



Issue 2: February 2011

# FAIFE Newsletter



The newsletter of the International Federation of  
Library Associations' Committee on Free of Access to  
Information and Freedom of Expression

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Dear Faifeans,  
Welcome back to the FAIFE newsletter!

As you may have noticed FAIFE has put a lot of effort into communication to reach you all. Allow me to sum up FAIFE media:

- FAIFE Editorial is an editorial (better than 2 minute blogs we think) that sums up what is on FAIFE's radar
- FAIFE social media ([Facebook](#), [Twitter](#), [YouTube](#), [Flickr](#), SlideShare) is meant for quick communication and sharing thoughts
- [FAIFE website](#) serves as a place for more permanent information (statutes, calendar, presentations)

We are still adding few things. One of the most interesting is the [FAIFE Spotlight](#). There are lots of issues we have been discussing at the FAIFE Committee and we think everyone should be aware of them. We have discussed lately for instance WikiLeaks and the Library of Congress decision to block the website, Palestinian libraries, Venezuela's policy to define libraries and Internet access as 'luxuries', the curious case of a manga collector in Sweden, new age materials and IFLA, an international Code of Ethics and many, many others. FAIFE will monitor most of these issues and develop a short memos that we now call the **FAIFE Spotlight**.

FAIFE Spotlights will not be official statements of IFLA or FAIFE. They will be a basis for discussion,

starting points, signs of concern and papers for further actions. The first Spotlight, to be released January 2011, is by Päivikki Karhula from the Parliamentary Library of Finland and concerns WikiLeaks (a topic also covered in this issue by Loida Garcia-Febo and Shaked Spier). You are most welcome to suggest or write a draft for a FAIFE Spotlight yourself.

We are now preparing also for the mid-term meeting in 2011 in den Haag. There are interesting and important things to present you at the next IFLA conference in Puerto Rico, and we are planning a satellite meeting in Miami immediately preceding the World Congress. We want to give our members the overview of the most recent topics, like WikiLeaks and libraries, global environment and Internet censorship, controversial materials at the libraries etc. Let us wrap it for you.

There are already working titles for the sessions, like BRAVE NEW REVISITED, WHO CONTROLS THE CONTROLLERS, CONTROVERSIAL MATERIAL AT THE LIBRARIES etc. Feel free to suggest us your favourite topic or working title.

Finally, some self-promotion. I was delighted to hear that our session in Gothenburg inspired many participants. One of the outcomes of this inspiration was the Entresse library's recent Christmas calendar on YouTube (sorry, only in Finnish...). The idea is simple and brilliant: every day a reader presents a banned book. We are already planning a FAIFE calendar for the next year with the guys of [Entresse](#).

Yours Kai Ekholm, Chair of FAIFE, National Librarian of Finland

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## ***Advocating for libraries through social media***

by Federica Marangio

-Advocacy Support Officer, IFLA HQ

Dear library advocates,

FAIFE has had a great start to 2011. This is our second issue and thanks to your enthusiastic and active membership we have accomplished so much and have been able to extend our presence in the media. We are strongly advocating for libraries with the use of social networks.

Three months ago FAIFE counted 227 fans on Facebook and 125 followers on Twitter. Today 282 people are fans on Facebook and 170 follow us on Twitter.

Don't forget to visit regularly both accounts:  
<http://www.facebook.com/faife> and  
[http://www.twitter.com/ifla\\_faife](http://www.twitter.com/ifla_faife).

Driven by the interest of knowing what is possible to achieve through the use of social media, IFLA conducted a survey. Of the total respondents 58.14% were Senior Professionals, 24.19% New Professionals and the remaining 16.28% LIS students. The comprehensive version of the results will be presented at the international symposium [BOBCATSSS](#) which is currently taking place in Szombathely, Hungary. For the purpose of the FAIFE newsletter I feel happy to share with you some of the major results.

What emerged is that the librarians of today are active and have a social role in the community where they work. They are change agents, facilitators of inclusive society, interventionists. They don't stay inside the library waiting for the users coming to visit the building. They are friend of technologies which provide them with the opportunity to reach other users. They are aware of the advantage that Information and Communication Technology can bring to libraries and they are keen in advocating for libraries with farsightedness, passion, diplomacy, motivation, innovation, enthusiasm and commitment. He thinks "outside the box", with professionalism, and persistence.

They are translators of the new library services and they are aware that the communication practices of today's librarians lie in the possibility of raising debates, supporting campaigns and causes. They take responsibility to inform other people about library issues and their activities, outreaching more professionals with immediacy. They are confident that the social media creates an essential platform for "pushing" services by keeping the library on people's minds.

This is the picture of the librarians that FAIFE needs. Do you think you are one of them? Do you think you can help us in advocating for libraries?

I am looking forward to your reaction! Stay tuned!

If you have questions please don't hesitate to contact me at [federica.marangio@ifla.org](mailto:federica.marangio@ifla.org).

### Newsletter Production Committee

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## ***IFLA at the International Symposium in Tokyo, Japan***

by Stuart Hamilton

-Senior Policy Advisor- IFLA HQ

At the end of 2010 IFLA, in association with the International Federation of Reproduction Rights Organisation ([IFRRO](#)), the International Publishers Association ([IPA](#)), the World Intellectual Property Organisation ([WIPO](#)) and the National Diet Library of Japan ([NDL](#)) held a two day symposium on enhancing the culture of reading in the digital age. The conference took place at the National Diet Library in Tokyo, and more than 100 participants attended the sessions over both days where they heard over twenty presentations and keynotes from Dr Makoto Nagao, Librarian of the National Diet Library, and Levy Hideo, the first westerner to write fiction in Japanese.

This event was notable for the subject and the partners involved. Librarians, publishers and rightsholders have an entwined, often complex relationship that can often see opposing points of view in many areas - legal deposit, copyright, or the pricing of journal subscriptions to name but a few. On the other hand, all of us have a firm belief in the value of reading and the act of reading in pursuit of knowledge. This shared belief framed the symposium, and the sessions were crafted to let all sectors present their viewpoints with enough space for frank discussion between presenters and the audience.

The conference was structured so that a recap of current international copyright legal frameworks was given at the outset to provide a backdrop to rest of the presentations. Sequential sessions discussed the value of copyright to society, ways of providing access to copyright works, literacy and reading, digitisation, and access to works for the visually impaired. Finishing things off on the final afternoon was an hour and a half open panel where all of the partners attempted to turn the prior discussions into some potential areas for co-operation.

From the perspective of all presenters, new services and the management of user

expectations will be key to our continued existence in the digital age. For example, how are publishers going to continue with their traditional business in an age of easily shareable e-books? How will libraries fulfill their obligations regarding cultural preservation when copyright systems are not flexible enough for the range of preservation and dissemination activities that we could now employ? Will both sectors be able to provide these services in time to retain our current users, and the next generation of people who wish to access information through libraries and bookstores?

Over the two days it was clear that the pace of change in the digital era was a challenge for all of the participants. For example, the publishers were frank about how their business models are in trouble and how they feel that users of digital materials—libraries included—are not prepared to pay the true costs of what their products cost to produce. The public perception that digital products are cheaper to produce is seriously impairing their ability to cover their costs. Library representatives, in response, clearly detailed their problems with digital rights management, extremely expensive journal subscriptions and unscrupulous publishers, and the need for a copyright exceptions and limitations regime that is fit for purpose in the digital age. The rightsholders' organisations cautioned that compulsory legislative solutions to the problems on the table reduced flexibility and their ability to offer adaptable licensing services.

In the end there was hard and fast agreement in only one area—that co-operation will be far more productive than opposition, and essential if libraries and publishers are to flourish in the age of e-books and digital access. However, in all of the sessions the concluding panel discussion always seemed to find at least one topic on which there was a place to co-operate- for example, all of the organizations felt that prioritising a solution for the digitisation of orphan works was

essential and possible soon, perhaps through the utilisation of the extended collective licensing models used in Scandinavia, or a similar mechanism.



The event was therefore a good start towards a clearer identification of where productive co-operation might take place. As Winston Tabb, the Chair of the CLM Committee stated, librarians, publishers, RROs, and policy-makers often convene in separate venues to complain about what the others are doing, but in Tokyo we were forced to engage each other—something which will hopefully happen more often in the future.

If this piece has interested you, then it's time to read a bit deeper. We are very happy to be able to share with you, courtesy of the National Diet Library website, the [papers and slides](#) of all of the presenters who featured in Tokyo. I hope that by reading what the participants had to say you will feel more aware of the current forces at work in the digital age of reading, and will be better able to understand how libraries, publishers and rightsholders can work together to increase access to knowledge.

## ***Drafting an international Code of Ethics for Librarians:***

### ***FAIFE working group at work***

by Hermann Roesch

-FAIFE member and Executive Director  
of the Institute

Cologne University of Applied Sciences  
Information Science Institute-

Librarians all over the world are well aware of their profession's ethical implications. In more than 60 countries library associations have developed and approved a national code of ethics for librarians. FAIFE has collected nearly 40 of them and has made them available in a list called "[Professional Codes of Ethics for Librarians](#)". An international code of ethics adopted by IFLA doesn't exist yet.

National codes of ethics for librarians deal with the obligation of librarians to guarantee free access to information, to fight any kind of censorship, and defend the right of free expression. These are of course the core values. But these professional codes give attention to lots of other highly important topics. Non discrimination and equal treatment of customers, neutrality in collection building and indexing, and confidentiality and data privacy are some of them. Other topics often included are social responsibility, copyright issues, and personal integrity. Of course national codes of ethics for librarians are in a certain way affected by cultural, historical and social characteristics. Each code has to reflect different conditions.

Under these circumstances it has to be asked if it makes sense to develop an international code of ethics for librarians. Is there enough commonness? Is there a need for and what could be the function of an international code? These and other questions have to be kept in mind before any further efforts are made to develop and adopt an international code of ethics for librarians.

A look at related professions shows that archivists and museum professionals do have international codes of ethics. The International Council of Museums has adopted its [ICOM-Code of Ethics for Museums](#) in 1986 and revised it in 2004: The ICOM Code is seen as “a reference tool translated into 36 languages and it sets minimum standards of professional practice and performance for museums and their staff.”



In 1996, the International Council on Archives has adopted the [ICA Code of Ethics](#) which is available in 22 languages. It has been adopted since by many member institutions and member associations worldwide either in full or in adapted form.

Although each of these international codes of ethics has a different function as well as a different status for ICA and ICOM it seems obvious that they have proved their worth in either community.

This was another reason why FAIFE took the decision to task a working group with drafting such an international code of ethics for librarians. The working group consists of 5 members from 5 countries who are with one exception members of the FAIFE committee. The work started in summer 2010 and is kindly supported by [Globethics](#) who among others provide their expertise and work space on their online platform. The plan is to present a first draft in

summer 2011 and to have an open discussion then.

At best a formal launch could come at WLIC 2012 in Helsinki.

***ALA to celebrate second "Choose Privacy Week" 1-7 May 2011***  
by Jonathan Kelley  
-Program Coordinator of the Office for Intellectual Freedom, ALA-

The American Library Association has long been concerned about the privacy rights of library patrons – and the issue of privacy in general. In fact, the third article in the ALA Code of Ethics reads:

“We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.”

An expectation of privacy is intricately connected with free access to information – including that which is seen as “offensive,” “subversive,” or potentially embarrassing. In the 1980s, ALA condemned the “Library Awareness Program,” in which FBI agents attempted to access information about patron library usage. Following the USA Patriot Act of 2001, ALA’s work on privacy rights gained even greater momentum, as American law enforcement agencies used national security as a rationale to erode traditional protections of library patron privacy. In a high-profile case, ALA and its free speech legal arm, the Freedom to Read Foundation, supported the “Connecticut Four” -- librarians who challenged the use of a National Security Letter to access library records without a court order. The Connecticut Four successfully defended their position.

Privacy is in a state of flux in today’s increasingly digital world. As a value, privacy is indeed difficult to reconcile with the disclosure necessary for connecting in our era of social networking.

Some have gone so far as to declare that privacy is dead. However, the American Library Association remains steadfastly committed to privacy protections as essential for both libraries and their users.

In 2006, ALA's Council directed the Intellectual Freedom Committee and Intellectual Freedom Round Table to take steps to put together a National Conversation on Privacy. Among the efforts in support of that goal, thanks to a grant from the Open Society Institute, is "[Choose Privacy Week.](#)" Libraries are both vigorous supporters of privacy rights, and ideal locations for discussions of civics generally. By encouraging engagement on these issues in libraries, ALA is helping to position libraries as centers of civil discourse – in addition to their traditional role as locations to gather information.

In support of Choose Privacy Week, ALA created a [website](#) that includes a blog about privacy issues. In addition, there's a Twitter feed (@privacyala) and a [Facebook page](#). Facebook has, of course, had high-profile issues regarding privacy, which is not lost on ALA staff. In fact, many of the posts and links on our Facebook page deal specifically with concerns about Facebook's privacy policy and practices.

ALA has also developed a number of [resources](#) to help libraries and schools promote Choose Privacy Week, including posters, bookmarks, buttons, and a resource guide. We encouraged local libraries and universities to create original programming, and dozens did. ALA also produced [this video](#) – which has been viewed nearly 20,000 times – and a [study guide](#) for libraries to structure discussion around the video. This year, we'll be conducting a webinar, cosponsored by *American Libraries* magazine, and a conference on youth and privacy in Chicago, Illinois.

Another area of concern for libraries in the US is how immigrant communities grapple with privacy issues. For this reason, we're very interested to know about how privacy is dealt with in other countries. If you have thoughts on the topic, or if your library association or library has created

programs, resources, documents, or statements about privacy, we'd like to know! Please contact Office for Intellectual Freedom director Barbara Jones at [bjones@ala.org](mailto:bjones@ala.org) or Choose Privacy Week coordinator Angela Maycock at: [amaycock@ala.org](mailto:amaycock@ala.org).

***ALA Discussion and Resources about  
WikiLeaks***

by Loida Garcia-Febo

-Coordinator of Special Services at  
Queens Library, New York and FAIFE  
secretary-

In light of the release of diplomatic cables by WikiLeaks, libraries and library associations worldwide are taking a closer look at open access to information and government transparency. Library workers from all fields continue to discuss Wikileaks and the potential implications its actions would have for access to information in an era of ubiquitous technology.

The American Library Association (ALA) has addressed WikiLeaks on its new [ALA Emerging Issues blog](#). The site maintained by ALA's Office for Intellectual Freedom (OIF) and ALA Washington Office, features sections such as [WikiLeaks and Its Relationship to ALA](#) written by Barbara Jones, Director of OIF. Other sections include links to articles about [Freedom of Expression/ Open Internet Access](#) published by news outlets and organizations. For more about Classified Documents and Government Secrecy, Library of Congress, National Security, Law and Legal Issues, and to participate in the discussion visit <http://www.emergingissues.ala.org/>

Attendees at ALA's Midwinter Meeting this January in San Diego had the opportunity to participate on a program dedicated to discuss issues raised by WikiLeaks. Patrice McDermott, Director of [OpenTheGovernment.org](#), and former Deputy Director of the Office of Government Relations at ALA, led the discussion.

Following much discussion, the ALA Council passed a resolution, drafted by the Intellectual freedom Committee and Committee on Legislation, concerning WikiLeaks, focused on the larger issues of classification, whistleblowing, and access to information. The resolution can be found at <http://www.oif.ala.org/oif/?p=1796>.

ALA is also presenting two programs on these issues at its Annual Conference in June in New Orleans. Daniel Ellsberg will be featured as part of the [ALA Auditorium Speaker Series](#). As per the announcement, in 1967 Ellsberg worked on the top secret McNamara study of U.S. Decision-making in Vietnam, 1945-68, which later came to be known as the Pentagon Papers. In 1969, he photocopied the 7,000 page study and gave it to the Senate Foreign Relations Committee; in 1971 he gave it to the *New York Times*, the *Washington Post* and 17 other newspapers. His trial, on twelve felony counts posing a possible sentence of 115 years, was dismissed in 1973 on grounds of governmental misconduct against him, which led to the convictions of several White House aides and figured in the impeachment proceedings against President Nixon.

Ellsberg is the author of three books: *Papers on the War* (1971), *Secrets: A Memoir of Vietnam and the Pentagon Papers* (2002), and *Risk, Ambiguity and Decision* (2001). Since the end of the Vietnam War, Ellsberg has been a lecturer, writer and activist on the dangers of the nuclear era, wrongful U.S. interventions and the urgent need for patriotic whistleblowing.

A second program, presented jointly by IFC and COL, will feature a panel discussion on the classification system, WikiLeaks, and Access to Government Information. It will be live tweeted by at @oif.

More discussions and programs might be developed by ALA. For updates, visit [OIF website](#).

***Wikileaks: what the media doesn't tell you and which issues are really at stake***

by Shaked Spier

-LIS Student at the University of Berlin  
and member of the IFLA Knowledge  
Management Section-

The developments in the WikiLeaks case since the "Cablegate"-leak in November 2010 have opened a new, unusual and very complicated debate regarding freedom of expression. There are different and complicated issues addressed in this debate, which raise major concerns not only in terms of freedom of expression, but also in terms of other information-ethical aspects such as government transparency and democracy, intermediary censorship and the abuse of the state-library relations in order to enforce censorship.

In many discussions, one would hear about the danger to freedom of expression, especially regarding the intermediary censorship and tactics of financial suffocation targeted at WikiLeaks. But there is an important distinction to make - WikiLeaks doesn't operate in the name of freedom of expression. It is more that freedom of expression gives a certain amount of legitimacy to WikiLeaks' work. WikiLeaks has a clear stated position saying that their "*primary interest is in exposing oppressive regimes in Asia, the former Soviet bloc, Sub-Saharan Africa and the Middle East, but we also expect to be of assistance to people of all regions who wish to reveal unethical behavior in their governments and corporations.*" ([WikiLeaks>About](#))

WikiLeaks, i.e. the team standing behind this organization, expresses its position by exposing problematic governmental conduct, especially when this conduct is being concealed.

Nonetheless, WikiLeaks differs fundamentally from other media actors, like news-agencies, which have a long history of exposing problematic governmental conduct using similar sources as WikiLeaks but which did not suffer



from a crack down on the scale WikiLeaks has since the last Cablegate-leak. The difference is that WikiLeaks offers raw data. As Julian Assange and other WikiLeaks activists have stated in interviews, WikiLeaks was created in reaction to calls of bloggers, activists and journalists around the world, who are aware of problematic governmental conduct but need evidence in order to take actions. WikiLeaks publishes many documents, which provide evidence; with the intent that activists will build upon these documents (this is what the *Wiki* in WikiLeaks stand for). Considering that the conventional media presents interpretation of raw information, which is often biased (for example because of economical consideration, political orientation or world-view of the respective agency), posting raw data is the most objective form of journalism existing nowadays, but doing so seems to spark strong social and political reactions.

The crackdown on WikiLeaks has drawn much attention to a developing danger to free speech, which has a potential of becoming a major obstacles for free speech, namely intermediary censorship (termed by Ethan Zuckerman in [Access Controlled](#)). Currently, the situation is that the Internet is almost entirely privately held. For users this means that despite the normative belief of having a (cyber-)space, in which they have a protected free speech, the fact is that they are always bound to *terms of service*, which are written by the online service providers (OSP). The boundaries set by these terms of service can reflect social norms and legal frameworks in the country or region, where the OSP is located, as well the service provider's financial interests or personal world-view. OSPs have the right to limit their service on the grounds of certain rules and users respectively have the choice of whether to use those services or not. The main question however, is to what extent can we rely on privately owned spaces (i.e. services) for us to carry out our free speech?

Concerning WikiLeaks, Amazon's and OVH's refusal to continue hosting the website after being contacted by US senator Joe Lieberman and the French government are clear examples of

intermediary censorship. Visa, MasterCard and PayPal denying their clients' ability to donate money to WikiLeaks (although, as discussed in the press, other racist and propaganda organizations with more questionable legality continue to enjoy these companies' services) can also be perceived as intermediary censorship to some extent as well as a part of a financial suffocation tactic.

An important point in this matter is that no court of law has yet determined that WikiLeaks' actions are illegal. Furthermore, in democratic states there is a clearly drawn line – websites are to be taken down (partially or entirely) only via court decision, not at the wish of the government, let alone a single politician.

Another issue in the WikiLeaks case, which shocked the library society, was the Library of Congress censoring WikiLeaks within the library as of December 3<sup>rd</sup>, for its staff and users, stating that *"the Library decided to block WikiLeaks because applicable law obligates federal agencies to protect classified information. Unauthorized disclosures of classified documents do not alter the documents' classified status or automatically result in declassification of the documents."* (LC BLOG: [Why the Library of Congress Is Blocking WikiLeaks](#))

Librarians around the US called on the American Library Association to condemn this move, mentioning that preventing access to information of public interest and blocking access to publically published information are both forms of censorship and abridgment of intellectual freedom.

Eventually, LC [unblocked WikiLeaks on December 7<sup>th</sup>](#) and issued a notice to all employees and patrons, addressing their responsibility to comply with laws regarding classified information, regardless of whether the information appears on WikiLeaks or another source.

Furthermore, a library is a government agency in order to insure its independence from other factors (such as market factors) and to have the law by its side. This independence is vital for libraries (above all a national library) to be able to

fulfill their mission of creating free access to information and promoting free speech. Thus, by compelling a library to censor a publically available source due to the library's status as a federal agency may function as an abuse of the state-library relation for a goal that is completely contradictory to its original one.

Alongside the tactics of governments and intermediates, the actions of WikiLeaks must also be critically addressed. Questions about the goals, harm-benefit balance and relevance of the leaks together with the concern to the well being of persons mentioned in the leaks (e.g. in the *War Diaries* leak from Iran and Afghanistan) should be addressed.

In conclusion, there are many important and complex questions to address in the discussion about WikiLeaks and the issues, which are made clear from this case. For many of them, due to the variety of aspects involved, there is no ultimate right answer. However, one should consider the actions of and implication on the different actors in the case, including WikiLeaks, governments, intermediates, and society itself.

For more please visit [Drawer2.0](#).

***Partially free: Italian libraries are looking forward for open access***

by Päivikki Karhula

-FAIFE member and Chief Information Specialist, Library Parliament, Finland-

Italy is a nice example of the complicated structures of freedom of information related issues. Italian libraries form an extensive network and they are eager to support Open Access – initiatives as well. However, there has been several concerning initiatives during last years to restrict and control free flows of information. Global Freedom of the Press rankings ([www.freedomhouse.org](http://www.freedomhouse.org)) describes Italy as a partially free country from the perspective of the intellectual freedom, which reflects well this situation.

This article is based on my visit and participation as a FAIFE member in the Italian library conference in 3<sup>rd</sup>-4<sup>th</sup> Nov. 2010 in Florence.

Concentration of the media has been a strong trend in Italy. Mediaset is a group that owns a large part of the media in Italy. Another aspect to this concentration trends comes up when it is added that the company is owned by the present Prime minister, Berlusconi. As such, this setting is not favourable for variety of political opinions. And even without explicit restrictive guidelines, there is a threat that these conditions may lead to self-censorship among journalists.

The threats for media freedom however do not concern only ownership. During last couple of years political pressures have become harder for media through different kinds of restrictive regulations and bill proposals. E.g. political debates on television have been practically banned by a regulation which was given just before the national elections last spring. Political content was only allowed in TV-shows if all parties are present. As such, this may sound as a democratic arrangement for a political conversation. However, by having 18 parties on a TV-show, this rule just doesn't work.

Italian copyright law includes as well such practices which become tedious for libraries and complicated for users. E.g. the number of pages to be copied at one time is limited for 15 pages.

Italian library association conference paid largely attention on the issues of freedom of information this year, especially from the perspective of copyright and open access. - Free access on information is a fundamental principle of democratic society and access on networked information is a paradigm of librarianship, emphasized Mauro Guerrini, president of the Italian library association already in his opening speech.

In addition to Italian speakers, there was a group of international guest speakers in a conference including Gerard Leitner (Eblida), Paul Ayris (Liber), Jean-Claude Guedon (Montreal university) and Thomas Galante (Queens Borough Public library).

Open access was one of the main topics of the conference. Jean-Claude Guedon from Montreal university focused in his presentation on the short history of Open access.

– What is concerning with Open Access projects, is that the amount of OA-journals does not seem to increase and OA-movement does not proceed, stated Guedon. He referred to the study of made by Swedish School of Economics in Helsinki indicating that between 2006-2009 the amount of OA-publications increased only by 1 %.

The full report will be soon on the IFLA website.

***Manga restricted by revised Tokyo ordinance for the "healthy development of youth"***

by Yasuyo Inoue  
-Professor of Public Librarianship at  
Dokkyo University, Japan-

On December 15<sup>th</sup> 2010, the Tokyo Metropolitan Government passed a revision to a metropolitan ordinance for the "healthy development of youth"<sup>1</sup> to tighten control over sexual content in manga and animation. A draft version of the revision, introduced in February 2010, defined characters aged under 18 years that appear in manga and animated works as "virtual youths", and related businesses were urged to voluntarily regulate sales.

Creators<sup>2</sup>, publishers & booksellers<sup>3</sup> and lawyers<sup>4</sup> all protested the draft version with official

<sup>1</sup> Ordinance to Amend Ordinance for the healthy development of youth in Tokyo (proposal) Overview.

[http://www.seisyounen-chian.metro.tokyo.jp/seisyounen/pdf/joureian\\_gaiyou.pdf](http://www.seisyounen-chian.metro.tokyo.jp/seisyounen/pdf/joureian_gaiyou.pdf)

<sup>2</sup> Nihon Manga-ka Kyokai (Japan Cartoonist Association)

[http://www.nihonmangakakyokai.or.jp/en\\_index.php](http://www.nihonmangakakyokai.or.jp/en_index.php)

<http://www.nihonmangakakyokai.or.jp/>

"Protested against the ordinance by manga!"

<http://www.nihonmangakakyokai.or.jp/news.php>

statements against it. Japan Library Association and the Committee on Intellectual Freedom also issued a statement<sup>5</sup> opposing the ordinance. Those opposed organizations explained to policy makers of the Tokyo Metropolitan Government about the risk of crossing over the line on freedom of speech. The first draft revision was voted down in June.

But following criticism by Tokyo Governor Shintaro Ishihara (who is a professional writer), a second draft version of the amended ordinance was introduced in November. This latest version of the ordinance regulates works, especially manga and animated works, that glorify or exaggerate sexual intercourse that violates the Penal Code, as well as incest. The Tokyo Metropolitan Government explains that "only manga and animated works that glorifies or exaggerates illegal sexual acts will be subject to the regulations, and freedom of expression will not be violated." The metropolitan government can demand related industries to engage in self-regulation. And also once the metropolitan government decides works contain overly explicit sexual content they can be judged as "harmful" and their publication stopped. More than 10 manga publishers are against this revised ordinance and decided not to join Tokyo International Manga Fair this year.

[?tbl=information&id=72](http://www.comicnetwork.jp/?tbl=information&id=72)

Copyright Network for Comic Authors in the 21<sup>st</sup> century. <http://www.comicnetwork.jp/>  
<http://www.comicnetwork.jp/topics/20101222.html>

Japan P.E.N. Club. [http://www.japanpen.or.jp/news/post\\_248.html](http://www.japanpen.or.jp/news/post_248.html)

<sup>3</sup> Japan Book Publishers Association. "Protested the ordinance amendment passed the Healthy Development of Youth in Tokyo" <http://www.jbpa.or.jp/>

<sup>4</sup> Japan Federation of Bar Associations. Collection Statement President Subject :2010-12-3

「東京都青少年の健全な育成に関する条例の一部を改正する条例案」に関する会長声明 "Ordinance to Amend the bill for the healthy development of young people in Tokyo," the statement of President.

[http://www.nichibenren.or.jp/ja/opinion/statement/101203\\_2.html](http://www.nichibenren.or.jp/ja/opinion/statement/101203_2.html)

<sup>555</sup> <http://www.jla.or.jp/jiyu/yousei201012.html>

Not many manga books and animated works are held at public libraries and school libraries in Japan historically, but librarians are concerned about freedom of expression. So the Japan Library Association twice issued open letters towards the Tokyo Metropolitan Government. This kind of ordinance may take a risk in undermining the popularity of Japanese manga and anime by discouraging creators and publishers from free expression through tightened controls.



Also this latest ordinance regulates not only publishing and selling manga and animated works but also controls using the Internet and cell phones by those under 18. The Tokyo Metropolitan Government requires parents and guardians, industries and institutions that may permit Internet use by those under 18 to equip cell phones with filtering software.

This ordinance will enforce that industries implement self-regulation starting April 2011 and will control sales beginning July 2011.

### ***My Croatian Library Journey***

by Barbara Jones

-Director of the Office for Intellectual Freedom, ALA-

The 16<sup>th</sup> Dreamlike Book Fair (<http://www.sanjamknjige.hr/sanjam2010/>) was held in Pula, Croatia, December 3-12, 2010. What an exciting event! On the web site you'll see the cartoon of a naked woman riding a book. Well, she is a huge balloon over the entrance of

the Austro-Hungarian building housing the book fair! This year's theme was "Hollybook"—linking cinema and books. I was honored to be invited and I thank the book fair and the U.S. Embassy in Zagreb for their sponsorship. I loved that the Pula High School released some of their best students for the week, in order to take care of us. I never got lost—new for me. The students practiced their English, attended the programs, and asked great questions—especially about banned books and social networking. They proudly donned new "I Love Libraries" t-shirts from the Croatian Library Association as part of the national advocacy campaign for funding libraries. To read all about it, see CLA's web site: <http://www.hkdrustvo.hr/en/novosti/>. I really applaud the effective strategy of recruiting young people for library advocacy, because, after all, libraries are about their future!

I was pleased to present the American Library Association's new initiative, Choose Privacy Week. We are promoting awareness that freedom to read must include the right to read privately, without fear of the government looking over your shoulder. Privacy also extends to our digital lives on Facebook. If you are interested, please go to [www.privacyrevolution.org](http://www.privacyrevolution.org). It includes an edgy new video for use in classrooms or library programs.

A panel discussion of privacy followed and included a federal police officer. He was very effective in alerting the high school attendees about the importance of protecting their personal information on social networks. They peppered him with questions after his talk!

I had never been to Istria, the region of Croatia with amazing Roman ruins. The Roman Coliseum in Pula is 2,000 years old and is still intact and used occasionally for events. Don't we wish that 21<sup>st</sup> century contractors could build like that! The Istrian cuisine is filled with fresh shellfish, truffles, honey, and cheese, with Italian influences. Yum.

And then, on to Zagreb for the 10<sup>th</sup> Round Table on Free Access to Information on December 10, 2010—to celebrate International Human Rights Day. This year the event was hosted by the Zagreb Public Library. The theme was "Libraries

in Economic Hard Times.” My talk focused on the fact that during economic crises, censorship rises because librarians are afraid to lose their jobs and are more likely to acquiesce when administrators tell them to remove books from the shelves. Also, frightened citizens are likely to revert to traditional values and try to prevent changes that may be uncomfortable to them. It was wonderful to greet longtime IFLA friends there—Maria Cotera from CILIP in London, and Gerald Leitner from EBLIDA. It was a day full of conversation about how libraries can survive during the very time when libraries are needed the most—during a global crisis.

The Croatian Library Association is just amazing in terms of the various projects they are doing to support libraries and intellectual freedom. Only Croatia and South Africa have FAIFE committees. This attention to professional ethics and intellectual freedom has served both organizations well! I would love to return to the Pula Book Fair for a Banned Books Week event. So, please invite me back!

***LIASA introduces intellectual freedom award in South Africa***

by Archie Dick

-Professor of Information Science,  
Pretoria, South Africa-

I was part of a small group of South African library professionals who conceptualized the Justice Albie Sachs Freedom Award. The original idea came from Clare Walker, the award’s sponsor who recently retired from the University of the Witwatersrand Library. She had been inspired by Albie Sachs’ reference to the ‘unknown librarian’ in his opening talk at the IFLA Conference in Durban in 2007. During his solitary confinement in prison in the apartheid era, Albie was at first only allowed to read the *Bible*. After a court decision allowed him access to reading material, the police station commander sympathetically arranged through his wife for Albie to have one of the family’s library cards. An on-duty constable would take Albie’s list of books

to the local librarian, whose assistance helped to save him from a mental breakdown.

The award by LIASA honours this ‘unknown librarian’ that Justice Sachs mentioned in his talk. The award is made to any member or person who supports the Library and Information Profession, and who has in some way furthered the cause of freedom of access to information and freedom of expression. In its adoption of this award LIASA has demonstrated its willingness to look beyond the boundaries of the Association to honour any citizen who has made such meaningful contributions to South African society in this area. The Award was launched during the 2010 Annual LIASA Conference, and the first recipient was Piet Westra.

From 1981 to 1998, Piet Westra was the Director of the South African Library in Cape Town. During his term of office, he advanced the cause of freedom of access to information and actively worked against the censorship of information. As the Library Director and as the chairman of the Standing Committee on Censorship of the South African Library Association (later SAILIS) for more than fifteen years, he coordinated the submission of banned publications to the Censorship Board for review. As a result, hundreds of books were unbanned during the apartheid era.

He also informed local universities of the special concession made to the South African Library to acquire any banned books or periodicals and to make these available for use in the library for research purposes. This led to regular visits to the library by students and academics from the University of Cape Town and other institutions to consult banned publications. In the new democratic South Africa Piet Westra’s service was acknowledged and he was elected as a member of a working committee, which in 1994 drafted a new Publications Act that established the functions of the current Film and Publications Board.

The Justice Albie Sachs Award is another indication of how far the South African library

profession has come since the dark days of apartheid censorship.

### ***Electronic Frontier Organization, EFF***

by Eva Galperin

-International Activist EFF-

When freedoms in the networked world come under attack, the member-supported Electronic Frontier Foundation ([EFF](#)) is the first line of defense. Blending the expertise of lawyers, policy analysts, activists, and technologists, EFF confronts cutting-edge technology issues and fights for freedom of expression, privacy, innovation, and consumer rights worldwide.

Sharing the goal of improving the free flow of information and access to knowledge, EFF often works alongside libraries to secure better laws and policies. In 2009, EFF joined an international coalition of libraries at the World Intellectual Property Organization ([WIPO](#)) in a focused, successful effort to seek copyright exceptions and limitations in support of the visually impaired access to copyrighted works.

Recently, the Wikileaks "Cablegate" episode demonstrated the fragility of online expression, with private companies withdrawing services critical to the continued availability of the controversial government documents. As a founding member of the Global Network Initiative (GNI), EFF works alongside companies, other civil society organizations, investors, and academics to promote standards that advance freedom of expression and privacy. Moreover, EFF works in the courts to ensure that US law is not abused in ways that could broaden the methods of attacking free expression online.

EFF was one of the leading organizations opposing the anti-circumvention provisions in the United States' Digital Millennium Copyright Act (DMCA), and continues to argue in favor of fair use and meaningful limitations to copyright. In 2010, EFF and an array of public interest groups successfully convinced the U.S. Copyright Office to legalize the breaking of DVD encryption in

order to take short clips for purposes of criticism and commentary for noncommercial use, educational use and documentary films.

While digital technology and the Internet offer an unprecedented capacity for free expression, there have been countless efforts to limit those changes -- through lopsided policies, abusive lawsuits, Internet surveillance, and more. As the issues evolve, EFF will continue to bring its multi-disciplinary expertise to bear alongside other organizations in the fight for free expression and the public interest.

Each issue of the FAIFE Newsletter will include a presentation of an allied organization. This issue is devoted to Electronic Frontier Organization, EFF.