



Country Report Croatia

Annual report to the IFLA CLM committee
Gothenborg Sweden 2010

Copyright

Revision of copyright law

New legislation

The National Strategy of Intellectual Property for the period 2010-2012 was adopted by the State Institute for Intellectual Property in April 2010. The Strategy is a revised continuation of the earlier document for the period 2005-2010. The mission of the Strategy has been described as the encouragement of economic, cultural, and scientific development through provision of a reliable system of IP protection and the stakeholders in the national system of intellectual property have been identified as consumer societies, collecting societies, associations of authors, etc., but libraries have not been mentioned. A need for a better education in the IP has been emphasized and the establishment of an academy for IP as a separate organizational unit in the Institute has been envisaged. Collecting societies will be required to redirect a part of their income to the cultural heritage institutions. The State Institute has been reattached to the Ministry of Economy, Labour and Entrepreneurship (earlier a body of the Ministry of Science, Higher Education and Sports).

Public lending rights

The introduction of PLR is still pending.

Legal deposit

There has been no new development regarding legal deposit.

Levies

The introduction of remuneration for private copying for publishers by a new collecting society has stirred a number of academic librarians to engage in a debate on the Croatian Library Association website forum about the legal position of the collecting society, the prices set, etc. The fact that this recently authorized collecting society does not provide relevant details about its position, tasks, services it offers, etc. since it has not built its website and it communicates exclusively by sending business letters to individual institutions, libraries included, has resulted in confusion. Individual libraries try to contact the collecting society and obtain more information about the new remuneration they have to pay. This is an awkward situation for both libraries and the collecting society and the Croatian Library Association is going to react and send a note to the State Institute for IP and the collecting society itself asking them to better inform the public of their activities. Also the fact that libraries are also publishers whose interests could be protected by the collecting society does not seem to be of interest for the collecting society, since in the words of its representative, it represents "only the bigger publishers".

Legal cases

On the websites of the Zagreb Commercial Court and High Commercial Court it is possible to track the court decisions related to the copyright cases. Also several Internet portals dealing with

legal issues, copyright included, have recently become accessible to the public (e.g. <http://www.legalis.hr>)

Open access

An interesting decision was taken by the Croatian Academy of Sciences and Arts, a major publisher of scientific and research works in the country for the last hundred years. The Academy decided to digitize its own publishing output and opted for the open access. The authors were required to sign a contract and transfer their rights to the Academy. However, an option was provided for the authors of older but still protected works to withhold the rights if they disagreed with the policy of open access.

Lobby activities

The Croatian Library Association (CLA) sent a letter to the State Institute for IP proposing the change of two articles in the present Copyright Act. The change would allow libraries to reproduce protected works in their possession in more than one copy permitted by the law at present. This change is important for all libraries that wish to digitize their collections. The CLA emphasized that exceptions and limitations are at present discussed in WIPO and that they are of utmost interest for libraries. A short reply was received stating that the present situation is prescribed by the law and promising the library community that it would be contacted when the legislation would be revised.

Educational activities

Members of the Croatian Library Association Working Group on Copyright gave a lecture on copyright for the academic librarians in Zagreb in November 2009. Colleagues were mainly interested in repositories and open access issues. In June 2010 a course on copyright organized by the Centre for Continuing Education of Librarians was held in Dubrovnik for the librarians from the region. At the invitation of the Library Association of Montenegro a member of the CLA gave a lecture on copyright for librarians in Kotor, Montenegro. In September two members of the CLA Working Group on Copyright will attend an international conference in Ankara, Turkey where they will present a paper on copyright issues in digitization.

Strategic plans for future

A small investigation made by the members of the CLA showed that as a rule libraries that digitize their collections have a policy of copyright management, even if a rudimentary one. Copyright management notices can be observed on the national portal Croatian Cultural Heritage (<http://www.kultura.hr>). This proves that librarians have become well aware of copyright issues, but they also need a reliable source of relevant information to turn to when needed. Cooperation and exchange of information on the new developments in the field of copyright among libraries, as well as continuing education of librarians are important and the CLA will continue to organize training and lobby for the library issues.

Prepared by Aleksandra Horvat
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