



**International Federation of Library Associations and Institutions**

## **Minutes of Council Meeting**

23 and 27 August 2004  
Buenos Aires, Argentina

### **Council I: 23<sup>rd</sup> August 2004, Buenos Aires, Argentina**

The President of IFLA, Kay Raseroka, presided.

#### **Opening**

The President opened the first session of the Council meeting at 11:45. She welcomed delegates to Buenos Aires and wished them a successful conference. President Raseroka explained that, because of the delayed start to the Council I meeting and delays in receiving voting papers, the appointment of tellers, any voting matters and consideration of resolutions would be held over to the Council II meeting.

#### **Welcome**

The Buenos Aires Organizing Committee welcomed delegates to the 70<sup>th</sup> IFLA conference and to the city of Buenos Aires.

#### **Adoption of the Agenda**

The agenda as amended by the President was **adopted** by the meeting.

#### **Minutes**

The Minutes of the previous meeting of Council held on 3<sup>rd</sup> and 8<sup>th</sup> August 2003 in Berlin, Germany, were **adopted** and signed by the President.

#### **Motions and resolutions passed at the last meeting**

Feedback was provided on the motions and resolutions passed at the Berlin Council meeting:

- The resolution on National Security Legislation has been communicated as requested and the issue will be considered in the 2005 IFLA/FAIFE World Report.
- The considerable success of IFLA's interventions in the World Summit on the Information Society was noted.
- IFLA continues to work with its partners in the Blue Shield on issues relating to Iraq.
- Long term funding for the core activities will be addressed during the next year.

## **Presentation of the Annual Report by the Secretary General**

The Secretary General, Ramachandran Rasu, presented his report in which he outlined his hopes for IFLA during his tenure. The Secretary General's report was **received**.

## **Establishment of a quorum**

The quorum of 62 national association members was **confirmed**.

## **Adjournment**

The President adjourned the meeting at 12.10 until 16.00 Friday, August 27th 2004 at the Hilton Convention Centre, following the closing session of the Congress.

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## **Council II: 27<sup>th</sup> August 2004, Buenos Aires, Argentina**

### **Opening**

The President declared the second session of the Council meeting open at 16:20.

### **Appointment of tellers**

The Secretary General proposed the following persons to act as tellers to count the votes: Ms Jo Ann Boorkman (USA), Mr Jan Bos (Netherlands), Ms Aree Cheunwattana (Thailand), Ms Maria Isabel Franca (Brazil), Mr Perry Moree (Netherlands), Ms Maria José Ramos (Angola). He also proposed that Perry Moree act as Head Teller. **The meeting approved the appointment of the tellers.**

### **Proposals to revise the provisions for association membership**

The Secretary General reported on the postal ballot on the Governing Board's proposals to revise the provisions for association membership. The total number of eligible voting members was 1219 of whom 320 (26%) voted, casting 982 (40%) of the 2434 eligible votes.

On the proposal to revise the provisions for Association Membership of IFLA, 299 members (93.4%) voted in favour, 18 (5.6%) voted against and 3 (0.9%) abstained. In votes this represented 901 (91.8%) in favour, 75 (7.6%) against and 6 (0.6%) abstentions. The proposal was thus **adopted**.

On the proposal to adopt a proposed new article for the Statutes to allow for "other association members" 298 members (93%) voted in favour, 14 (4.4%) voted against and 8 (2.5%) abstained. In votes this represented 926 (94.3%) in favour, 14 (1.4%) against and 42 (4.3%) abstentions. The proposal was therefore supported but, in accordance with Statute 30.4, it must be approved by a two-thirds majority of voting members present at Council

### **Proposed amendment to the Statutes to establish a membership category for Other Associations**

The Treasurer, Ingrid Parent, proposed the amendment to the Statutes to establish a membership category for Other Associations which had been passed by the postal vote:

#### **7.2.3 Other Association Members**

Associations of librarians and information professionals whose purposes are in accordance with those of the Federation whose geographical remit is less than that of an independent state (for example, provincial or state associations) may be admitted as Association members in this category.

The motion was put and **carried** with 180 in favour, none against and 8 abstentions.

### **Proposals for membership fees in all categories for 2005**

The Treasurer reported that the official inflation rate in the Netherlands at the time of preparing the recommendation was 2.1%. Under the provisions of the Council resolution the Board could raise the fees by a maximum of 1.1% but had recommended the adoption of a 1% increase. This would require Council approval under the terms of the 2002 resolution, since it would be the third year for which the Governing Board was determining the increase. Accordingly, the Treasurer proposed that membership fees in all

categories for 2005 should rise by the minimum 1% excluding those affected by the transition provisions for the new national library associations scales. There is no increase as well for the Student Affiliation fees, as they were set for a trial period of four years and will be reviewed in 2005. The motion was put and **carried** with 786 in favour, 1 against and 37 abstentions.

### **Presentation of the Annual Accounts**

The Treasurer reported on the budget outcomes for 2002 and 2003. She noted that the financial state of the Federation gave reasons for concern due to unexpected expenses during 2004 which principally related to the replacement of the Secretary General, taxation advice and the advocacy in the World Summit on the Information Society. The Treasurer's report was **adopted**.

### **In Memoriam**

The Secretary General read out the names of those members who had died since the last conference: Vladas Bulavas (former Director of the National Library of Lithuania), Warren Horton (former Director-General of the National Library of Australia, IFLA Treasurer from 1993-1997, IFLA Honorary Fellow since 1999), William Hunter Brown, UK (former Secretary of Standing Committee of Interlending Section, Chair of Division of Collection and Services, member of the Professional Board), Jenő Kiss (former General Director of Metropolitan Ervin Szabó Library, Hungary). Members stood in silence in their memory.

### **Motions and Resolutions**

There was one resolution 'Lending Right – a Resolution on Defence of Public Lending Right by Libraries'\*) which was proposed by Marco Marandola on behalf of FESABID, Spain.

Following considerable discussion, the President declared that the Governing Board would consider the matter and take appropriate action. *[Subsequently, the Governing Board forwarded the resolution to the IFLA Committee on Copyright and other Legal matters (IFLA/CLM) and requested the CLM chair to establish a working party to include the Chair of Division 8 and the IFLA Section on Public Libraries to discuss the issue and report to the Governing Board].*

### **Closure**

There being no other business, the President declared the meeting closed at 17.50.

#### **\*) Text of the Resolution:**

##### **Resolution on defence of Public Lending by Libraries.**

Whereas libraries and information services provide access to information, ideas and works of imagination in any medium and regardless of frontiers. They serve as gateways to knowledge, thought and culture, offering essential support for independent decision-making, cultural development, research and lifelong learning by both individuals and groups. [IFLA Glasgow Declaration on Libraries, Information Services and Intellectual Freedom, 2002].

Libraries and information services shall make materials, facilities and services equally accessible to all users. [IFLA Glasgow Declaration on Libraries, Information Services and Intellectual Freedom, 2002].

Whereas libraries provide access to information, ideas and works of imagination. They serve as gateways to knowledge, thought and culture. [IFLA Statement on Libraries and Intellectual Freedom, 1999].

Whereas libraries contribute to the development and maintenance of intellectual freedom and help safeguard basic democratic values and universal human rights. [IFLA Statement on Libraries and Intellectual Freedom, 1999].

Whereas libraries have a responsibility both to guarantee and to facilitate access to expression of knowledge and intellectual activity.

[IFLA Statement on Libraries and Intellectual Freedom, 1999].

Considering all this:

IFLA would like to express concerns about the recent evolution of Public Lending Right in the European Union following the national implementation of the Directive 92/100/CE. As noticed by EBLIDA, the European Commission has started infringement procedures against six Member States regarding their national implementation of the public lending right as harmonised by the Directive 92/100, to put an end to the damage suffered by rights holders due to the remuneration exemptions provided by Spain, Italy, Ireland and Portugal in their national copyright laws.

We express our concerns about this in order to make a precedent for international regulation of the issue. Again we would like to stress the need to find an appropriate balance between the economic right as stimulus to the creation and the diffusion of knowledge and culture through all the citizens of a democratic society.

We believe that to increase reading habits, libraries and their services are a basic step that should be taken into account. A higher number of libraries users will increase the number of readers and consequently the number of books sold.

The introduction of a fee paid by the State, the user or the local government bodies, from which libraries depend, will surely have an effect in those countries where such payment is today not required.

Furthermore this may affect the number of lending carried out by libraries, or the budget reserved to libraries for acquisition or other matters. We support the opportunity to provide exception to remuneration, and to exclusive right to authors, if such right is recognized at a national level, in particular for developing countries where there are low reading habits. Furthermore we feel that it is imperative to ensure exemption in those countries where it is advantageous, or is considered appropriate by national.

Marco Marandola, FESABID, Spain - 26 August 2004

### **Amendment**

#### **Amendment to this resolution which was submitted by Ms Danielle Mincio, Switzerland and adopted by Council:**

"L'IFLA est concernée par le problème des droits de prêt et par la manière dont il est appliqué dans différents pays en liaison avec l'accès libre à l'information qu'elle défend. Nous demandons au GB d'organiser une réflexion pour proposer une alternative et établir une stratégie, en vue de présenter un document qui sera prêt pour le Prep Com 3 de la seconde phase du SMSI en septembre 2005."