comprehensively instructed from the beginning.

There is also of course – which we must not forget, as it concerns us a lot – the question of direct taxation, i.e. the matter of tax for multinational companies, which until now have considerably escaped from both ordinary law taxation – meaning corporation tax, etc. – by a series of legal tax optimisation mechanisms, authorised by international agreements, and also, we must not forget, all the taxation systems which exist in a number of countries for these industries in order to promote and ensure the funding of culture – i.e. the system of retraining and sharing that exists in our country, in many sectors, and in many other countries on a similar model. Currently, it cannot really be said that for the tax that goes to the Treasury, and the tax used to finance culture are over the top, so there is work to be done at OECD level, that's clear, in which the Americans, for once, are allied with us, because they are also losing a lot of their Treasury income this way. However we must also take European positions. A group of experts has launched, which will give its conclusions in June-July on this matter to the Commission, so nothing will happen until the autumn, but there too, we must be extremely active.

Naturally, there are all the questions that relate to financing and investment. It's clear that in Europe we suffer from a significant lack of risk-capital, which would enable us to support the creation of platforms, as of course all this must translate into the existence of European companies which are capable, as I said earlier, of using our creative capital for Europeans, for European jobs, European income and European countries' taxes, instead of systematically going to Californian taxes, income and jobs for people who live in Silicon Valley, Seattle or Los Angeles. It is therefore clear that we must absolutely find systems that are European. The publishers are in a difficult economic situation, as I said earlier, that of a sector in difficulty, but at the same time it's a job that is done on very low margins, with a lot of business risks, and therefore this capacity to anticipate, to work as these companies do (remember that a company like Facebook, until last year, did not earn a cent, it's a company that does not make profit, but has however been valued at over \$100bn on the stock market). What I'm trying to say is that we need, at European level, to create an economic system, an investment system of this type. The publishers in particular, or the distributors, are completely ready, I think, to do it; we need to get there too, and here again we need to find a European solution.

The last subject, naturally, is about sharing values – on which I have spoken at length. This is based on a strict respect for copyright, as intellectual property is what constitutes our capital, or I might say our economic contribution, and this is what makes us capable not only of asserting our rights, but of being remunerated and therefore entering the economy of the system. So we must be extremely attentive if a revision of the 2001 Directive is

launched: we must assert our rights, and we must have governance over the Internet. At this moment, a text on neutrality is being put to the vote in the European Parliament; I don't know what will come of it, but I know that the AICAN Conference will soon take place in Brazil; we must be capable of speaking at global level, naturally. Today, we are discussing very technical matters; matters governed by AICAN, matters of technical intermediaries, which it seems are technical services on a global level, it's completely neutral, we don't care etc., but it's the American administrations and American companies who are leading the rest of the world - apart from China. I don't propose to follow the Chinese model, I'll say that straightaway – even though they were here last week, and we got on very well... We need to have a European way of governing the Internet. We mustn't forget that, and we must therefore take our positions, as there is a lot at stake. For an industry like the book industry, which is a global industry, as the European companies are the leading American companies, I think that we must absolutely make sure that this governance is not unilateral, and we must be able to introduce a concept of neutrality that will be compatible with the regulations, that will be compatible with intervention, and which will enable us naturally to do everything that I've mentioned in terms of public policy.

In terms of sharing values, there is a final consideration: it's not enough to respect copyright and intellectual property, we must also look at how remuneration is distributed; it's clear that today, not in the book sector, but in a number of other sectors, the performers and artists for example are at an extreme disadvantage compared to the other elements in the chain, and it's likely that in some sectors, collective management solutions will need to be used, as the book sector has done for unavailable books.

So there you have it, I've tried to outline a kind of panorama, without pretensions, but simply I've tried to report, to bear witness to a reality that I've experienced since the Cultural exception in 1994, and even more so since online distribution really began to develop four or five years ago.

What I'd simply like to say, to finish, is that we must look at things in two ways. We must look at things very locally and practically, which means that in every country we must put together, and convince the public authorities to put together public policies, and have bodies that are capable of carrying out these public policies, preferably bodies which, as is the case in France and other comparable countries, bring together professionals and public authorities in systems where we are able to find solutions through dialogue. Of course, there is always a time when the Finance Ministry draws back – it's always the same, in households too, it's the person who holds the purse strings who decides what to spend the money on. But having said that, I think that all these inter-professional bodies, working with public authorities etc., is a very good solution. This is the very practical side of things, and I think that our initiative, by virtue of example, not by giving instructions, but by example, must lobby for this in each of our countries.

There is also a more global and ambitious way of looking at things, which is simply that the book industry, which is the leading cultural industry in France, Germany, and all over Europe, must be at the forefront of a fight which is a vital fight, which is simply as follows. If, as many studies predict, in 20 years, or 30 or maybe 10, I don't know, 30% of the wealth, revenue and production in the Northern hemisphere, China and the United States, via Europe, comes from virtual services, and if Europe, in these virtual services, only exists as a consumer, that is to say with our pensions, our social protection, the income that allows our system of redistribution, what we call the European social system, which is becoming increasingly difficult to finance. If we continue to buy American or Korean terminals, if we continue to pay for iTunes and Kindle services etc., we will very simply impoverish ourselves totally, and we will have a gap in our economy and our society, meaning that while virtual services are creating wealth and social cohesion in the United States, and South Korea, and maybe in the future in China, Malaysia and India, we, on the contrary, will be impoverished and weakened by digitalisation – a weakening of our public policies, our capacity to finance our public services, a weakening of our capacity to finance our social protection, our famous social model. It is therefore vitally important that through what is known as digital cultural content, which I prefer to call intellectual works, we must



be capable of creating a European sector, a European industry in digital services to distribute these intellectual works, which will represent one of the most essential and profitable parts in this field of virtual services. I don't see why we, as Europeans, shouldn't be capable of being as profitable as other countries in the world. We have invented plenty of things, including the liberal economy; I hope that we haven't lost the backbone that we had in the 19th and 20th centuries. This is what I want for us.

OVERVIEW OF EUROPEAN LEGISLATION  
WHAT ARE THE CHALLENGES FOR THE BOOK SECTOR  
AND THE NEW INTERNET PLAYERS?



- *Nicolas GEORGES, Deputy Director, responsible for books and reading at MCC - France*
- *Agnieszka RASIŃSKA-BÓBR, Polish Book Institute - Poland*
- *Eva KARAÏTIDI, Hestia, publisher– Greece*

*Moderator: Françoise BENHAMOU, economist, professor at University Paris XIII and specialist in the economy of culture and media - France*

### **Françoise BENHAMOU**

Jacques Toubon has raised the essential question of digital sovereignty in Europe. This question is not very different from that of the future of the book industry.

Our round table has three speakers, Agnieszka Rasińska-Bóbr, Eva Karaitidi and Nicolas Georges. I would like to thank them. Before they speak, I'd like to explain to you how helping and supporting books is absolutely essential. Books are currently under threat from many sources, particularly Amazon. All the facts of the book chain have been completely overturned.

There are several possible ways of helping books, such as public library policies or grants. Although grants are essential to some sectors, such as translation and festivals in particular, the world of books is more inclined towards beneficial legislation on VAT and the price of books (printed and digital).

I will first give the floor to Mrs Karaitidi. Greece currently has the Presidency of the European Union. It has also been through a considerable crisis, which has particularly impacted culture. The policy led by Europe against debt has consisted in watering down the book policy in Greece, in particular the law on book pricing. The contradictions that exist in European policy are therefore blatant.

### **Eva KARAÏTIDI**

I would like to thank the French Book Centre for giving me the opportunity to tell you about the current situation in Greece. As the documentation on the book sector in Greece is limited, I have mainly based my findings on a doctoral thesis and on my many discussions with colleagues.

My presentation contains three parts. The first is entitled: "Before and after the fixed price: the future for the book industry". The law on fixed pricing was passed in Greece in 1997.

After the civil war, in 1949, and until the fall of the dictatorship in 1974, the publishing sector was concentrated in Athens. There were very few bookshops and publishers. Despite the dictatorship, a multitude of small, politically-orientated publishers emerged. After 1974, many small or medium-sized family businesses started up, leading to an explosion in book production. In 1990, there were 374 active publishers. The number of readers was however still very low compared to the average in other European countries.

In the 1990s, the bookshops accused publishers more and more of artificially increasing book prices in order to sustain the two or three bookshops which offered discounts. For their part, publishers claimed that the prices offered were not kept to by some bookshops.

Despite a context not very favourable to the development of the book sector, several major events occurred during the 1990s. First, the law on copyright was passed in 1993 and led to a new era in the relationships in the publishing sector. Secondly, the fixed price law was passed in 1997. It ensured the production and circulation of books of great quality and diversity. The fixed price provided a minimum remuneration for authors of 10% of the bookshop retail price.

The fixed price is currently under threat in Greece, following the suggestion by the OECD and economic organisations to deregulate prices for products as varied as petrol and milk. Abandoning the fixed price would be fatal for bookshops and small and medium-sized publishers, who are responsible for production quality at their own risk.

### **Françoise BENHAMOU**

Could the challenge to the law on fixed pricing threaten the network of bookshops in Greece? What state is it in currently? Is it also planned to extend the fixed price to digital books?

### **Eva KARAÏTIDI**

Yes, this is under discussion by the publishers, but digital books only represent a very small market share in Greece.

The law on fixed pricing was amended at the end of March. The fixed price now only applies to the first edition of works of literature.

As for the bookshops, they are on the road to extinction. There were still 2,000 of them in 2007. Today, there are only 700. Only 300 of these can properly reimburse the largest publisher in the country. There are only about 100 small and medium-sized bookshops only selling books. Three of the six largest chains of bookshops that existed in 2011 are no longer in existence.

### **Françoise BENHAMOU**

What is the situation in Poland?

### **Agnieszka RASIŃSKA-BÓBR**

There have been discussions about fixed pricing in Poland since 2004. The Polish Book Chamber, with the help and expertise of French and German professionals, pronounced itself in favour of introducing a fixed price on books. A draft law has been prepared and the necessary economic analysis has been carried out. As our Government is not in favour of restricting competition, the Polish Book Chamber must identify fifteen MPs to bring the law before Parliament.

It is obvious that this law will protect publishing diversity and bookshops. We only have a few independent bookshops in Poland. Two chains only sell books, but their market share has been increasingly reduced.

### **Nicolas GEORGES**

The Poles are very afraid of regulation. The organisation of the book chain is such that power is more in the hands of the distributors than the publishers. We must ask ourselves the question of whether having a law on book prices would reverse this trend.

In France, regulation is simple. It is based on three pillars: copyright, price fixing by publishers and fiscal policy.

### **Françoise BENHAMOU**

In some countries, there is no taxation on books.

**Nicolas GEORGES**

True. When we began our discussion on digital books, we asked ourselves two questions. Do we need regulation for digital books? If yes, does it make sense to transpose the regulations used in the physical sector?

We considered that the differences between the printed book and the digital book were not so big, and so the main balances were retained. We therefore told the Community and French authorities that it would be advisable to adopt a law on fixed prices for digital books and to align the VAT with that of printed books.

As for copyright, we are trying to maintain the balance, to ensure fair remuneration for creativity.

**Françoise BENHAMOU**

The legislation must respect the principle of technological neutrality. It must not disappear, on the pretext that the technology has changed.

The bases of the legislation have however developed since 1981. We are now more sensitive to the idea that publishers should control the book price, so that the book chain does not collapse in favour of digital publishing.

Although the use of digital books is still limited in Poland and Greece, as in France in fact, discussions must take place to prepare for its arrival.

**Agnieszka RASIŃSKA-BÓBR**

25,000 to 30,000 titles are now available digitally in Poland, which is the same as the number of titles published every year in printed form. The prices of electronic books are completely chaotic and can be 25% cheaper than the printed version, or at a nearly identical price.

The draft law I referred to only covers printed books.

Although Poland wants to align VAT on electronic products, our Finance Ministry would prefer to wait for European VAT reform before modifying its own.

The Defender of Human Rights has contested the discrepancy in VAT before the Polish Constitutional Court, arguing in particular that the difference was unfavourable to blind and partially sighted people.

**Eva KARAÏTIDI**

The VAT on printed books in Greece is 6.5%. The publishers' syndicates want to keep this rate very low, both for printed books and digital books.

**From the floor: Alain KOUCK**

You haven't mentioned readers yet. In the digital era, they are at the centre of the debate. Readers can choose to buy their books on the Internet or in bookshops. They choose the way they want to read and become influencers, through social media.

Consumers and readers today are happy with the services offered by Amazon. We must remember this. Lobbying of consumers is essential.

**Eva KARAÏTIDI**

Greek is a language that is spoken and read by very few people. Uniquely, more and more young people in Greece are buying and reading books in English.

**Nicolas GEORGES**

Very big changes are taking place, in particular regarding the perception that readers have of the new objects we're giving them to read or the new services we're offering. For example, we can ask ourselves whether opening a digital library offers readers the same perception that they have when they go to a physical library.

Despite these changes, some things remain stable. So I don't believe that the cultural product is being devalued in comparison to its price. Readers are willing to pay more to obtain a quality product.

**Françoise BENHAMOU**

Some changes are very significant. A change in purchasing method is happening, as is the case in the music sector, where streaming has developed.

The question of competition regulation is important. On this matter, the law on fixed pricing is only one of the possible solutions. Do we need to define a competition law specifically for books, in order to deal with the groups in the dominant position, both in printed and digital publishing? Is there a discussion underway about this question?

**Agnieszka RASIŃSKA-BÓBR**

The Polish government does not want to hinder competition. Legally, our problem is computer piracy. In Poland, the Hamster website offers all books free of charge in exchange for payment of a fixed sum, which it keeps.

**Nicolas GEORGES**

The new economic models sometimes establish themselves very quickly. Apple has demonstrated this in the music sector.

Companies do not decide where to establish themselves according to the law on fixed pricing, but according to taxation factors.

Other, technological, monopolies are setting themselves up and must be included in the discussions on copyright.

**Françoise BENHAMOU**

We must unlock the positions which the major digital players have managed to acquire.

I will now hand over to our speakers, for a few concluding words.

**Eva KARAÏTIDI**

Greece is not a good example to follow in terms of cultural practices. The good news is that our national library is currently being restored by a private foundation. We also retain a good level of production and translation of books. Finally, we hope to apply pressure to maintain the fixed price.

**Agnieszka RASIŃSKA-BÓBR**

We hope that Polish publishers will mobilise themselves to identify the fifteen MPs we need to bring the law on fixed pricing before Parliament. The network of independent bookshops in Poland is in trouble and needs this law.

**Nicolas GEORGES**

In addition to the question of adapting to digital publishing, we also need to have a discussion on the book sector at European Community level. Plus, as has happened for the film and audiovisual sector, Europe must look at the book sector as whole, as an integrated market.



## HOW CAN WE PROMOTE DOMESTIC LITERATURE ABROAD?



- *Xavier DARCOS, President, French Institute - France*
- *Jean-Guy BOIN, Director General, BIEF - France*
- *Cortina BUTLER, Director of Literature, British Council Arts – United Kingdom*
- *Nina KLEIN, Director of Corporate Content, Frankfurt Book Fair- Germany*
- *Steinunn SIGURÐARDÓTTIR, Writer - Iceland*

*Moderator : Marion MAZAURIC, Publisher, Au diable Vauvert - France*

### **Marion MAZAURIC**

We will discuss how to promote our national literature abroad. We have eminent personalities on our panel, who will outline the situation in their respective countries. Minister Xavier Darcos was a Minister for Labour, Development and International Co-Operation. Could you give a general overview of the French Institute's activities?

### **Xavier DARCOS**

The Internet is a wonderful tool for accessing knowledge, but written text is the basis of diplomacy. The book industry today is the leading cultural industry in France regarding export. This turnover on the part of publishers plays a major role in showcasing French culture abroad. We no longer consider literature in isolation. There is no longer any true national literature and literature has become universal. 20 years ago, we had a petition which had been signed in order to maintain and support French literature. The book industry allows us to convey and share ideas throughout the world and this is also the mission of the French Institute and of our representatives.

Our international network promotes the distribution of French books throughout the world. Sometimes this involves one person in an embassy abroad and sometimes it involves a team of people. They always work on promoting relationships locally. They have a strong presence in cities like London and New York and a more modest presence in other countries. The French Institute offices abroad are highly professionalised.

French is the second-most translated language after English, so supporting translation is at the centre of our activities. We want to promote the productions of publishers and encourage the debate of ideas. Translators very often promote our literature themselves, because they choose to translate such texts. The French Institute supports several training programmes in literary translation, which are very successful. We have a special programme called the Production Aid Programme (PAP), which involves major investments in publishers. There are 50 of these programmes throughout the world, such as the Pushkin programme in Russia and the Hemmingway programme in the US, which aim to support publishing.

We also have special programmes for publications in the field of social and human sciences. French writers ask us if it is possible to publish articles on social sciences in French. We are also involved in distribution to readers. We promote the works of French writers among the public. The French Institute tries to be at the intersection of research, knowledge and social debates. We want to find future readers who will consume all those works.

Whenever there is a book fair or event in the countries where we are present, we try to ensure that we can be seen and heard. We have a new platform called the IF Verso, which is being refurbished. It is a showcase of all the works we intend to have translated. We

also have a digital multi-media library in 41 countries, aimed at the French-speaking public and we have 75,000 subscribers throughout the world.

We work closely with the International Bureau of French Publishers and a number of other institutions which are in a position to ensure a common policy for creators, writers and publishers. We want to ensure that we are part of the decision-making process. We attended the European Book Forum in Berlin and we also organise a network of programmes to support books and translations. There is a lobbying effort to the European Commission and we also share good practises. We need to know how others are operating and we can learn from our European colleagues. We are discussing the idea of a joint European Council with the British Council and the Goethe Institute. It is good to use English in the digital area, but we also need to safeguard our languages on the Web.

### **Cortina BUTLER**

The British Council is celebrating its 80<sup>th</sup> birthday. It is in the process of transforming itself from being a largely Government-funded organisation to working on a mixed-economy model and most of our cultural activities are self-supporting in one way or another. Already, only 25% of our work is grant-aided and this is changing the way that we operate internationally. The mission of the Council is to create international opportunities for people in the UK and other countries. We aim to create opportunities for people working in literature and we use literature and the connections it creates to build trust and understanding. We develop events and collaborations which link thousands of artists' organisations and audiences worldwide.

We also partner with others to help develop creative skills, capacity and infrastructure. We showcase the best of British literature internationally. However, our role is different from that of organisations such as UK Trade and Industry and the UK Publishers' Organisation, whose role is to promote UK business abroad. They are frequent partners in our international activity.

We have British Council officers in more than 100 countries and most include literature in their activities. This may involve straightforward showcasing of British authors at large-scale literary festivals, or other platform events. They support freedom of expression and build storytelling and translation skills. It is a challenge to achieve scale and impact. A lot of literature events involve 1-2 authors talking to a small audience, especially for emerging writers or more difficult genres such as poetry. The nature of the small audience is important and our showcasing programmes aim to reach those who will share their interest and encourage others to explore British literature.

However, some programmes have achieved scale. There was a tour of writers who were selected as the best young British novelists by Granta last year. Interest in the tour far exceeded expectations. The authors visited 46 cities in 18 countries, usually in groups of 2-3. They appeared in 103 events in 65 venues in the last year. The Granta-branded selection encouraged event organisers to programme events with authors who were little-known outside the UK.

We also organised a series of discussions between British and international writers on various key topics. These include the future of the novel, style versus content and whether there is a national literature. The programme is called the World Writers' Conference and started at Edinburgh International Book Festival, then travelled to 15 countries. Most of the discussions took place at literature festivals. The strong themes and the presence of local writers attracted interest.

We have a strategic partnership with the London Book Fair (LBF), which enables us to develop a bi-lateral cultural programme related to the market-focused country each year. This year, the focus country is South Korea. There is an 18 month programme being curated in partnership with the Literature Translation Institute of Korea. It includes visits by UK writers to Korea and by 10 Korean writers to the UK for a series of events. The aim is to

create mutual understanding and appreciation of each other's literature and promotes UK literature in Korea.

We have built a strong digital component into these programmes. The Granta programme included digital material online that organisers could draw on for book groups and they could study the writers' work before their visits. The Edinburgh World Writers' Conference included live streaming, tweeting, blogging and social media work. A seminar we recently organised in Berlin with British writers talking about Shakespeare included live streaming at all of the sessions. We are trying to increase our number of Twitter followers and visitors to our website, by making our website a destination for people interested in British literature.

The Norwich Showcase is an event which focuses on the influence rather than directly on the audience. We developed this in partnership with the British Arts Council. This connects British writers and literature-sector professionals with literary professionals from abroad. Literature is also a component in multi art-form seasons that we organise. Next year with the UK-Mexico year and Mexico is the market-focus country and LBF. Our partnerships enable us to reach audiences we would not otherwise be able to reach and by sharing resources, we can overcome budget constraints and deliver programmes that we could not otherwise deliver.

Our partnerships also encourage reciprocity and appreciation of each other's literature. We are working with the Polish Book Institute to bring Polish writers to a festival in the East of England and take British writers to Poland. The structure of Creative Europe funding will encourage more joint work between European organisations to access the funds. We develop many reciprocal programmes to improve translation skills, so that the British literature that appears in other countries is translated to the highest possible standard.

### **Marion MAZURIC**

As we know, the Frankfurt Book Fair is the leading fair in European publishing. Nina, could you please tell us about the relationships between the public and private sector in your country?

### **Nina KLEIN**

The guest of honour principle has existed since the 1980s and it is based on national literature being promoted in Frankfurt to German and international audiences. The guest of honour programme centres on Finland this year and previously, it centred on Brazil, New Zealand and Iceland. Iceland's pavilion took the form of a cafe and it created a wonderful atmosphere of reading and writing in an atmosphere which usually centres on trading. The programme boosts the translation of the relevant literature worldwide by up to 300%. We encourage the guest of honour to consider sustainability, so part of the programme involves funding for literature and translation. Poland was guest of honour in 2004 at the book fair and now a lot of literature promotion takes place in the Polish Institute. Iceland has opened a national centre for literature.

New Books in German is a joint project with Germany, Austria and Switzerland. I would like to see a digital platform which promotes European literature. In Germany, there is a service called Perlentaucher, which has a selection of the culture sections from European magazines. This service existed in English, but the funding was stopped.

### **Marion MAZURIC**

Jean-Guy, can you please tell us what your main lines of activity are at the moment?

**Jean-Guy BOIN**

BIEF has existed for 140 years under different names. 90% of the publishers who are leaders in exports are members of our association. It is a not-for-profit association and it is supported by the CNL. We are present at international book fairs and exhibitions. We work in B2B, facilitating relationships between French and foreign professionals, including booksellers.

We try to gain better knowledge of the markets, so we can find out who our partners are and what the function are. We also find out about the legal, industrial, and economic contexts are. We are carrying out 15 studies on copyrights in a number of countries. We are also involved in networking, through professional meetings. Most of these are on a bilateral basis. We had 25 Argentinean publishers in our office during the Paris Book Fair. We discussed regulation and other topics and tried to find out about activities in various aspects of publishing. These meetings are growing and they allow us to build direct relationships. We were in Warsaw in February for an event and we worked with the French Institute office in Warsaw to organise it.

We also operate in the digital world. Last year, we organised a meeting about digital publications in France and Argentina. The French approach is different from the Anglo-Saxon approach. The idea that the publishers should be able to control the digital business model needs to be considered. Last week in Germany, publishers from 14 countries met for a week. The publishers are aged between 30 and 40, so they are quite new. It is a networking exercise, but they also explore the issues that exist. We evaluate the activities.

12,000 contracts signed in 2013 for translation in 23 languages. The most common language is German with 1,100 titles and the second is Italian with 1,020 translations. This year, Italian will be the leading translated language. Despite the economic crisis in Italy, the book industry is very strong. There were 541 Dutch translations, 367 Polish translations and 330 English translation contracts. Literature accounts for 25% of sales in the book industry and translation accounts for 15% of this figure. 19% of sales are in non-fiction and social sciences comprise 11.5% of this figure. These are French figures, but European ones are fairly similar. Comics and youth literature account for 50% of the sales of rights.

**Marion MAZAURIC**

I am a medium sized publisher and our publishing house could never have reached the world market without BIEF. Thanks to these French cultural bodies, we are able to strengthen cultural diversity. Steinunn Sigurðardóttir is a multi-lingual writer who has been translated abroad and has lived in several different countries. How do you view all these measures that help to improve the movement of works?

**Steinunn SIGURÐARDÓTTI**

I have had six titles published in French since 1998 with the support of the CNL. Scandinavian writers are normally published in Scandinavia first and then in Germany. However, I was published in Scandinavia, France and then Germany. Translated literature is facing increasing difficulty and one German publishing house will definitely reduce their output of translated literature. It is also very difficult to promote translated literature. People have a need to experience literature that does not come directly from their culture. The major German authors are immigrants, for whom German is not their mother tongue, but they get all the prizes.

When Iceland was involved in the Frankfurt Book Fair, Germans were involved from the beginning and this cooperation was fruitful I was astonished to see how many books were produced as a result of the book fair. Iceland's contribution to the Frankfurt Book Fair is still remembered in Germany. Icelandic is a minority language. There are 325,000 people living in Iceland, some of whom are children not old enough to read and some of whom are foreigners. There are a few thousand people abroad who also know

Icelandic. I do not see it as negative to write in a little-known language. My latest novel takes place in Berlin, the main character is a German man, the other main character is a French man, but the book is written in Icelandic.

There are only two people working at the Icelandic Book Institute and they carry out great work. Even though the funding is not great, it is useful. The travel grants they give mean that our authors can travel to book festivals whose organisers do not have the means to pay for the whole trip. The Institute also supports translations. Every country should invest in the people who translate from its language. It is a miracle that so many Icelandic novels were translated, because there were so few translators available. A lot of the people who translated the novels were medievalists who did not speak modern Icelandic, but they translated the novels through sheer dedication. I would advise my own people to invest in translators and supervise the translations.

I have to supervise my translations from five languages, which is time consuming, but the translators and publishers insist on it because I am able to identify errors. Translators are modest people, but we should pay translators more because the good ones are miracle workers and are hard to find. It takes real talent to translate a book and a book cannot be successful without good translation.

### **Marion MAZAURIC**

In France, when we want to promote a foreign book, we can benefit from a number of schemes for translation and for payment for translation. At a local level, a lot of book fairs in France invite foreign writers to promote themselves. There is also the National Book Fair and there are activities undertaken by the French institutes. How can we ensure that these entities work well together and that there is good coordination between public and private associations?

### **Xavier DARCOS**

We are looking for a common tool, which could take the form of conventions or agreements between national agencies. However, our exchanges with national agencies are not sufficient, because we need to have comparable initiatives. Regional authorities have twinning arrangements which could help promote the translation of authors from particular cities or towns. The idea of finding a European platform is obvious. We are the interface between national institutions, including publishers' unions, private initiatives and public initiatives. These initiatives can merge through major events rather than policies. However, we need sustainable platforms and permanent meeting places. A common strategy will help us avoid disparities.

### **Jean-Guy BOIN**

BIEF has joint actions with the international department of the Frankfurt fair. We have a special programme with them through the Franco-German youth office. It has been operating for 20 years for literary writers and 12 years for other writers. We jointly organised a number of seminars in Berlin on social sciences, youth, comic books and literature. We also worked with the European Commission's DG Culture, along with colleagues from Germany, Poland and Greece. We decided to hold four events together in Buenos Aires, Guadalajara, Taipei etc.

There were some problems with the schemes themselves. We tried to replicate the activities of the film and music industries. This was a very detailed process and it was not possible to replicate it after two years. When we had exchanges in Brussels regarding our dealings with the publishers, they would tell us that we and Germany were two powerful publishing countries. We have to find a tool that applies to the various industry sectors and we need to be in line with the operations of public authorities. A former culture ministry commissioned a report on the book industry, which was published. We decided we need to explain how we operate within our industry abroad. When we organise professional meetings, we need to share our different ways of operating.



**Steinunn SIGURÐARDÓTTI**

Iceland has a literature exchange programme with Literarisches Colloquium in Berlin, a wonderful literary organisation.

**Xavier DARCOS**

Korea deliberately chose to embrace the cultural policies of other countries. It is a focus country for France and is one of the first countries to have accepted translations of French books. There has been a considerable increase in small publishers and we see regional stands at book fairs with small publishers.

**Participant**

If we did not have public support, we could not have small publishers. We too consider Mexico to be a central point. We could have a European initiative on fixed prices, but this idea was never adopted. We could draft a motion for Mr Barnier to attend and we can hear what he has to say.

**Marion MAZAURIC**

I work in the regions in France and diversity is very important there, though it sometimes benefits more powerful publishers. It is very difficult to find out about the various schemes we have in France, because there are so many of them. We should have one model. The BIEF ones are very easy to use and in our industry, time is of the essence. It is very time consuming to start an application for translation into foreign languages and larger publishing houses have specific staff to work on this. There are schemes to invite foreign authors and these offer subsidies and scholarships.

Do you have a good non-profit system of organisation in Germany which organises book events?

**Nina KLEIN**

Yes we have. German publishers and booksellers' organisations organise events at regional level. There are public and private institutions that promote culture and literature and the bookshops play an eminent role in inviting authors to readings.

**Marion MAZAURIC**

I have heard that in Germany, the status of writers at reading is much better than in France and they are paid for readings. The tradition of performing poetry is just beginning in France, but it seems to be strong in Sweden and Germany and it is a way for writers to earn income.

**Steinunn SIGURÐARDÓTTIR**

I was invited to give readings in Germany in 1980, long before my books were published. Germany is a unique case. The amount of readings organised and the number of people attending them is unbelievable. I also love the systems in France, such as the book festivals. There is a lot of literary activity in France, but it is organised differently. A lot of volunteers are involved who are completely passionate.

**Cortina BUTLER**

It is a major growth area in the UK as well. Almost every small town or village with an author has a literary festival and these are used for tourism as well as literature. The authors are not always paid for these, though the British Council always pays its authors when we ask them to read. There is a controversial issue in the UK regarding whether the author should view the event as promotion for their work or whether they are doing a job for

which they can be paid. There are a lot of opportunities to tour with a new book and that is a challenge if they want to write as well.

### **Jean-Guy BOIN**

We did not initially have resources to pay authors for readings, but now we do. We do not believe that authors should be remunerated for their efforts simply through sales. Festivals are becoming increasingly professionalised. We must also remunerate translators.

### **Xavier DARCOS**

When a publisher comes to our multi-media library to explain their operations, he should be paid as well. However, who pays? The bookseller will not be able to pay. If public funds are used, which ones will be used?

### **From the Floor**

Some booksellers organise festivals, cultural events and readings, and we ensure authors and translators are remunerated.

### **From the Floor**

We talk about the sale of rights for translations, but has the British Council considered the sale of rights to the film industry to adapt a book into a film. Major publishers usually have staff who specialise in this, but support could be given to publishers to go to film festivals where rights could be sold.

### **Cortina BUTLER**

In the UK, film rights are not held by the publisher, but by the agent. Agencies build film-rights units within their structures and the big agents are becoming multi-media agents. However, for the first time, LBF will be the book and screen fair. It aims to make publishers more aware of the opportunities of selling into film and games, because books are increasingly being used for video games. The literature department of the British Council is not considering this, though our film colleagues may be exploring it.

## THE FUTURE OF THE EUROPEAN BOOK INDUSTRY



- *Philippe GOFFE, Bookseller, Graffiti Bookshop, Waterloo - Belgium*
- *Marc MINON, Director for Belgium Division Cairn Info - Belgium*
- *Pascal BRUNET, Director, Relais Culture Europe - France*
- *Ronald SCHILD, Founder, Libreka.de - Germany*
- *Pierre DUTILLEUL, Vice-President, European Publishers' Federation*

*Moderator : Françoise DUBRUILLE, Director of the European and international Booksellers Federation*

### **Françoise DUBRUILLE, European and International Booksellers' Federation**

Our organisation is the apex for booksellers in Europe and the world. We are based in Brussels and we lobby EU institutions and organise the exchange of best practises among our members. Philippe Goffe is a bookseller near Waterloo in Belgium and his bookshop is called Graffiti. He is also the president of the Inter-Professional Partnerships for Books and Numerical Editions (PILEn) and of the National Association for French-speaking Booksellers. He is also a member of the French-speaking booksellers' association in Belgium.

Ronald Schild created Libreka, which is a platform for the digital book industry in Germany. He began as a product director in consumer goods in London and then he moved into e-commerce. Marc Minon directs the Belgian site of Cairn Info, which is a social and human-sciences portal with 4,000 books and magazines. Pierre Dutilleul is the Vice-President of the European Publishers' Federation and will become President in June. He is also a publisher and most of his career was within the editors' group in different roles. He is in charge of external and inter-professional relations. Pascal Brunet is the Director of Relais Culture Europe. He focuses on building a network of European experts in culture.

The economic models of book distribution in Europe are under a lot of pressure and this raises many questions. We will discuss the place of the bookshop in the future book chain and the future role of public authorities. We see what is taking place in France and Germany to support French and German cultures. These initiatives might inspire our colleagues. We will also define our key message for the EU authorities.

Philippe, how do you see the future of booksellers and bookshops in Europe?

### **Philippe GOFFE**

There are real changes in the paradigm for booksellers at present. Bookshops will face challenges regarding e-books and printed books. The reader is now a consumer so it is difficult to retain loyalty to a bookshop. Public authorities can have a lot of influence regarding reading habits, for example learning to read and this will happen a lot with digital books.

The problem for booksellers is related to international operators such as Amazon, which is not a good bookseller but is an excellent logistician. It has solved many of the problems of the book chain, such as price, availability, deadlines and transportation. It is not normal for a bookseller not to be able to receive a book in less than two weeks. We organise seminars with European and worldwide booksellers. It is not normal for a book to be more expensive in the regions than in Paris. Certain groups offer higher prices in Brussels than in France, but with Amazon, books are much cheaper and they are delivered in a short time. We need to explore the considerable capacity of Amazon.

The EU should help us regarding VAT and the industry must start dealing with this. In Brussels, the Ministry of Culture have promoted real partnerships between the public and private sectors through PILEn. For this initiative, the Minister set up a committee of experts to create a partnership between book professionals. PILEn is a de facto association which allows people to communicate with each other and we are making some progress.

We aim to represent the various trades and to be a think tank for the future of the book, including digital and printed book. We are running training sessions and digital cafes, we invite people to bookshops and we make proposals. We are carrying out polls and surveys regarding book markets in French-speaking Belgium. These were carried out in Louvain University initially, but now they are carried out through PILEn. One deals with how independent French-speaking booksellers are performing.

### **Françoise DUBRUILLE**

Libreka is an interesting platform for publishers, booksellers and consumers. How does it work? How do you gather the writers, the readers and the publishers, and how do consumers view it?

### **Ronald SCHILD**

A number of market surveys have shown that e-commerce will grow and printed books will increasingly be sold online, which will represent a loss for booksellers. Electronic books will increase their market share and booksellers will lose theirs. It is essential to create online tools to retain our customers, such as e-shops for printed and digital books. Libreka has set up a structure for booksellers, who can create an e-shop within 3-4 days. We put all our e-books at their disposal and we have 1 million e-books. We provide them with all the metadata so they can include this in their offering. We also provide the infrastructure, including uploading, downloading, after sales and customer service, so that the booksellers can focus on keeping their customers.

About half of all booksellers in Germany take part in this system in different ways and we also coordinate with distributors. We would like booksellers to create groups and propose a common brand. Individual booksellers do not have their own brands and the branding effect is very important online. In digital markets, there are 3-4 companies that dominate the market so booksellers need to have a market presence so they can compete against Amazon with their brand.

The largest bookselling chains joined together to create the Tolino brand. It has existed for a year and a half and is at number two in the German market. Amazon has 50% of the German market and Tolino has 40%. There is a Tolino Alliance, which the booksellers want to open to independent booksellers. They tried it last year, but it was not successful. There is an issue regarding funding, because it is rather costly to use the technology that Tolino has.

### **Françoise DUBRUILLE**

The brand is important, but what is your view on branding?

### **Marc MINON**

Cairn is a digital platform and we do not sell printed books online. We provide books, specialised magazines on social and human sciences, journals and books. This platform has a mix of operations and it can be either a paying site or not. Not every book can be sold on the Internet. Our resource is for individuals but also for libraries, mainly university and research libraries. We have digital contracts with publishing houses. We work with 130 structures at the moment and we take the role of a bookseller. We sell the books to individuals or institutions and we pay part of this to the rights holders. Publishers also need to remunerate their contributors, depending on the contracts they have with authors.

We need to decide whether the future distribution of electronic books will be undertaken by new actors who do not belong to the books industry. They will apply commercial practises to the book industry that were developed for other sectors without taking the opinions of the book industry into account. These new distribution platforms may also be developed and operated by traditional operators in the book industry such as Cairn, which was created by four publishers. The electronic distribution of cultural products is organised around communities and brands. We operate in a specialised field of human and social sciences and we have several hundred subscribers. We want to have a generic brand for the initiative itself, but we need to facilitate specialised operators.

### **Françoise DUBRUILLE**

People purchasing books in bookshops are attracted by the title, the author or critics' reviews. The brand is important for sellers, but does it have the same attraction for consumers?

### **Pierre DUTILLEUL**

In France, digital turnover accounts for 3% of sales, so 87% of books are sold in printed versions. 12% of that figure comes from e-commerce and the rest of the books are sold through traditional channels. Booksellers are the leading channel, but there are also commercial centres and other specialised shops. There is a need for regulation which would apply to all. It is necessary to defend a brand in the framework of fair competition where all actors are equal. Publishing is considered a supply-side industry but with the development of the Internet, it does not represent large percentages. However, these percentages are higher in the US than in France, and the digital industry is also developing strongly in Great Britain. France needs more time due to its regulations.

The customer needs to look for a product and to know why he pays for it, otherwise he is pirating. How much does the consumer have to pay? Digital books are considered to be free. A consumer might accept a discount of 30-50%, but people do not understand that there are differences regarding the price of printed books because they are taxed differently. A survey showed that 30% of French people never read, which means that 70% of people do read. We could try and improve the way people are informed about books and their experience with booksellers regarding the advice they are given. We also have to give the consumer a product that is worth the money they spent.

### **Pascal BRUNET**

The European Union tries to take all the major macro-economic developments into consideration and translate them into schemes that help users. We still think in economic terms, but all the economic sectors are being globalised and there is a very dense distribution process. We should extend our policies to the world, because we have language areas that go beyond Europe. If we reason only in terms of Europe, we will find it difficult to adapt to the world market. Europe responds through single-market organisation, taxation policies and copyright policies.

The European Union has quite a number of resources and tries to support global developments. It is trying to prepare for future developments that we are not aware of at present. We do not know how the digital world will evolve in the future, so we are trying to deliver an immediate response to today's environment. Future innovations are now being developed in the US rather than in Europe. We need to support innovation policies and be more active in future innovations at the European level. The EU's new strategy is to support an ambitious innovation policy in all economic sectors. We should not limit innovation to a specific sector.

How will we reconcile these major technological advances with the economic situation? The EU chose to support local action and this is why the European budget is devoted to local communities. Local authorities are responsible for implementing European schemes that can offer support and we need to experiment at local level. Europe needs to set up



different scientific, technical and economic partnerships and learn how to work on projects with people from other sectors. Some people think that Europe is distant from daily reality, but it is not. We aim to innovate through cooperation, such as in the case of booksellers working on projects with digital operators. European policy is more consistent than people think and has tools to help with collaborative work.

### **Ronald SCHILD**

Innovation needs rules. Cultural monopoly is the major challenge for the book industry, as Amazon has an 80-90% market share in the US and UK. Amazon does not abide any rules, like inter-operability and the protection of confidentiality. These and other issues are being discussed at European level, but there has been no progress. It is not clear at present what level of rules we ought to define. Taxation is important, as is the emergence of new alternative operators, which also need to be regulated. Should we have European forms of major organisations like Amazon or Facebook? Or should we choose structures that are more horizontal?

### **Philippe GOFFE**

The French-speaking part of Belgium depends a lot on the French market. We do not have a fixed price in Belgium and we have not achieved a consensus on this, because we have two communities who see the situation differently. 90% of French-language books in Belgium come from France and we have reported a 7% decrease in sales recently. This does not mean that there are 7% less readers, but 7% more readers will not buy on the Belgian market. The solutions for this must be European rather than national. France has decided on a VAT rate for both printed and digital books. In Belgium, we have a 6% VAT rate for written text, but a rate of 21% for digital books and we had to find a solution for this. As of 1 January 2015, the VAT rate of the purchasing country will apply.

### **Pascal BRUNET**

We cannot deal with what is happening now without thinking about the medium and longer term. The EU is trying to find appropriate responses to the current situation, regarding taxation, copyrights etc. However, if we do not have a strong innovation policy, we will not have the operators of tomorrow.

### **Philippe GOFFE**

Initiatives have been taken throughout Europe to ensure we increase the number of readers. 35,000 children attended the Paris Book Fair and they bought books. They will contribute to the future platforms that we are building for them. Children still read from printed books. In the US, one has to drive 300km to find a bookshop, so people use the Internet. We have bookshop networks in our countries that are very close to us. We should take advantage of this and prevent those points of sale from leaving city centres, because rents are too high etc. The bookshop network must be regulated intelligently. We have the support of the media and booksellers in promoting authors, but we need to bring people to the bookshops.

I am a little concerned about viewing the book industry as a homogenous entity. The works have to be read sequentially and the digital versions of these will be a new vector for the distribution of books to the readers. There are works for which digital versions will be fundamentally different. They will provide for the emergence of new types of works, business models and relationships with the relevant sectors. This is the case with how-to books and travel guides and social-science textbooks, which account for 50% of the book market.

We need to design principles for works that can be easily distributed as they were before. It is difficult to think of new ways to regulate books which will change when they are sold in digital format, and it is important for digital books to be fluid and distributed quickly. We know how to distribute digital books from a technical viewpoint, but regarding VAT, how

long will a book be a book? There are trans-media creators and PILEn is talking to lots of people to try to imagine tomorrow's world.

We are creating the Liberal portal in Belgium. We want to create a brand in the French-speaking world that will compete with Amazon. Booksellers cannot be individual anymore and they have to adopt a collective approach. There are 6,000 labelled bookshops in Belgium and we are working with 20 of them at the moment. We want to find a business model. The sale of digital books is not profitable at the moment. Some people would like us to start working on the portal before the elections in Belgium next month, but I think it will be in the summer. There will be an official announcement in September.

### **Pierre DUTILLEUL**

Our organisation arranges dialogue evenings for authors and publishers. The first one was in November 2013 in Strasbourg and we talked to MEPs of all nationalities. There were discussions between a Polish and a French publisher. The MEPs learned a great deal that evening. We will organise it next November for other publishers and authors, again in Strasbourg. We are able to show in very practical ways what it means to be a component of an industry. The publishers, authors and distributors perform a particular role and everyone is working as well as possible to ensure the industry is successful.

### **Participant**

MEPs want to understand how a particular industry works. It is essential to provide them with this information if we want them to make the right decisions for our industry.

### **Muriel VANDEVENTER, French Foreign-Affairs Ministry**

There are activists who are in favour of inter-operability and data privacy and who are experimental. We must encourage them to participate in your kinds of experiments.

### **Anne BERGMAN-TAHON, Director for the Federation of European Editors**

We set up a small network called the Technology Innovation Scholars' Programme (TISP) with a federation of technology companies using EU funding. It encourages technological companies to take an interest in books. We are organising visits to LBF and technological fairs to avail of their expertise. There is a guarantee fund for cultural undertakings from the EU. Cultural funding programmes can provide a little money to small cultural organisations. There is a need for these programmes to communicate with our industry. They are not giving a lot of money at present, but if this funding brought positive results, we could advocate further moneys.

### **Ronald SCHILD**

There is an American mailing list and the topics for discussion centred on why it was so difficult for publishers to work with technological start-ups. There is a different culture in the technological field and people work very fast, but it is important to have this kind of collaboration, because Internet start-ups are very open-minded. In Germany, we are trying to talk to those start-ups. We are setting up a platform that allows these start-ups to talk to publishers, to try to understand what they are doing and find out more about their needs and requirements.

### **Pascal BRUNET**

At EU level, public policies have a problem with supporting innovation. It entails a lot of partnership, opening up to other influences and accepting failure. The large companies probably had a lot of ideas we have never heard of and some of these worked, but it is difficult for public policies to incorporate these. Networking is complicated. We need to provide support to projects and to structures.

We need to help start-ups first and then we will see what results from that. These companies have been funded and it is difficult for public bodies to provide support to private entities. A strategy needs to be set up regarding the kind of capital the book industry needs and how to provide this kind of capital. What activities can be undertaken that are not already in the market? How do we regulate non-commercial markets?

**Vincent MONADÉ**

Why did the other 50% of German publishers not join Libreka?

**Ronald SCHILD**

It is 50% of the booksellers, but most publishers are part of this. Larger booksellers prefer to have their own solution, and it is not for consumers either. We tried to implement a system for consumers six years ago, but it did not work. Now it is just a tool that a publisher or bookseller can use. We are not building communities or selling books to consumers.

**Vincent MONADÉ**

What is the basis of your calculation of 3% for digital book sales?

**Pierre DUTILLEUL**

3% is an average which takes general literature, textbooks and guides into account. There are booksellers for which 12-15% of sales come from electronics versions and more difficult works may make 1% or 0%. There is a lot of demand for the digital versions of university books and for social sciences, the rate of e-commerce is 25% and the digital sales rate is 8-10%. The percentage overall is low compared to other countries.

**Vincent MONADÉ**

In France, there is a trend for giving up on books and uploading professors' courses online. How do you feel about this?

**Marc MINON**

At university level, there are research and text books. The research-book sector is maturing as a digital sector but we do not know what the budget of libraries will be. There has been a decrease for 24.8% in budgets for university libraries. Regarding textbooks, we need to consider how dynamic the offer is and it is not sufficient at the moment. We must also consider how this will respond to systems like Massive Open Online Courses (MOOC). We need to decide how to combine free and paid textbooks.

## CLOSING SPEECH



### Aurélie FILIPPETTI

*Minister of Culture and Communication*

Thank you very much for being here, ladies and gentlemen and dear friends.

I did not have the opportunity to welcome you this morning during the opening session of the Forum de Chaillot as you were here. I would like to thank you and I would like to say how happy I am to be with you this evening, dear Vincent, and all of you who represent the book industry throughout Europe.

Some of you know that books are part of my family and this is why I am so happy to be here this evening to close this meeting launched by the CNL.

The book industry is the leading cultural industry in Europe: EUR 22.5 billion of turnover, 9 billion books available and thousands and thousands of jobs. Books are essentially the tool of knowledge, a tool to raise awareness of people and they are the repository of our common European values. You represent here 18 countries from Europe and 16 from the EU. This, I believe, clearly shows the importance that you attach to our common action. I know that there are differences between our countries. Some of our countries are more liberal, others have stronger regulations, but we do share common values and our differences are sources of enrichment to each and every one of us.

Publishers, authors, booksellers and politicians are all strongly attached to copyright. No policy can do away with copyright. Copyright is the pillar that protects authors, protects publishers and protects, therefore, the book chain which is so important to us. I have responded on behalf of the French government to the European Commissions' consultation on copyright issues. I do not believe that copyright ought to be modernised, adapted or changed from what we have been patiently building over centuries, because copyrights in Europe help protect and stimulate creation and creators. Copyright also led to the emergence of a European publishing industry which is among the most powerful in the world.

All of our policies have to be developed taking into consideration copyright. This is the fundamental principle – it is the cornerstone of our policies. I would like to solemnly say here that if the European Commission, following its consultation, wants to defend copyright and see how the digital can adapt to it, then we will be supporting the European Commission. This is what we said this morning to the European Culture ministers. We had a special working meeting where we discussed the issue of copyright on several occasions and we really emphasised how important copyrights are to us. Now, on the other hand, if the European Commission, in the name of fallacious principles of freedom, in the name of an incomplete vision of the rights of consumers and of the public, then France will fight the European Commission, just as it did when the issue of cultural exception was raised and under threat in June 2013.

We believe that there is a need for remuneration. To have creation we need creators and today, with the emergence of major internet multinationals – most of them American companies – these new multinational groups are jeopardising the principles of fair competition. This is why I pushed a bill through parliament to prohibit free transport. The law on the book price is extremely important to ensure fair competition. It allowed for diversified distributors throughout France, independent booksellers and other types of points of sale. I'm happy to see the representatives of Booksellers Federation in France here. The new law will prohibit discounts and the addition of discounts and free transport so it will no longer be possible to use the argument of free transport to advertise books. Even though the amount charged is minimal, at least they will not be able to use this

argument as a sales pitch when selling books on their sites. Those practices of free transport are of course possible for these multinational groups because they have legal tax avoidance procedures, but for the others it is extremely detrimental. This is a French provision which is currently under review by the European Commission and some of you from other countries of Europe are looking forward to seeing what comes out of it and we would like to thank you for supporting us. We would like to have strong partners supporting us in this fight, which is not an easy fight, and France cannot remain alone there. We need to work together in order to defend our network of free and independent booksellers. We need other countries to join with France in order to show the Commission how important this is. This is really the wish that I want to express here. We want to maintain this network of independent booksellers. This is a network that we want to preserve and to protect and, faced with unfair competition from internet giants, we have to act jointly.

There are also other sources of concern for the publishing sector. I know that there is a representative from Greece here and we know that in Greece they are talking about repealing the law on the single price of books. You know that under the pressure of the troika, Greece might have to do away with this particular regulation which, in many other countries has demonstrated its efficiency, so I would like to see Greece being able to retain this policy. We do not want to see Greece doing away with this regulation and legislation. We want to support the publishing industry, booksellers and all book lovers in Greece. Of course, we certainly do not want to interfere with internal affairs in Greece but, as this is a measure imposed upon Greece by the troika, we believe it would be extremely detrimental. It would be a disaster. In addition to this it is up to us, members of the EU and other European countries, to explain that the book industry policy cannot be prepared without us.

So you are here to discuss freely – I would like to thank Vincent Monadé for this extremely fruitful initiative. As he said this morning, you are not here to speak with one voice. Of course, we know that our diversity is a source of enrichment. You are here to discuss your views, to see points of agreement and disagreement. We already have a number of structures at European level: the European Federation of Publishers, the European Association of Booksellers, the European Writers Council and the European Network of Communications Agencies to promote translation into foreign languages. The French Institute is part of it. What you were here for was to find avenues that could give rise to the widest consensus so that all of these ideas can be presented, discussed and defended in each country and throughout Europe. Because, and the presence of our friends from Iceland and Switzerland show it, our fight extends beyond the European Union. This CNL initiative should be repeated next year and the subsequent years in other European countries. I would be very happy about this. Some will say that we advocate an absolute vision of culture, a nostalgic vision of the book and of the role of the book and of books in our society. But in fact we are advocating the vision, a vision that is several thousand years old, the vision of culture that our Greek friends were the first to have. It is called democracy. Thank you.

# SATURDAY, APRIL 5TH 2014



## EUROPEAN COPYRIGHT LAWS: WHAT FUTURE AND CONSEQUENCES DO AUTHORS AND THE BOOK INDUSTRY IN GENERAL HAVE?



- *Jose Jorge LETRIA, President, Portuguese Society of Authors - Portugal*
- *Jean-Claude BOLOGNE, President, SGDL – France*
- *Vincent MONTAGNE, President, SNE - France*
- *Myriam DIOCARETZ, Secretary General, European Writers' Council*

*Moderator : Emmanuel PIERRA, Lawyer at Paris Bar, specialized in Intellectual Property - France*

### **Emmanuel PIERRAT**

The European Commission has also launched a consultation process in relation to copyright and the deadline for participating in this process passed a month ago. The contributions that have been made are not yet public. There were 11,000 submissions to the process, which should be completed at the end of the summer. This will lead to guidelines that will improve intellectual-property rights within the European Union. Can our participants please explain to us what they think of this? Have they taken part in this process? What was the quality of the contributions that have been made?

### **Myriam DIOCARETZ**

The European Writers' Council is a federation of 55 associations for writers and literary translators in 32 countries. These are the 26 member states, plus Norway, Iceland, Switzerland, Turkey, Montenegro and Belarus. We try to hold a position within a European context, though the situations are different at a national level. We are in the midst of a transition at European level with the new European Parliament and the European Commission. The key issue for commissioners is change: what, how and for whom. We are also experiencing an alteration of the ways in which societies intertwine with technology and culture. Some alternations are irreversible and unprecedented and many can be empowering. Writers are already experiencing the effects of the digital age. It is not about the future – it is about today – and we urgently need to focus on solutions that can be implemented as soon as possible.

The creation of works may diminish because copyright and related rights protection are not guaranteed under socio-economic conditions which cause fair remuneration for writers to be overlooked or eliminated. If this occurs, culture will be impoverished in the future. The creative works of today are tomorrow's cultural heritage. We have to tackle the digital dimensions of citizens who are reduced to being users and consumers. Many of them demand free access, particularly to copyright-protected works. More awareness needs to be raised among consumers so that they will be conscious that they are the data. If the service is free of cost to consumers, it is because they are the products.

We need to help them understand the importance of copyright for the writers. We have some new technologies which are positive for books, such as assistive technologies for the visually impaired. We have sensory fiction, the new prototype book which measures the



reader's emotions and the temperature, depending on the story. However, we concentrate on the print-born digitised book, the digital-born e-book, and the printed book.

The first solution is national, structured stakeholder dialogues, in which all stakeholders work together proactively. Understanding the other's needs and reaching consensus is essential. It is important to find the best approach by including the writers to improve the conditions for creating works. This will strengthen the book sector and enhance culture. France, Germany and Norway are examples of best practise. The second solution is economic assessments. In all of the member states, we need more systematic data and indicators to assess the economic and social conditions of professional writers and fair remuneration flows. This is to be compared with and complement the market figures.

A recent study of contractual arrangements applicable to creators was commissioned by the European Parliament. Although it was only conducted in eight member states, it presented important recommendations. It concluded that the adequate remuneration of the author is not always guaranteed, that the scope and duration of the transfer of rights are often excessive etc. It outlined ways of improving the level of fairness in copyright contracts and it showed that many authors are not involved in the new business models of the digital age. Its findings confirm the results of two previous surveys conducted by the European Writers' Council on contractual rights for digital users. A new report from the Commission on the book sector is forthcoming. In the UK, publishers are willing to discuss contract terms for writers with the Society of Authors.

Public Lending Right has not yet been implemented in many countries. The possibility of including remote e-lending in this right is being studied. Remote e-lending by libraries is a work in progress and both the European Writers' Council and the Federation of European Publishers are monitoring this through European seminars. We are testing specific arrangements to assess the consequences for the business models in place through joint projects between libraries and publishers. The question is: how this can be done?

There is a need for structured dialogues on e-lending between libraries, authors, publishers and booksellers. We need to see how this can be a market disruption in emerging business models, without remuneration. It is essential to raise awareness of the contribution that we all make to the value chain. We have issued a manifesto for the 2014 European elections, which identifies four priorities, including balanced and fair copyright conditions for the benefit of book creators and readers.

### **Emmanuel PIERRAT**

Jose Jorge Letria is a writer with a legal background and has worked a lot on copyright and intellectual-property rights. He wanted to create a European political fund on copyright.

### **Jose Jorge LETRIA**

What can we do with the situation we are dealing with now concerning the property of writers? This depends on the correlation of the political forces in Europe after the elections and on the ability of national Governments to legislate on behalf of its authors. It also depends on the ability of the organisations that represent authors to unite and ensure their views are heard in the European Commission. It also depends on the power the Commission can give to publishing organisations.

As well as undergoing an economic crisis, Europe is undergoing a structural crisis of values and principles, which affects the book sector and authors. Fewer books are being published and sold. Numerous publishers have closed down or been absorbed by large publishing groups, many of which have no association with the book sector. Their sole aim is to increase profit and trade on a global scale and they show little interest in protecting authors and their work. The digitisation of books presented new challenges, because they became exposed to piracy issues.

There is an urgent need to regulate the Internet, so that authors and publishers are not adversely affected. Books are a foundation of civilisation regardless of their form. When

dictatorships are established, the first victims have always been books. There was a public burning of hundreds of thousands of books in Berlin in 1933, and this kind of event may occur again at any moment. The debate about books in Europe centres on books as vehicles for the communication of ideas between peoples and cultures, and as a tool for peace and for the defence of freedom. The far right does not approve of books, because they circulate ideas. It does not approve of intellectuals and authors and fears the diversity they represent. France has given an ongoing commitment to promote books and what they stand for.

I am the President of a multidisciplinary society of authors, which was founded in 1925 by important writers. I was elected by a society in which music represents more than 70% of annual collections, but books are not being forgotten. The publishing sector has been remarkably resilient and has shown an impressive capacity for recovery in a time of crisis. A high number of quality writers who do not have a publisher have serious claims regarding the usurpation of their rights, due to the concept of free access. This does not take into consideration the right of writers, translators, illustrators and others to gain income from the copyright income generated by the sales of their works. It is therefore important that the legal frameworks that are enforced ensure the protection of authors' rights.

The European Commission's mandate did not meet the expectations of authors and of the entities that represent them. There was a marked tendency to support the position of consumers and large operators, to the detriment of creators. Consumers represent a large majority of voters and help renew mandates. However, without creators, culture is weakened, and this reduces its contribution to the creation of jobs, wealth and tax revenue.

Culture must be treated as a sector of strategic importance and not as a burden or an aid to election. We must prevent the commercialisation of the book industry. Consultants are being replaced by product managers, who evaluate the work's market potential from the title or the subject, caring little about its quality. I do not believe that e-books will not end printed books, but they will co-exist peacefully. It will be necessary to implement measures for that to happen. One book form or business model must not dominate the others, or the book industry will be damaged by the idea that only what is online exists.

When we talk about books and authors' rights, it is becoming harder to determine the issues at stake and what action needs to be taken. Policies and politics are increasingly local and power is global. Even when political solutions are trans-national, they are impacted by global interests. Europe has to continue to be a Europe of culture, as well as industry and technology. This is where our core identity comes from, as well as our ability to live with diversity and to value peace.

### **Emmanuel PIERRAT**

Myriam Diocaretz broadened the scope of the discussion on the basis of specific technical points, including publisher contracts, e-lending and libraries, which can work alongside us. President Letria has defined Government attacks as barriers. He talked about the European crisis and how events in France and other European countries have given prominence to parties that are against cultural diversity. They have strong ideas about youth literature for instance. Vincent Montagne will give a European viewpoint on this. He will then discuss the new publishing contract that is emerging in France and lending rights.

### **Vincent MONTAGNE**

A project aiming to preserve the patents for intellectual and industrial property was submitted to the European Parliament and was turned down by 91% of the MEPs. The MEPs said that they were misled because there was too much lobbying and pressure. 25 out of the 28 member states do not want to discuss copyright, although the origin of the problem is outside Europe. Even if the European Commission unanimously supports a particular project, the European Parliament will oppose it. The new European Parliament will have more power because it will appoint the new leader of the European Commission.

The digital era is changing linguistic diversity. The operators who flourished in the single-language market will take over Europe. In France, there is a very strong consensus on this issue and a lot of work has been done to tackle it. The French Government made a statement about this to the Commission in the preamble to the European consultation which was completed on 5 March.

This consultation was extended by a month, because Internet users were the first to respond through international organisations. The member-state institutes were slower to respond. There was also a strong response from the UK Government. The French view was that the book sector needed to be considered as an industrial sector. It must be recognised as an essential element in growing digital culture in Europe and integrated into the European strategy.

France has problems relating to fixed prices and reduced VAT rates for digital books. The Law allowed for a slower decrease in book prices and for economic regulation. A study was carried out on the reading habits of French people, which showed that price is at the bottom of the list of factors which help people decide what books to buy. People who try to bypass the Lang Act using the Internet are trying to demolish a system that has demonstrated value.

France has made progress regarding publishing contracts in the digital world. We have created contracts which make it possible to have a better balance between authors and publishers. If the publisher does not provide regular income for the author through the digital and paper editions of their books, the contract can be terminated by the author and they can take their rights back. This system has been adopted, but has not been implemented yet, because we do not have the legal infrastructure to apply it completely. It is also possible for 20<sup>th</sup> century works which are out of print to be republished in digital format without affecting copyright.

### **Jean-Claude BOLOGNE**

We first need to unify the rights of printed and digital books and verify copyrights in Europe. There are no borders on the Internet, so there is no point in protecting a work in its original state if it is not protected in neighbouring countries. Copyrights apply to all fields of creation, so I hope that unification will be of high quality. Copyrights provide most protection in France and we are afraid that this might be undermined.

We know that the definition of an author is different in the digital format. We are responding to demand rather than offering a product. A printed book is produced and offered to the users, whereas in the digital world, a book is available and users can choose what they want. Authors can recover their rights for paper books, but not for digital books. This means that the level of copyright reduces. The new French publishing contract includes digital formats and makes out-of-print books available in printed and digital formats.

Moral rights in digital works will be challenged. They will not be abolished, but a new form of moral rights will emerge, because there is a risk of dilution of copyright in other countries. In France, we are trying to set up alternative models, such as Creative Commons. The French moral right offers most protection, but there is a lot of demand for this to be made compatible with Creative-Commons rights. We are campaigning against this, because it would end the exclusive rights of authors to their creations. The same rationale cannot be applied to digital and printed books. All works are available everywhere, which means that people tend to overlook the prior authorisation and the evolution of moral rights is a concern for us.

We will have to unify copyrights in Europe, otherwise protection will be undermined. A book may not be protected by copyright in Canada because the duration of protection after an author's death is different from that of Europe. Europe has developed the principle of fair use, which is very different from the French method of copyright. This states that if a

work is not being marketed or sold and can be used, it can be used in any way a person desires. However, we do not accept that, because we insist on moral rights.

We have more and more fields of creation with very different logics, and the differences increase with digital formats. Digitised versions of books often have the illustrations removed because the rights for image use are different from those for the written text. The legislation on illustration has to be redesigned take this into account. We do not want technological progress to challenge the principles of copyright. The re-use of some of the works in some works is easier with printed books. The exception relating to short quotations does not exist for audio-visual or photography, so it is not possible to re-use an image.

### **Participant**

We have to deal with insider traders and consumer associations, who have more power than lovers of culture or politicians. A piece of legislation has been introduced which is somewhat strange.

### **From the floor**

Who will this manifesto be sent to? What answers are you expecting and what are the deadlines?

### **Myriam DIOCARETZ**

This was a long process and we had to find consensus on the wording of the manifesto to achieve balance in the text. This manifesto demonstrates that we are unified and have common priorities. Associations from 26 countries are represented, so we sent the manifesto to every country. We asked the associations to circulate the manifesto, adjust it if necessary and discuss it with the candidates for the European elections. A lot of members of the European Parliament support culture, but they do not support copyright or intellectual-property rights.

### **From the floor**

The manifesto has been translated into all EU languages. We will see who is elected, who works in each Commission and their stances, and then we will approach them. We have stated the conditions that we would like to introduce in our profession.

### **From the Floor**

Could the transatlantic agreement have an impact on copyright?

### **Vincent MONTAGNE**

The transatlantic partnership agreement from 13 June was very clear. France did not want culture to be part of this agreement and defended its position with support from Romania only. The Commission is very specific by nature because it was not elected democratically. The Commissioner in charge of the agreement said he did not approve of the French position and that culture would be discussed again.

Conditions have changed, because the Americans would like to bring other exclusions to the fore, such as insurance and shipping. Previously, the cultural except was supported because it prevented attack from large Internet companies, but it has since come under attack. If the cultural exception is jeopardised, the principles behind it will be destroyed. It is possible for anyone to take a legal case to say that a law infringes free competition. Negotiation is not transparent. The member states are only told about what is being negotiated month by month.

## TRANSLATION: BOOKS AND IDEAS THAT CIRCULATE



- *Koen VAN BOCKSTAL, Flemish Literature Fund, Belgium*
- *Ginevra BOMPIANI, Publisher, Nottetempo, Italy*
- *Emmanuelle COLLAS, Galaade Publishing - France*
- *Martin DE HAAN, Vice-President, CEATL*

*Moderator : Laurence KIEFÉ, President, ATLF and Translator - France*

### **Laurence KIEFÉ**

The Flemish Literature Fund is like the French National Book Centre. Koen Van Bockstal is also the Chair of a local network which meets twice a year and brings together 15 European literary foundations. It is called Golden Pheasant, because the first meeting of the network took place in a famous restaurant in Amsterdam called The Gold Pheasant. Ginevra Bompiani's company, Nottetempo, began in 2010 and is based in Turin. She publishes a lot of Italian literature and foreign literature translated into Italian. She is a writer and her books have been translated. She is also a translator and a former Professor of Comparative Literature at the University of Siena. Martin De Haan's organisation is a conglomerate of 34 different associations for translators, based in 28 countries, and represents 10,000 translators. It is organised into working groups. I am myself a translator from English.

### **Ginevra BOMPIANI**

I head a small, independent publishing house. We have published 300 books, half of which are translations. Translation only grows if it is influenced by foreign cultures. Translators are often good writers, because they recreate the right balance. In fascist Italy, nothing was translated, but Italians travelled nevertheless. Italians do not tend to speak foreign languages, but they brought books back from their travels and that allowed us to remain in touch. After the war, everything was translated.

In the past 30 years, France has greatly increased translation from all languages, becoming a reference for publishers across the world. If I want to discover a Chinese author, I read the French translation of their books. In England, there are very few translations, because there is no fixed book price in English. Europe should encourage other nations to adopt the French, German and Spanish laws regarding fixed price.

I am a translator, a writer whose books have been translated, and a publisher. I recently reviewed the first translation that I undertook, by Emily Bronte, and I am now publishing it again. I reworked the translation to examine it from the viewpoint of the translator and the publisher. The translator has a relationship with the author and the publisher has to relate to that readership. The translator has to manage the reader's expectations and try to understand them.

Readers are going through a crisis, with big changes ahead. Reading is being challenged because it is a solitary activity. Books always halt reality but, at the end, the reader is brought back to himself. Now there are other ways to escape reality and new therapies have been introduced which replace the act of reading. Books are suffering for anthropological rather than economic reasons.

We need to include readers' expectations in European policy and international cooperation is essential as our readers have become global. What form should this cooperation take? Readers are looking for company and for what they already know. Festivals work well because readers have people to talk to and they want to be part of a



group. We could have specialised festivals by literary genre or geographical readers. Translators could attend, as they are the true mediators between our languages and the languages of foreign countries.

We can also promote European bookstores that showcase interesting books. The French do this very well. We could encourage cooperation between publishers and booksellers. We should also subsidise new translations of classical books. European programmes only subsidise translated work if it replaces translations that are 50 years old. We should update our past and turn reading into a collective passion. The future of the dissemination of books involves reviewing the close link between books and their readership. In the future, readers will also contribute to the writing and changes which are made to the book.

### **Laurence KIEFÉ**

The idea of a fair based on books with happy endings is wonderful and I can imagine the kind of exchanges people would have.

### **Koen VAN BOCKSTAL**

We are an autonomous publishing establishment set up by the Flemish Government and our aim is to promote Flemish literature in Belgium and abroad. We provide grants for translation into foreign languages and into the Flemish language. I am part of a European network of literature funds. English, French, German and Spanish are stronger languages, but Flemish and Dutch are spoken by only 20 million people in Holland and Belgium. Other languages are even smaller in numbers. We meet twice a year for an exchange of ideas, to tell other people how we work, and to try and unify our working methods.

We want to have an integrated policy among the departments of the European Parliament. We want reading to be promoted in Flanders. The Flemish Literature Fund pays a lot of attention to independent booksellers. We know that they are essential regarding the choices they offer and their role. We support literary events by inviting writers and ensuring that they are paid to attend, because we feel it is not enough for them to earn money from the sale of their books. We also invite translators and we started a new type of event, featuring the original author and the translator. We want to ensure that people understand that there is no real difference between the translator and the writer.

### **Emmanuelle COLLAS**

Galaade has been in existence for 10 years. It is an independent publishing house and its principle for publishing books is based on being open to the world. We have translated books from 17 minority languages, covering 30 geographical areas. I have published 120 books. I am always looking for authors, but I am also looking for translators who are the French voices of those authors. Sometimes they can be bad translations, but we sometimes have magnificent translations that are even better than the original work. A translated book presents ideas in a different way.

A translation that I published from Turkish helped me to understand the role of the translator and gave me the opportunity to explore Turkish literature. Turkey is a complex country with many traditions and has equally complex literature. I wanted to have a book translated from Turkish called *Vengeance*, written by Murat Uyurkulak. He is part of a generation of writers who listen to Europe and look at the world but still talk about Turkey. I read his book at night and I felt that I wanted to produce it.

However, I needed someone to translate it. My assistant is also a translator, so I talked to her about it. I found a translator called Jean Descat, who knows many languages. He has a way of re-inventing the book. This book was written by a very young person and the translator had a lot of experience, but not necessarily from Turkish. We spoke about this a lot and he asked me how he could translate it, because if he translated it, it would be meaningless. We decided to talk to the author, because I like to establish links between the



translators and authors. We will never prevent the translator from working closely with the author. We created an excellent translation of the book and the author found it good.

We do not just translate authors who write in their own language, as authors very often use different languages throughout their lives. I now have a French range based on the idea that language has a message. People have similar ideas, but say them differently. These ideas are part of an open literature. There must be a dialogue with writers from other places. Writers are the result of a very mixed culture and because of the movement of ideas through translation, there are authors from other places who know our culture and merge it with their own works.

I rely on readers to develop my line of translated books. I will produce my books as long as readers are eager to discover things, there is international dialogue, and we have booksellers, teachers, and translators. There is real collaborative work with translators. We have fellowships and bursaries that allow us to devise projects outside of our daily work. Sometimes I need to devote myself to other authors, cultures and languages and have a real dialogue with other publishers. As long as we receive grants, we will survive. I got grants from the Emirates, and I had to rely on this support for certain projects.

### **Martin DE HAAN**

The European Council of Literary Translators' Associations (CEATL) defends translation in a European context and aims to establish dialogue with EU institutions. Our taskforces look into the status and visibility of translators and their training. We have intensive exchanges of information with translators' associations in different countries. We have a taskforce on best practises, because we want to replicate best practises in other countries. The results of our surveys are published. Our survey on working conditions helped us negotiate with the European Commission and achieve progress. We showed the Commission what the state of translation was like and the working conditions of translators. The survey was carried out last year, but we have not published the findings.

We consider that translators are authors, because a text changes when it is translated. We cannot say that the circulation of texts is the same as the circulation of paintings, but the European Commission would like to put both in the same category. A translator's interpretation is always embedded into the text, and this should be a basis for inter-cultural dialogue. What happens when we hear the voices of authors in your own language? Whose language are we listening to, the other person's or your own? When we listen to someone else's voice, we are undergoing a very subjective experience.

### **Koen VAN BOCKSTAL**

I do not think the European Union will want to have a European version of the Lang Law. The idea of a free market is a prevailing paradigm, but we should not fight too hard to achieve it. All of the states of the European Union have a responsibility in this regard. With the help of the CNL, we organised a conference called The State of the Book Industry, which called for the introduction for a fixed book price in Flanders. All of the political parties, with the exception of the liberal party, agreed to take action after the election to fix prices for books.

This will defend the interests of independent bookstores and will be beneficial for the quality and the range of books on offer. There will be greater possibilities for the publishers to invest in projects that would be untenable on a financial basis. It will also allow for book translations. In Holland and Belgium, more than 40% of the books on offer are translations, which is a very high number. Fewer books each year are being translated than in the past, which is a concern. Introducing this measure would help in that respect.

**Laurence KIEFÉ**

Could you discuss the Lang Law, the legislation adopted when Lang was the Minister in France? Replicating this law would probably be to everybody's advantage. Why would it be beneficial?

**Martin DE HAAN**

We cannot demand of the European Union that it create laws protecting culture, because culture is the remit of the member states. Otherwise, no protection methods would ever be enacted. We have to work with member states to try and identify leaders.

**Ginevra BOMPIANI**

The EU cannot enforce laws, but it can change its policy rather than oppose laws regarding fixed price.

**Martin DE HAAN**

The Lisbon Treaty is currently enforced and cannot be changed quickly. Within the current framework, the member states have the right to enact laws which go against the legislation that fosters free competition to protect their culture. The law regarding fixed book prices is an example of this. The European Union also consists of several Directorates-General (DG) and the DG for competition will not state that exceptions should be introduced. There are laws to protect culture in Holland and Germany. In Germany, there is a law which allows authors' associations to negotiate directly with publishers. In Eastern Europe, Governments actually refuse to infringe free competition laws.

**Ginevra BOMPIANI**

For years now in Italy, we have been fighting hard to adopt a law similar to the Lang Law. Italy introduced a piece of legislation which is regarded as ridiculous by publishers. The legislation only helps the four major publishing companies and damages independent bookstores and publishers. At the time, Berlusconi was at the head of Government and was the head of a large publishing group, so he had an influence. He is no longer in command, but the major publishers are retaining their positions. Since they have the biggest part of the turnover, they make the law, and the Government follows them.

**Martin DE HAAN**

The public expects a translated book to sell for the same price as an original text. Readers do not realise that there is more work involved in a translation, because there is a second author who wants to be paid for his work. This means that publishers cannot pay translators very well. If a translated book costs more, it will not have readers.

**Ginevra BOMPIANI**

Readers want to buy books that are less expensive, but the cost price of producing a book is increasing, because print facilities are charging more. The stakeholders are willing to take a risk on the original writer. Translators can make a living from their writing, but very few writers make a living from their writing. Payments must be made before the book is sold. It takes 18 months to produce a translation, so a publisher receives money from selling the book much later. The cost prices are so significant that the margin for translated books is small.

**Emmanuelle COLLAS**

Publishers are waiting for legislation to be implemented by the ATLF, but we also rely on language foundations to supply translators. For more challenging languages, we need to pay translators the right price. We sometimes need translators who help with editorial tasks, so the price should reflect the type of work. The more informed we are, the better we

can work with these grant systems and to develop quality relations between translators, authors and publishers.

### **Martin DE HAAN**

We arranged some support for publishers, but we need subsidies for translators and we do not have such grants in France.

### **Laurence KIÉFÉ**

Translators in France can get fellowship credits and subsidies are given to publishers. For publishers to be eligible for subsidies, they must have contracts outlining minimum prices paid to translators. The job of translators has been professionalised in the last 50 years.

### **Florabelle ROUYER**

Financial support is given to translators in addition to grants that publishers may ask for. We do not want publishers to ask for subsidies and not pay translators accordingly. The rate is EUR21 per page. We know that it is not enough. We are creating a system for having translators in residence at venues.

### **Representative, Relais Culture Europe**

Support systems are integrated with active policies and we have working on these for seven years. Translation grants will be included in the new 2014-2020 programme. Support is given to publishers for the translation of some European works. This ensures that access to work is allowed. There is a larger project called Creative Europe which gives us ideas about a European cultural policy and what kind of European cultural intervention could take place in future years.

There is a need to organise new professional networks regarding the movement of works. We need to define the movement of works in relation to readers, consumers and products. This issue relates to an extended Europe, including future member states. We do not just focus on translation, because the European agenda goes beyond that to societal challenges and innovation. There is a large European programme on innovation and research, in which we deal with an inclusive society and technologies of the future. We need to consider how we move knowledge today.

There will be another consultation on the 2020 strategy, which includes the areas being discussed at the conference. The discussions will start with the new Commission and there will be an updating of the EU's priorities for the next seven years, which will include culture. This is not just a question of how sectors are faring, but is also related to balance of power in culture. The European agenda is raising a number of questions which you will need to work on. A lot of support is provided to innovative business, which publishers and booksellers can avail of.

### **Françoise WUILMART**

The texts that we are producing are not substituted products. We do not replace the original work by translating it. A faithful translator provides a work in another culture. The result of the translation is a hybrid work. Translations are a dialogue of cultures of ideas and that is why they age. Translation gives a work new life and extends its life.

### **From the floor**

I think it is inadvisable to ask the Commission to deal with the issue of fixed price, because they will either accept it or they will not and we can expect the worst outcome. Work is being done to promote literature in other countries that do not have fixed-price legislation. The Competition Act promotes competition. Though it is subversive, it is successful in countries where we did not expect success.

## HOW AUTHORS ARE REPRESENTED IN THE EUROPEAN COMMISSION AND EXAMPLES OF OTHER CULTURAL SECTORS, INCLUDING MECHANISMS, TOOLS AND NETWORKS.



- *Anne BERGMAN-TAHON, Director, Society of Editors*
- *Pierre-Emmanuel LECERF, Director of European and International Affairs, National Film Centre (CNC) - France*
- *Sylviane TARSOT GILLERY, Director, National Library of France - France*

*Moderator : Jean-Guy BOIN, Director, International Office of Editing in France (BIEF) - France*

### **Participant**

Pierre-Emmanuel Lecerf will speak about the film industry, which operates in a very different way. He has very diverse competencies regarding networking, and the film industry knows how to suggest ideas to the European Commission.

### **Pierre-Emmanuel LECERF**

We deal a lot with copyright, intellectual property and how to adapt our industry to the digital revolution. European Film-Agency Directors (EFAD) was set up 2001 on the initiative of the UK and France. It was decided to create an informal network of directors and film agencies in Europe, including directors from Government. The aim was to convene them to discuss their best practises, how they operated nationally, and how they developed common positions on EU issues. This was reflected in the state aid and internal market-operation system. We have public interventions to support the cinema, audio-visual and animated-image sectors. We are subject to regulations regarding the single market and competition within the EU. We are under the authority of the Commission because they regulate the system.

The CNC was set up in 1946 after the liberalisation of the importing of films from the US to Europe. It was necessary to counterbalance this. Our French aid system was validated in 1989 and was modified in 2006 and 2011. The entire grant system is now defined up to 2017, but every time the Commission examines our aid system, it challenges the support that is provided.

We felt that if we worked collectively, we would be in a stronger position in Brussels to highlight specific issues because we did not want our systems to be abolished. We support French systems and this goes against the rules of free competition, but we used the cultural exception to explain why we had these systems. The state-aid systems encouraged the national centres to work together to have a stronger voice in Brussels. We meet three times a year, during the Berlin, Cannes and San Sebastián film festivals. We have Extraordinary General Meetings, such as the one we are holding to discuss proposals to the new Commission for the next seven years. In our ordinary meetings, our main topics are state aid, state grants and public support to our industries.

We have held difficult discussions with the Commission recently, because we have a problem with the Commission. Last year, there was a reform of state aids at community level. There was a new assessment of grants in the audio-visual world and it was stricter than before. We challenged that because the new system was reducing the effectiveness of our support to the film industry. Most of our requests were honoured. A document was produced at the end of 2013, describing the criteria the Commission would use to review and accept state aids.

There are talks regarding the free-trade agreement between the US and Europe. We specifically asked for audio-visual services such as film and television to be excluded from the talks, because they dealt with online cultural services. This was very important for us given the dominant position of US services online. The Commission did not want to exclude the audio-visual sector from the talks, but they listened to us. Therefore, audio-visual services are now not in the remit of the talks for the free-trade agreement between the US and Europe.

We have two main directions and 10 actions that are not covered by state aids. At present, the Commission and the European Parliament want to regulate online and traditional audio-visual services. Work is also being undertaken regarding the dissemination of professional audio-visual services. There is also the problem of piracy and illegal downloading. Netflix is setting up in Europe, in states with very low taxation, to target bigger states that have a lot of regulations in this respect.

We want to be very active in education through images and film and media literacy for young audiences. We would like to have EU-wide policies in this respect, so that young viewers become more interested in European films and audio-visual content. We also do joint productions in the framework of transport agreements. Half of French film production is carried out in cooperation with mainly European countries. We want to grow and develop that, with new legal frameworks in order to encourage this. This is not part of fair competition or state aid and we want to suggest new tools to the Commission to provide support and encourage the development of our sector.

We have common positions and it is easier to have common lobbying when situations are difficult. However, it is very difficult to achieve this with a five-year horizon. Not every country has the same level of digital development, so a solution for all countries will not work. We have still managed to come to an agreement regarding the need for more regulation of digital audio-visual services regarding taxation and quotas. We managed to obtain signatures from Ireland, Luxembourg and the Nordic countries.

### **Sylviane TARSOT GILLERY**

The European Libraries Foundation represents individual libraries which will carry out projects at local level. This foundation groups public partners, libraries, museums and research centres. It also has private members, which has enabled them to carry out very practical projects involving collections produced by individuals and European newspapers. We will also now have access to more than 540,000 sound recordings at European level. We work at the EU level so we receive very substantial funding. We also receive support from the Ministry of Culture. The digital world involves very vast numbers of works and although EUR9 million might not seem a lot, it enables us to carry out work and give public access. We are involved in research and development programmes.

### **Participant**

Interaction among professionals in similar types of international organisations makes it possible to build something which can be translated to policy makers. They will then give the necessary instructions to the members of the EU administration.

### **Anne BERGMAN TAHON**

I represent a trade that is not asking for substantive aids apart from translation. We did not find people responsible for digitisation in the Commission to help us. We got more support from libraries. It is important for Commission officials to understand that we can have dialogue, but if we do not have quality content, European readers will look for content somewhere else. The department responsible for digitisation is looking at systems physical media, systems but is not really looking at content. We would prefer to talk to culture officials.

**Sylviane TARSOT GILLERY**

It is useful to be aware of the quality that is required, but we need the systems, the structure and the medium. How will we contribute to the platforms? What kind of standards will we use? The rights relate to online content and platforms. There is more concern about contributing data online and is not so interested in the format and the fact that rights have to be complied with.

**Martine GARSOU, Assistant Director, Book Department, Brussels**

A dialogue between publishers and librarians is necessary in order to find the right access to works and fair remuneration. There is a need to promote reading, which is a way to create social bonds. If we want to promote reading, we need to share books and that is why libraries are important to the Commission. New legislation has slightly altered the role of libraries. They are supposed to set up specific projects to promote reading. This is essential for authors and publishers and we support librarians in all the events they organise. It is important to have a policy to promote reading. Books can be used in teaching. 15% of students leave school without knowing how to read. We need to mobilise all the actors, including health professionals and childcare workers.

**Vincent MONADÉ**

The CNCs were mobilised because there was an emergency situation. There was a petition signed by major film directors. Representatives of the film industry met with Barroso and were able to achieve significant process. We need to motivate major European writers so they can take part.

**From the Floor**

There is an international Congress of Librarians next week in London. I am a French member of that association. The US has introduced a scheme inviting people to work in a library for one day. We need to help one another to find the right contributors and carry out effective lobbying.

**Jean-Claude BOLOGNE**

I am not a major writer, but I have been living on the income provided by copyright for 25 years. Major writers would be able to represent other writers well. Victor Hugo did not have copyright problems, but he was very generous and thought for other writers who lived off copyright. If European writers receive the Nobel Prize for literature, they could live off their copyrights. There was a proposal for a European constitution which was turned down by voters.

The only waiver to fair competition is the cultural exception, provided that it is not in contradiction to fair competition. The waiver needs to comply with the rules, so it is not a real waiver. It has a meaning in Europe, but not in France. We are always defending the exception, which is presented to us as a concept which goes against the free movement of goods and ideas. It is seen as a cultural product, but we are not producing products. We write a work, publishers turn it into a book, and as soon as we start referring to our books as products, we have to accept fair competition and a higher VAT rate. We must remind people that we are authors of works and this will attract major writers.

**Anne BERGMAN TAHON**

Our organisations are making an impact in Brussels. We call on book officials to help professionals in the book industry and encourage them to come to Brussels. They would be able to talk to the unelected officials who draft the documents. Only the Commission takes initiative on legislation and the Parliament then supports it. We are able to have a dialogue, but it needs to be ongoing and more people need to be involved. There is a very big US company which has dozens of lobbyists and consultants. They provide funding for



organisations that support consumers and libraries in order to change copyright, but book-industry organisations are less well supported. We need to re-iterate the reasons why we are fighting. We aim to publish books and ensure that European readers have quality books.

### **Pierre-Emmanuel LECERF**

France was in the minority in defending the cultural exception during the trade talks, but we were able to mobilise Steven Spielberg at the Cannes film festival. Policy makers like reading, so it will be easier for you than you think. It does not have to be at a very major event followed by the media. When there is a crisis, you need to work with the people who write the legislation and the Parliamentarians who vote on the texts. Do not do that at the last minute.

We have to be selective and work in a different way. We have a lobbying representative in Brussels. The online world is exciting and has more jobs than the French car industry. The Internet includes private and industrial data that are kept on American servers. We need to challenge some of those ideas, politically, socially and economically. We have six months before the next commission comes into power.

### **Jean-Guy BOIN**

People say that the Lang Act was introduced to defend small booksellers, but the idea was to create a diversified and dense network of booksellers. They could be concentrated in the publishing industry, with a diversified offering of literature genres. The law on fixed price is part of competition, because of all the services that it provides. In France, writers should feel that they are part of the book chain, because they are the origin of the chain.

### **Participant**

Lobbying in the book sector in France is organised in a vertical way. The EWC is working to group together offers from all over Europe. The manifesto enabled us to link the vertical and horizontal dimensions. Is it beneficial to move beyond the action that has already been taken and join the different sectors together? Together, we have enough power to be listened to.

### **Anne BERGMAN TAHON**

We have established a number of coalitions in Brussels. Some are ad hoc and others are more sustainable and long standing. One was launched a year ago and is called Creativity Works. It involves people from the movie industry, radio broadcasting, the music industry and the book industry. It is talking to President Barroso as part of the consultative process regarding intellectual property and copyright.

We need transparency. When we meet with European officials, it is always very clear who will represent us. There are a lot of structures in Brussels which claim to protect intellectual property but in fact they are protecting the interests of a few major online players. They do not have the necessary dignity and transparency to say who they really represent. All lobby groups should be registered as we are and should clearly state their targets, but this is not always the case.

## CLOSING



Vincent MONADÉ  
*President of the CNL*

I would like to extend a personal message first of all. I would like to extend my personal thanks to my team and within my team I would like to extend my thanks to Aurélie, Natacha and Marie-Claude in particular for the faultless organisation of these two days. It was not easy, we worked in great haste, and we all agree that it was done remarkably well. I would like to extend my thanks also to the SGDL which is hosting us this morning.

Ladies and Gentlemen, my dear friends, we have now completed these two days of meetings, discussions and exchanges. They were very dense discussions so I promise you that I will be brief and, since we are at a time of electoral campaigns, I would like to remind you that our promises only commit those who believe in them.

What can we say about these two days? Let me redraft the question – what do these two days reveal about us? First of all that we want to meet; we want to meet as a family, as friends and as a group. In a few weeks the National Book Centre has managed to bring together 18 countries, more than 150 participants in two days: authors, translators and also publishers, booksellers and libraries. I would like to thank you very much for coming. Let me say this once again: we have to turn these meetings into regular meetings. We have to create together the European new encounters of the book industry, either every year or twice a year. Gathering professional institutions but also politicians, European parliamentarians and commissioners and the officials of the EU Commission because we know that we can convince and we can convince them in particular. That is essential. Within the European Union there are lobbies that are up and running. They are running fairly well and in a healthier way than within our national parliament of France. The Federation of European Publishers (France), the European Writers' Congress (France), the European Booksellers Federation, and the Institute of Literary Translators experience this every day. They have limited resources and yet they know that they can hold the sea because we could be overwhelmed by the sea. What I mean by the sea is our enemies that are ahead of us like a tsunami – they are the enemies. What we owe these professionals, we, book institutions, and Anne Bergman said it in so many words to them, that what we owe them is to be able to set up our own networks on the model of the institutions of the cinema industry to fight the fights that are the fights of these professionals. To offer them a forum. To give them a voice. To give them an area where, helped by our collective clout and power, they will convince the UN of the fairness of their claims. Why is that essential?

Google in Brussels has a team of more than 20 people totally dedicated around the clock to influencing the policies of the Commission. The political party of Paris is remarkably organised. It is impudent, it is certain; it is the very name – that it is a group of thieves. It managed, thanks to mobilisation and acting in bad faith, to have ACTA abandoned. These are our enemies but there is worse. Little by little, we are losing the battle of opinion.

Like many of you I have children and in particular a 13-year-old daughter. Two years ago, she replaced her teddy bear that she would hang on to with a computer – she grew up overnight. Last week I came home and I saw that she was watching a movie. I took an interest in what she was doing and what she was watching. I was surprised, knowing it was not yet being shown in movie theatres in France. Well, she had just cracked it and she was watching the counterfeit version. You can imagine. I am the director of the National Book

Centre and, in my own house, there was an act of piracy – a manifested, obvious act of infringement of copyright. So I explained the value of chain, the need for fair compensation for the stakes behind cultural diversity and what it meant to illegally or unlawfully download such works. And it worked – I think it worked. I hope I managed to convince her, but if I have to do this with 220 million teenagers in Europe, individually, it is going to take me, and us, a lot of time and energy.

So this is why, my dear friends, I think we have to get organised, we need to get structured and we need to convince. We are faced with a paradox today with copyright; it is an incredible pitfall, an incredible trap. We are the ones defending creation, property, culture, diversity, from very obscure poetry to mainstream literature. Sometimes, and to my great regret, the players in the book chain are defending this point of view. There is the Couperin Consortium that was quoted by Jean-Guy Boin. I didn't like what was told during the Chaillot Forum. The fundamental role of the National Book Centre is to support and defend the book chain. It is done through tried and tested mechanisms. We need to lend support to all of the book chain and so thanks to our grants subsidising translation, thanks to our support through the international office for French publications, thanks to our support to French speaking bookstores across the world. We devote EUR 5 million to international action and sometimes organise festivals to welcome foreign authors and in that way we also support international creation and European creation. If we do not follow this path, if we do not take care of Europe, we will betray the trust that professionals have placed in us and I am the guarantor of this trust here in France at the CNL.

For two days we have broached a great many subjects and questions related to dissemination, translation and lobbying but why should we stop here? We should in fact draw from our encounters concrete proposals. We have had fruitful contacts with our Polish, Belgian and German colleagues amongst others and I am sure that we will be able to hold this meeting in a different country in Europe. The National Book Centre will be a partner. We will be fully committed to supporting this experience. Provided that you need our help, we will be there to organise this symposium as well. I have prepared a common declaration and it will be submitted to you in a few minutes. It is a project, but it is not set in stone. You are here to discuss it, to dissect it, to jeopardise it, to question it and to improve it. It is together that we can improve our drafts. It is my ambition, my dear friends, that we should be able to sign this text together. For those of you who want to join this initiative we could join this declaration in Frankfurt in October. I simply hope that we can start, now that we know one another, to work together. I will ask Aurélie to meet with those of you who volunteer, a virtual working group where we can post information, discuss the common declaration, get information about the major trends emerging from our institutions and the latest developments at the European Union and, of course, we must pave the way for future encounters and seminars in a different country. The National Book Centre, under my presidency, will go to Brussels and Strasbourg at least three times a year. These meetings will be devoted to meeting with MPs and members of the commissions. We will do so alongside the professionals in our country: the SNE, the SGDL, the ATLF, the CPE and the SLF but I would like to do it also alongside some of you. Aurélie will organise these trips and every single time she will get in touch with you to see whether you would be willing and ready to join in this effort with professionals in your country.

When France goes to Europe, the members of the Commission sometimes heave a sigh of anger. They do not like the French because they see us as trouble makers but if, rather than being a French delegation, we are a delegation made up of France, Poland, Spain, Slovakia, Germany, Portugal and the UK, if we go together: two of us, three of us, ten of us, then we do not carry the same clout and then they will listen to us. Because people in the European Commission, it is not just an entity that was created a sort of Big Brother is watching you type thing. These are people who were elected following the will of our governments and we can weigh on their decisions as European citizens.

One last point, my dear colleagues. As I've told you, the National Book Centre took the decision to support our Greek friends. That is why next year I will sent to the Greek, and to the president of the European Commission, a letter to encourage them not to tie the

payment of their aid to Greece to the repealment of the law on the single fixed book price. Some people say that this is blackmail. I certainly hope that our French friends working in professional institutions will also sign this letter with me. Already, our German friends wrote to the prime minister in Greece on this topic and I am convinced that the strong European movement may save the fixed book price in Greece and for all of us it can be an interesting fight. In any case, I don't think that we can afford to shut up. This is a letter that we will be sending to you. Some of you, I hope, will be able to start an initiative in your own countries to defend the Greeks and to defend the book industry in general in the European Union. I also think, as the European elections campaigns start, we have to make the manifesto of publishers and book sellers as public as possible. This is what the National Book Centre will do and we hope that this manifesto will be at the heart of political discussions during the electoral campaign. The National Book Centre, together with the French Institute, our partners and friends, will make sure that the voice of the book industry will be heard in Brussels.

This is my conclusion. We have to get together; we have to stand united. If Europe takes the wrong decisions it questions not just the sheer existence of the book industry but our structures too. If you think culture is expensive, try ignorance. In three months, Europeans will be called to vote. The European Commission, which will be elected, will be completely different from the one that, fortunately, is nearing the end of its term. It will be a lot more powerful because its president will be legitimate. It will be a lot more political in nature because the president will have been elected by the European Union. So let us not be modest. Let us not keep a low profile. We are Europe. We are civilised Europe in the same way as web users and we are much more representative than the giants of the net who are all American. We are Europe. Let us make sure that it looks like that. Let us work on that.