

# NATIONAL BOOK POLICY

A guide for users in the field

Álvaro Garzón

The Professional Training Library



United Nations  
Educational, Scientific and  
Cultural Organization

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UNESCO Publishing

The author is Chief of the Book and Cultural Industries Section, UNESCO.

The author is responsible for the choice and the presentation of the facts contained in this book and for the opinions expressed therein, which are not necessarily those of UNESCO and do not commit the Organization.

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# FOREWORD

In this age of electronic networks and global satellite media, the printed book today constitutes more than ever an essential tool for the defence of the individual's independence and the civic conscience. It is also a vital tool for the economic, social and cultural development of societies. It is an irreplaceable means of information transmission, critical reflection and education, and underpins the ceaseless construction of democracy, human rights and fundamental liberties.

Book publishing is a powerful agent of dialogue that transcends both national and language borders. Thanks to translation and together with the educational system and the ensemble of the cultural industry, it provides the cornerstone upon which each country builds and develops its identity and self-image, as well as its views on life and the world in general. The book also plays an important role in terms of material welfare, given its capacity as an instrument for the sharing and updating of knowledge. Beyond its function within the specific domain of publishing, the book can serve as a pivotal point for the economy as a whole.

Book promotion goes hand-in-hand with the fight against poverty. This is particularly so when this strategic battle is seen as concerning not only specialists, but also those who are striving to

build a better world – one that is more open and marked by solidarity. Furthermore, publications play an important role in the actions of UNESCO, which, since its founding, has launched numerous thought-provoking initiatives, as well as support for national sectoral policies, and training and professional reinforcement.

However, in spite of the significant results registered in almost sixty years of commitment, there still remain challenges. Today more than 860 million adults are illiterate, while more than 100 million children have no access to schools. In environments where books are rare and expensive objects, those who want to learn to read can become discouraged. From this perspective, the global need for books is enormous. To attempt to satisfy this need implies a constant and lasting supply of printed materials adapted to the needs of the readers in question. This can only be achieved, in a lasting and endogenous way, through the creation of local publishing bases and markets for locally produced books – fruits of the synergy among people interested in writing, producing, exchanging, selling and buying or borrowing publications. But to promote the creation or reinforcement of such favourable circumstances requires intervention – often in difficult situations – in favour of the development of national norms and the reinforcement of certain elements of the book production sector. As Alvaro Garzón explains, this is an area in which a large number of highly diverse disciplines and interests converge. Intervention is today needed more pressingly than ever and requires the collaboration and goodwill of all involved.

Such a situation of need and urgency undoubtedly explains the success Alvaro Garzón's book has enjoyed as a much-valued and proven technical resource. It was written for the purpose of systematizing and making accessible to all the essence of some twenty years of field experience, and has subsequently been published in English, French, Spanish, Arabic and Romanian. Since its first appearance, seven years ago, it has served as a continual reference for all those concerned with the reinforcement of national publishing industries, regardless of the capacity in which they serve.

This book, both clear and masterful in its simplicity, demonstrates the extent to which the development of book publishing in each country is primarily a matter of political volition, personal commitment and dialogue. In addition to the technical aspects covered, this book affirms – and this is perhaps its principal quality – that the development of book publishing, even in difficult circumstances, is always possible.

This new edition has been revised by the author and includes a complete bibliography. May it remain the driving force of a project that UNESCO is now, more than ever, called upon to galvanize with its heart, energy and competence.

Koïchiro Matsuura

# PREFACE

In the 1970s UNESCO promoted the creation of specialized bodies to co-ordinate book development and reading in the various geographical regions of the world. Before joining UNESCO's Division of Books and Copyright, I was privileged to be a member of the team that set up the Regional Centre for Book Development in Latin America and the Caribbean (CERLALC), with headquarters in Colombia, and afterwards to serve for seven years as its Secretary-General.

At that time CERLALC's mandate was discouragingly succinct, simply 'to develop books'. The question was how to do this when there was no precedent to follow. The book sector, seen at close quarters, turned out to be exceedingly complex owing to: (a) the subtle interweaving of its cultural and economic aspects; (b) the divergence of interests among the sector's necessarily interdependent and complementary professions; and (c) the relationship, at times harmonious, at times conflictual, that the sector maintains with the state and the private sector.

Let it be said that the notion of culture that prevailed in those days has now, fortunately, all but disappeared. In the context of global development planning, cultural matters were considered important in so far as they expressed autochthonous features, but were easily

relegated to the sidelines under pressure from the economic priorities on the development agenda. In other words, culture became something of a 'poor relation' in state budgets.

We now know that as far as creativity is concerned the developing countries possess a vast economic potential in addition to their traditional exports of raw materials, provided they become effectively integrated into the world cultural industries market. The industrialized countries have pointed the way, since exports of their copyrighted products (books, records, films and audiovisual material) constitute a substantial part of their economic output, in some cases larger than the exports of their manufacturing industries.

This being so, many political leaders in the developing world have changed their perception of culture, seeing cultural products both as a means of transmitting their values to the outside world and as sources of employment, especially through the small- and medium-sized enterprises that constitute the basic fabric of cultural industries.

In these circumstances, many national book development campaigns have been undertaken since the 1970s in different parts of the world with varying degrees of success. A macro-environment conducive to book development has been created in many countries. On the basis of high-level political commitment and constructive public/private-sector dialogue, national literary creation has been stimulated by copyright legislation; publishers have benefited from a fiscal policy favourable to the book industry, privileged access to bank loans, a larger share of the textbook market, preferential postal rates, export incentives and so on; printing services have entered the new technological era, thanks to equipment and raw-materials import liberalization policies; book sales have been boosted by customs policies and exchange rates adapted to their specific nature, use of the ISBN and bar-code system, strengthening of distribution mechanisms and modernization of bookshops; reading has been promoted through co-ordination of a national library system, rural reading campaigns, research and surveys on reading habits, institutional advertising and

so forth. In each case, the key to success was a holistic approach to the book sector, eschewing partial solutions (reading or printing addressed as separate issues, etc.) and activating all the different aspects simultaneously.

While the book world has by no means revealed all its secrets, these activities have given us a better understanding of the publishing industry and enabled us to a certain extent to interpret its underlying dynamics in terms of development policy.

The pages that follow contain a synthesis of these experiments. The reader will observe that, as far as possible, we have avoided a historical approach or any sociocultural analysis of the book, nor have we made any attempt at forecasts for the publishing industry – all subjects that, while lending themselves to lengthy and interesting discussion, fall outside the scope of this publication which is geared primarily to those responsible for implementing book policy following the high-level decision-making stage.

More than an argument in favour of the virtues of such a policy, the idea is to design a sort of ‘field manual’ that may provide a better understanding of the sector’s components and internal workings, identify crucial areas in any diagnosis and suggest specific measures that would need to be taken in devising a development policy for the book sector. Hence its linear and, perforce, enumerative structure. Experts familiar with the language of the book sector may feel that we are stating the obvious, but they must bear in mind that those responsible for book policy in many countries are not necessarily book sector specialists.

I should also like to point out that book development measures are more effective and lasting if they are brought together in a single legal text. We have therefore decided to append the text of a model book law. This model, used by many legal practitioners in the Latin American countries, was adopted by regional specialists under the UNESCO-CERLALC programme and is known as the ‘Guayaquil Model Law’, after the city where it was finalized. Its structure may not be adaptable to all legal traditions, but it is still an excellent starting-

point for any legislator or concerned decision-making body. In any event, when book policy is being formulated, any measure that appears desirable must be studied in the light of the subregional, regional and international multilateral commitments undertaken by the state in question.

This work would not have fulfilled its purpose if it did not provoke reactions, comments and a healthy exchange of experience. At a time when the new multimedia technologies and electronic information networks are making their impact on the structure of the book sector itself, it is more than ever evident that any book development policy must be capable of evolving. Exchanging information experience, with its successes and failures, is therefore the best way of promoting book development as well. Faithful to its mandate, UNESCO wishes to continue as the focal point of information exchange and a forum for discussion to assist in its task of technical co-operation for the kind of development that respects humankind's spiritual and cultural values.

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# THE BOOK: AN INTERLINKED PROCESS

The first question to ask is why so many initiatives aimed at encouraging the production and distribution of books in developing countries have failed. There are of course all sorts of reasons, related to the general economic situation in the developing countries, the fact that they are isolated from cultural industry production channels, the endemic weaknesses of state planning, and so forth.

Close scrutiny of book development plans reveals that governments tend either to publish books themselves or to import them on a large scale for free distribution or for sale at a low price. However positive such an approach may be in itself, it cannot be maintained indefinitely.

Efforts are also made to promote specific aspects of books and reading. Libraries are opened, reading campaigns organized, literary prizes created to motivate authors, and so on.

All these efforts are no doubt very useful. However, they do not seem at all effective in creating infrastructures, and it is not clear how long they can be kept up. The problem is the absence of a broader view of relations between the different components that make up the world of books: literary creation, publishing, printing and book production, distribution and sales, reading and libraries.

In this long chain there are a number of internal forces at play – textual design and illustration, editorial work, printing and book production, distribution and sales, reading and library activities – according to a kind of structural logic, so that in a manner of speaking the survival of each of these components depends on that of all the others. There is little point in producing books by the score if there is no distribution network, or in opening libraries if there are no books to put in them, just as there is no point in authors writing books if there are no publishers or readers.

On the other hand, while book production and distribution may be viewed as forming an industry, the product of that industry (i.e. books) has a spiritual force, and can play such an important cultural and educational role that plans to develop publishing cannot be based on economic criteria alone. These intangible values and non-quantifiable factors make the task of crafting a book development policy particularly complex.

This dual nature of the book, as a cultural item and an economic product, calls for an integrated approach which takes into account its importance as a vector of education, science, culture and information as well as the technical and economic features of the book sector.

The purpose of this publication is to provide concise information on UNESCO's approach to the question of national policy on books and reading. General consideration of the book sector is followed by a presentation of methods used to assess the existing situation and formulate policy, with examples of book legislation adopted on this basis. A chapter deals exclusively with textbooks for schools.

# OBJECTIVES OF A NATIONAL BOOK POLICY

The main objective of a national book policy is to ensure that access to books is made easier for all. To achieve this, it must reckon with the complex chain of cultural, industrial and commercial relationships linking author and reader.

The formulation of policies to develop books and reading calls for the identification and ordering of a series of partial objectives specific to each of the links in the book chain, taking into account the situation in the country concerned and at the same time the delicate equilibrium between state educational and cultural policies and the industrial development of the publishing sector.

In countries with a market economy, the aim of such partial objectives would generally be:

- to encourage literary creation
- to establish an appropriate legal framework for the protection of authors' rights
- to provide fiscal, credit and administrative incentives for the publishing industry
- to facilitate nationwide distribution and free international circulation of books

- to establish nationwide library networks
- to introduce new methods for the teaching of reading
- to train human resources in the different skills involved in the book sector.

Setting in motion a national book policy entails bringing together all these elements, and ensuring that they develop harmoniously, in line with previously established objectives. The most effective way to put policy into concrete form is to combine all the proposed measures into a single legal instrument, known generally as the Book Law.

# SUBSECTORS CONCERNED

The book sector encompasses a wide range of players: authors, publishers, printers, distributors, booksellers, readers and libraries are all parts of a complex mechanism, and, though different, all play their role in bringing a book into existence.

At the risk of presenting a rather fragmented picture of the activities involved in the book sector, which can sometimes overlap or merge into one and the same person or firm, we shall endeavour to sketch an outline of each subsector, identifying the main problems that each often has to face. It should be remembered that our attention is focused in particular on developing countries.

## THE AUTHOR

Writing is essentially a solitary activity. The writer, especially the literary author, frequently engrossed in the subjective side of his or her work, is not usually very interested in the forces that affect the publishing market or the laws that protect the moral and economic rights his work generates at national and international levels. His dealings with publishers, in order to get his work into print, mean that he is vaguely familiar with the economic workings of the publishing business, the

legal basis for publishing contracts and the customs and practices of the publishing sector in his country. Frequently, he is reluctant to join associations of writers that could help him protect his interests. He may, with more or less enthusiasm, enter literary competitions occasionally organized by the state or by private bodies to encourage writers. But his survival ultimately depends on the publishing infrastructure in his country of residence.

## THE PUBLISHER

The publisher fulfils three basic functions: (a) he decides what books to publish; (b) he assumes the financial risks associated with his decision; and (c) like an orchestral conductor, he co-ordinates the work of all those who contribute to the production of a book – author, translator, illustrator, printer and bookbinder – right through to its promotion and distribution.

The publisher is a hybrid, almost a centaur: half man of letters – a sentinel keeping careful watch over the cultural movements of his time – and half businessman, dealing with problems of finance, investment and profit. This is perhaps why the publisher is now more often a team than an individual.

The publisher almost always reserves the right (and it is sometimes a pleasure) to determine the physical form the book will eventually take, supervising composition, layout and illustration and selecting the typeface and the quality of the paper – in short, all those things that determine the final appearance of the book and its cost.

Once the work has been published, the publisher has to make sure as many potential readers as possible get to know about it, through book presentations, press reviews, advertising, mailing shots, book fairs and all the other ways of promoting distribution and sales.

## THE PRINTER

The printer belongs to another world, in which the book plays only one part – sometimes a very small one.

The graphic arts in themselves are an eminently industrial activity. Today, in the developing countries where the most basic needs still exist alongside the most sophisticated advances in printing technology, the main problem facing the printer is that of finding the right equipment. There is also, of course, the problem of raw materials, especially paper, and that other most crucial problem, the availability of technically skilled labour at every level. These are problems the printer must solve to be competitive in terms of price and quality on the market. It used to be said of certain printers that printing ink ran in their veins instead of blood, so great was their commitment to their work.

## THE DISTRIBUTOR AND BOOKSELLER

These are obviously commercial agents, although here again the book is unlike most other commercial products when it comes to promotion and sales. The distributor markets books through the traditional bookshop and also through the so-called non-traditional channels, which are increasingly numerous: kiosks, supermarkets, general stores, book clubs, mail-order catalogues, door-to-door sales, etc., each involving a particular strategy.

Distributors, wholesalers and retailers are constantly aware of the slow returns on capital investment that characterize the book trade; their efforts to get books through to the final sales outlet oblige them constantly to juggle with the dual nature of books as cultural items and manufactured products in the face of administrations that control import licences, foreign currency, customs regulations and postal rates.

In this activity, as in other subsectors of the book sector, it is essential to teach people the skills of the trade.

## THE READER (LIBRARIES)

In chronological terms the reader forms the last link in the chain, but of course the entire process would be meaningless without him. The *raison d'être* of the work of all those involved in the publication of a book is the reader's contact with the published text. The reader is practically never consulted about his reading habits, interests or needs. Instead, the publisher proposes the books that he considers most appropriate, perhaps because he himself lacks any instrument other than his flair, his intuition – irreplaceable where literature is concerned – for determining the right kind of book: content, formal specifications and price for the different cultural and economic categories that constitute the potential market for books and the regular customers of bookshops. Market research is useful in genres other than literature, but its reliability is relative and it can prove costly, since every book, like every medicine in the case of the pharmaceutical industry, is a completely individual product.

In this area the professionals concerned with reading play a very important role, from basic literacy teaching right up to the processing and classification of books and the management of school and public libraries by librarians, library technicians and experts in communication. The role of libraries is very important in the context of education. It is therefore surprising to see how little, if any, provision is made for libraries in primary teaching budgets. To teach someone to read and then not to provide them with reading material is as cruel as making someone thirsty then denying them water. Indeed libraries, especially in developing countries but also in industrialized ones, are much more than just a public reading service, for they provide cultural activity centres for children, and, by extension, for the entire community.

Also, the important role played by the national library, as the repository of a country's bibliographical heritage, should be noted.

# ASSESSMENT

A detailed assessment of the situation in each subsector is the real basis on which to build a national book policy, and as far as possible this should be the result of direct contacts with professionals working in each subsector.

In addition to statistical data, which can be of valuable assistance to planners in quantifying the problem, direct contact also provides information about day-to-day work in the different branches of the book sector, and gives professionals an opportunity to decide which concrete problems they would like to see resolved. Dialogue is particularly important when it comes to promoting consensus between the private and public sectors (an aspect of book policy we shall consider below).

We must not lose sight of the fact that while all the human activities described above combine to make the existence of the book sector possible, the interests of each branch of activity do not always converge, and may sometimes even clash. Those responsible for drafting book development policy should bear in mind that the word 'book' has different meanings and connotations for each of the parties involved.

The assessment should reveal the principal deficiencies in each subsector. Broadly speaking, although this is by no means an exhaustive list, the following points at least should be considered:

## THE AUTHOR'S POINT OF VIEW

- National legislation to protect intellectual property. The problem of piracy, its form and dimensions.
- Accession by the country to international instruments for the protection of copyright and neighbouring rights.
- The fiscal and administrative systems governing intellectual creation, and their institutional support, if any.
- Professional associations of writers, translators, illustrators and so forth.
- Literary prizes and competitions.

## THE PUBLISHER'S POINT OF VIEW

- Training arrangements for publishers.
- Access to industrial credit.
- Financing mechanisms and concentration of capital in publishing.
- Activity of foreign publishing houses in the country and their importance.
- The taxation system applied to small and medium-sized publishing firms.
- Price control on books, particularly textbooks.
- Bibliographical control system, if any.
- Incentives to export books.
- Professional associations of publishers.

## PRINTING AND BOOK PRODUCTION

- Training arrangements for printers.
- The quantitative and qualitative situation with regard to equipment used specifically for printing books.
- Paper, photographic film, ink and other raw materials (domestic production and conditions governing importation).
- Financing of the industry.
- The taxation system applied to the printing of books.
- The exportation of books and other graphic services.
- Professional associations of printers.

## SALES AND DISTRIBUTION

- Training arrangements for booksellers.
- Wholesale distribution system.
- Foreign distribution firms and their importance in the country.
- Bookshops (coverage in urban and rural areas).
- Non-traditional retail outlets: supermarkets, bookstalls, clubs, mail order, door-to-door, etc.
- National networks of bookshops and sales systems.
- Share of the market taken up by imported books.
- Procedures for the importation of books: customs regulations, licences, taxes, warehousing and administrative formalities.
- Means of payment: availability of foreign currency, exchange rates, advance payments, settlement deadlines.
- Taxation system applied to the book trade.
- Incentives to promote exports.
- Professional associations of booksellers, distributors and importers.

## THE READER'S POINT OF VIEW

- Training at all levels for librarians and other professionals in the field of reading.
- Literacy teaching methods. Extent of real and functional illiteracy.
- Networks of school, public, university and specialized libraries and library services, and their degree of computerization.
- The National Library. The legal requirement to deposit copies of all books.
- Research on the reading habit and reading needs.
- Reading promotion campaigns.
- Associations of professionals concerned with reading.

# POLICY DEFINITION

This initial assessment produces reliable information on the state of health of the different branches of the book sector. Like an X-ray it reveals weaknesses, parts that are not interacting properly, bottlenecks, bloated organs and gaps in the system. Detailed analysis of the findings helps to identify the deep-rooted causes of any ills afflicting the book sector. Assessment alone does not constitute policy, however.

Policy-making is the preserve, by definition, of cultural and economic decision-makers at the highest level of the state, in consultation with management in the book sector.

The first step is to determine the objectives as clearly as possible. Reliable technical advice must be sought to clarify the special mechanisms that govern the workings of the book sector. For example, the political will to develop a country's book production capacity does not imply restrictions on imports, as one might logically expect in other sectors. In the book sector, each product is unique and one title is no substitute for another. Moreover, the free international circulation of books is the same as the free circulation of ideas, and no country in the world has the capacity to produce all the books it needs.

Book policy should take account of the cultural policies of the state, on the one hand, and the economic development of

the book production and distribution industry on the other. Co-ordination between the public and private sectors is therefore an essential starting-point. The objectives set by the policy-makers call for various legal and administrative measures to be taken, as explained below. Some of these fall within the ambit of the state, while others are the responsibility of the different branches of the book sector.

It is important to realize that there is no magic recipe for developing the book industry. What we describe below are essential ingredients of any development policy. The right combination in each case will depend on the policy objectives previously set and on the findings of the sector assessment.

# DIFFERENT COMPONENTS OF BOOK DEVELOPMENT

## POLICIES FOR AUTHORS AND PROTECTION OF THEIR WORK BY COPYRIGHT

- Accession to the international instruments on copyright protection, and in particular the Berne Convention and the Universal Copyright Convention.
- Adoption of a national law for the protection of intellectual property in general and copyright in particular providing for the speedy imposition of severe sanctions against piracy.
- Adoption of a Book Law, a regulatory instrument embodying all the necessary incentive measures for authors as well as the other actors in the book sector. This law should provide for reduced tax rates on authors' royalties and for measures to avoid the double taxation of royalties in the international context.
- Creation of machinery for the collective management of reprographic rights.
- Establishment of literary prizes, competitions and other means of promoting literary creation.

- If one does not already exist, the creation of an association of authors to effectively protect the interests of literary creators in every genre should be encouraged.

## POLICIES FOR THE PUBLISHING SUBSECTOR

- Acknowledgement of the ‘industrial’ character of publishing and provision for flexible credit facilities in state banks (Book Law). This is important because publishers do not necessarily possess machinery that can be mortgaged, and the final product of the publishing industry, the book, unlike that of other sectors, is not accepted by banks as collateral.
- Provision for a reduced rate of tax, for a set period and up to a maximum amount, on the proceeds of domestic publications. This is justified by the special nature of the product, the slowness of returns on the capital invested and the fact that publishing is not always profitable. Export incentives should be offered in respect of books and graphic services linked with book production for the same reason.
- Definition of a price control policy for books in general and textbooks in particular, because control of the consumer price of school books makes it possible to regulate production and distribution costs within a homogeneous market. It can also be an effective way of ensuring that the facilities granted by the state to the private sector have the effect of making textbooks more accessible to users.
- The school textbook market can give the most powerful impetus to a fledgling local publishing industry. It is generally predictable in respect of both the size and timing of demand, so the market for textbooks offers all the advantages that markets for other books lack.
- School textbooks are a sensitive aspect of the educational and cultural policy of the state, which is responsible for developing and implementing school curricula. The national book develop-

pment policy adopted by the state should foster the participation of the private sector in the publishing of textbooks for the sake of consistency.

- It should not be forgotten, on the other hand, that external credit granted for the financing of school textbook programmes often involves the organization of an international call for tenders, and that local publishing companies often find it difficult to compete. When this happens, the state can still negotiate the participation of national companies, to some extent at least; for this type of co-operation is perfectly in keeping with the integrated approach to development of many international credit organizations.
- Introduction of the ISBN (International Standard Book Number) through the Book Law. Under this international identification system each book is given a ten-digit code number which gives information on the publisher, geographical area and title of each book. A boon to publishers, retailers and librarians, the ISBN was introduced in order to ensure that book data worldwide are presented in a compatible and rational way. It is used in electronic stock control and sales systems, and it greatly facilitates cataloguing and bibliographical research. The ISBN automatically involves cost-free registration of books in ISBN catalogues and the inclusion of the publisher's name in the International ISBN Directory of Publishers, thus providing publicity for both.
- Inclusion either in the Book Law or in the Copyright Law of provisions governing rights that assist the publisher in respect of the content of the work (commissioned works, joint works or a special protection system) and of graphics, layout and the physical presentation of the book (neighbouring rights).
- Establishment of regular training facilities for publishers or, failing that, organization of training courses and seminars, refresher courses and retraining for staff working in the various branches of publishing (management, proof-reading, graphics,

desktop publishing, typesetting, editing, promotion, marketing, export, etc.) and also in alternative approaches to publishing (co-publication, joint ventures, co-productions, etc.).

- Facilitating publishers' attendance at national and international book fairs.
- Encouraging the creation or reinforcement of associations of publishers as a means of promoting co-operation and protecting the interests of the publishing subsector.

## **POLICIES FOR THE PRINTING AND PRODUCTION SUBSECTOR**

- Conducting an indicative survey of the printing sector, to measure capital concentration, the qualitative and quantitative status of printing machinery and equipment, use made of the plant capacity available, and consequently the amortization of investment in machinery, quality control systems, raw material supplies, human-resource requirements, and so forth. This will make clear the importance of book printing in relation to other printing activities.
- Establishing regular facilities for the training of printing technicians at all levels and encouraging the organization of courses and seminars for continuing training in new graphic arts and printing technologies.
- Adoption of measures to facilitate the importation of paper and raw materials for the book industry and provide incentives to export books and other graphic arts material (Book Law).
- Establishing or reinforcing professional associations of printers.

## POLICIES FOR THE TRADE AND DISTRIBUTION SUBSECTOR

- Arranging flexible credit facilities in state banks to promote the book trade and the opening of bookstores, particularly in rural areas (Book Law).
- Promotion of retail price control on books, a measure which has proved effective in protecting small bookstores from competition from supermarkets. The fixed price, determined by the publisher, prevents high-profile price slashing, which amounts to ‘dumping’ as far as the book trade is concerned.
- Facilitating access to foreign currency for the importation of books in countries where exchange controls exist (Book Law).
- Simplifying customs procedures for imported books (prior deposits, consular fees, red tape) (Book Law).
- Provision of tax incentives for the book trade (exemption from tax on profits below a specified amount over a specified period, and elimination of indirect taxes like VAT on books) (Book Law).
- Arranging reduced postal and transport rates for books (Book Law).
- Charging preferential rates for publicity for books on state-run television.
- Taking measures to encourage the exportation of books (Book Law).
- Establishing regular facilities for training in book-trade skills or organizing training and refresher courses and seminars in bookstore management, book marketing, promotion and distribution techniques and so forth.
- Facilitating book distributors’ and booksellers’ attendance at national and international book fairs.
- Encouraging the country’s accession to the international instruments that facilitate the free circulation of cultural goods in general and books in particular, such as the Florence Agreement

and its Nairobi Protocol, or, at regional level, the partial agreement for Latin American States, including members and non-members of the Latin American Integration Association (ALADI).

- Promoting the establishment or the reorganization of professional associations of booksellers, distributors and importers.

## POLICIES ON READING

- Literacy work is the basis for any social and economic development policy. Policies to promote reading add a qualitative dimension to the state's basic duty to teach people to read, in so far as they encourage the application of new teaching methods designed to accustom people to reading and prevent them from relapsing into functional illiteracy.
- Making provision in the national education budget for the establishment of a network of school libraries and library services. Promoting the establishment of networks of public and specialized libraries.
- Organizing and strengthening the National Library as the repository of the nation's bibliographic heritage. Making legal deposit a requirement for the registration of book titles in order to add to the National Library's holdings (Book Law and copyright legislation).
- Establishment of regular facilities for training librarians, library and documentation specialists and all professionals concerned with reading. Organizing training and refresher courses in bibliographic techniques.
- Organization of in-school and out-of-school campaigns to promote reading at the local, regional and national levels, through continuous or ad hoc institutional action supported by the mass media. This could involve children's reading clubs, mobile libraries, reading competitions and fairs, radio and

television programmes, and so on. Provision should be made for proper assessment of the effectiveness of the campaign.

- Carrying out surveys on reading habits, needs and interests, scientifically designed so that their results provide useful indicators for state cultural policy as well as feedback on publishing decisions.

# THE BOOK LAW

Just as many different professions are involved in the private sector of the book industry, so too in the public sector a whole range of state bodies is involved in national book development policy: the Ministry of Education and Culture, the National Copyright Department, the central bank or whatever other body is responsible for the allocation of foreign currency for imports, the Ministry for Industrial Development, the customs and tax authorities, the postal administration and national vocational training institutions, to name but a few.

It is fairly unlikely that each of them individually would accord special treatment to the book sector unless all such measures were embodied in a single legal instrument. The political will to develop the publishing sector must be reflected in legally binding obligations. The Book Law is just such a legal instrument, and constitutes the cornerstone of any book development strategy.

# CONSULTATION AND CO-ORDINATION BETWEEN PUBLIC AND PRIVATE SECTORS

## THE NATIONAL BOOK COUNCIL

Dialogue between the public and private sectors is a characteristic of national book development policy and, to a certain extent, a key to its success. Indeed, the results of the assessment of the sector, which form the basis for policy decisions, reflect the real situation only to the extent that the relationship between public and private sectors is one of co-operation and trust. Subsequently the presence of the private sector, its ability to inform the legislator of the achievements of the book sector and its specific contribution to the nation's economy can determine the Book Law's final shape when enacted by the legislative body.

Once a suitable policy has been defined, the participation of the private sector is essential to its implementation, not simply as a passive object of the policy but as an analyst and thinking partner in the process.

For this reason Book Laws usually provide for the establishment of a National Book Council to act as an advisory body in respect of their implementation. Made up of representatives of the book professions on the one hand and of the state bodies responsible for the implementation of book development policy on the other, the Council enables the

public and private sectors to keep constantly in touch and prevents the process from grinding to a halt because of red tape or inertia, ensuring rather that it keeps up its momentum and adapts to the country's changing economic and cultural situation.

# BOOK POLICY STRATEGY

## (GUIDELINES FOR FIELDWORK)

We have now summarized the objectives of book development policy and described the various professions involved in the book sector. We have looked at the factors that should be considered in assessing the state of the sector and reviewed the measures to be adopted with a view to the development of each subsector, to be embodied in a special law called the Book Law.

Although the situation differs from country to country, it is probably useful to describe at least one of the various approaches to the task of implementing national book policy in the field. It will no doubt be useful to decision-makers, planners, analysts and technical co-operation agencies active in this area.

This methodology is the fruit of more than twenty years' experience in the field in Latin America and the Caribbean (CERLALC/ UNESCO programme) and is the one applied by UNESCO, *mutatis mutandis*, in other regions of the world.

A technical co-operation mission to set a book development policy in motion should ideally cover the following steps in the order in which they are presented.

## HIGH-LEVEL POLITICAL DECISION-MAKING

Designing and setting in motion a policy to promote book development and reading calls for the combined efforts of numerous state bodies to tackle the problems of literary creation, book production and distribution, literacy work, library networks, and so on. It is therefore essential that the nature and scope of the policy, the future work plan and state action concerning the book sector be reviewed and approved from the outset by top representatives of the public sector. A technical co-operation mission should begin with a meeting attended, preferably at minister and director-general level, by the representatives of several state agencies, including the ministries of education, culture, finance, industrial development and transport, the central bank, and the tax, planning, customs and postal administrations.

If each of these high-ranking officials is involved from the outset in the overall design of book policy, considered as an integral part of development planning in general, and understands their role in that process, the instructions they give to their subordinates subsequently will assist the specialists responsible for assessing the situation and defining policy lines.

## THE TASK OF THE SPECIALIST VIS-À-VIS THE PRIVATE SECTOR

Once the principal policy lines have been determined at the highest level, the specialist can approach representatives of the private sector, inform them that the state is favourably disposed to the book sector and begin to identify the most salient problems and needs of the sector with their help. At this stage of his work he may be confronted with two obstacles which he should be able to overcome.

First, it is typical of a fledgling book sector that the very notion of forming a 'sector' is something quite alien to the parties involved. Authors, publishers, printers, booksellers and librarians do their own job or even several jobs at the same time, and although they are aware

that they need the others, the relationship between them is more one of rivalry and mistrust than of solidarity and sectoral cohesion. The specialist needs to be keenly aware of relations between the different areas of the book sector. Considerable tact and diplomacy will be needed to persuade the members of this rather fragmented sector of the advantages of working together. They must be made to see that although their interests diverge, their activities are complementary, and that, since the government is willing to promote books and reading, it is in their interest to act as a coherent and organized unit in their dealings with the state.

Second, the other obstacle is the latent mistrust harboured by many liberal professions, especially those who 'produce' culture, towards any form of state interference. Either they suspect it of being a covert form of censorship or they consider that too much state protection suffocates rather than stimulates cultural activity. Sometimes this cultural industry will see a sudden show of interest by the state as a preliminary to firmer taxation. Such reservations tend to dissolve, however, when the private sector is made aware of all the fiscal and other advantages book development policy can entail, and when it is convinced that it will play an active rather than a passive role, not only in the initial assessment but throughout the whole process, through its participation in the National Book Council.

It is important that the representatives of each individual profession (authors, publishers, etc.) should meet separately at first to examine their own particular problems and begin to prepare their respective assessments. This will help them to see the advantages of joining forces with the other players in the sector, and prepare them for the subsequent gathering of representatives of all the different branches of the book sector, at which relations between their respective professions may be analysed, their common interests identified and preparations made for their discussions with public sector representatives.

## THE TASK OF THE SPECIALIST VIS-À-VIS THE PUBLIC AUTHORITIES

After meeting with public-sector representatives at the highest political decision-making level, interviews must be organized with executives from the same public bodies, this time at the operational level, in other words, at the level at which the concessions, incentives and policies applied by the state to the book sector are actually defined.

It is important to remember that some of these officials work in the educational and cultural sphere while others are involved in economics and taxation, and that each of them serves a different priority. Therefore, it is essential to communicate with each of them in his own language. Book policy will only mean anything to some if emphasis is placed on the importance of the book as a cultural and educational instrument, while others will be more receptive to the economic aspects of the publishing industry, the growth potential for small and medium-sized firms, job creation, foreign-currency savings on imports and the potential for generating new foreign-currency earnings by exporting books and graphic services.

The meetings previously held, first with representatives of the various book professions individually, then with the entire sector, will enable the specialist to present government officials with an overall view of the principal needs which it is hoped their book policy will meet, and also to gauge how far state action in implementing the policy can go within the existing constitutional, legal and administrative framework.

In spite of the high-level decisions taken, when it comes to actually implementing the book policy, the specialist may encounter resistance from some individuals in the public sector, particularly over the delicate matter of tax exemption. When this happens he must be prepared to point out the reasons underlying the policy decisions and to convince reluctant officials of the priority books must take over other products, of the role played by reading in teaching people to think, and of the economic results a country can achieve in the medium

term if it succeeds in developing a publishing industry with a potential for exporting books and graphic services.

A personal visit should be paid to each government official entrusted with implementing the book policy in his particular field, to examine how he can contribute to the overall effort. This will prepare official bodies to adopt a more receptive attitude towards the problems faced by the private sector, and encourage constructive dialogue between the two sectors, which is the following stage of the strategy.

## **DIALOGUE BETWEEN PUBLIC AND PRIVATE SECTORS**

The meeting of public-sector representatives with those of the private sector is one of the most sensitive stages in this process. That is why the preliminary meetings with each sector to prepare the ground are so important.

Frequently private-sector representatives take advantage of this meeting to voice their grievances against certain state agencies in their treatment of the book sector: delays in customs, crippling red tape in import and export procedures, excess taxation, duties and levies, unchecked piracy, among other matters. One might sometimes think the book sector was the target of a legislative and administrative ‘conspiracy’. In actual fact – with the exception of cases of flagrant censorship – nobody ever enacts legislation against books. What happens is that the majority of the obstacles facing the book sector are the result of fiscal and administrative measures that regulate production and trade in general. Because of its very special nature, the publishing sector is therefore the victim of regulations that are not necessarily directed at it but which – in the absence of specific legislation on books – have a negative effect on the production and circulation of a product whose cultural importance transcends purely economic considerations. It is true to say that the book sector suffers less when it is persecuted than when it is ignored.

A frank exchange of views between the public and private sectors has the advantage of creating an understanding of the problems encountered by the different professions involved in the book sector, and a genuine desire to solve them. Our experience is that favours which government departments refuse to grant to the private sector when they are requested individually suddenly appear reasonable and acceptable, and at times even insufficient, to those same government departments when presented within the framework of a global development policy for the book sector.

In the course of these discussions the state should also explain to its private-sector partners what it regards as the purpose of implementing a book policy. It goes without saying that the incentives granted to the private sector are not an end in themselves; they are justified only if they give more people access to books. Otherwise, the government would merely be bestowing privileges on one particular sector without any tangible benefit to society.

It is particularly important that these discussions, which generally begin during the assessment stage, should become a permanent feature. Individuals come and go and political circumstances change, as do economic and social situations. It is essential that professionals in the book sector and government officials responsible for book policy and reading keep in contact in order to adjust their policy to changing needs. This is where the National Book Council comes into the picture: it offers a meeting place and sets relations between the two sectors on a permanent, institutional basis.

## **THE BOOK LAW: THE NATIONAL BOOK COUNCIL**

The Book Law is the legislative expression of the outcome of these discussions, of the conclusions drawn from the assessment and of the decisions reached. It sets out a series of practical measures that fit into an existing constitutional and administrative context.

As we have already seen, there are so many state agencies involved in implementing a book policy that, without a law compelling them to take action, it would be almost impossible to harness their efforts to the common cause. And certain measures, such as tax exemptions, almost always require legislative approval.

It is therefore of great importance, when drafting the bill to be submitted to the legislative body, to take into account the existing constitutional framework, legal custom and case-law, and the general administrative norms that have to be observed in order to provide a proper legal framework for a programme of incentive measures. In some countries following the Roman legal tradition, for example, certain types of incentive may be applied only to activities declared to be 'in the public interest'. In such cases it is important that the Book Law should begin by declaring the publication and marketing of books to be in the public interest. Elsewhere publishing has to be officially recognized as an industry before the book sector can be eligible for incentives designed specifically to promote the development of small- and medium-scale industries.

Sometimes a Book Law may contain specific provisions to protect the rights of authors and publishers. In principle, these should be the subject of another legal text, on the protection of intellectual property (copyright and industrial property). However, to the extent that the use of new document reproduction technologies has undermined the old protection arrangements, publishers often prefer specific provisions protecting their rights to be made in the Book Law.

The main task of the National Book Council, which is established by the Book Law, is to maintain the consensus reached by the public sector and the private sector, and it plays an important role as advisory body on the implementation of the Book Law.

The National Book Council is composed, on the one hand, of representatives of each of the professional groups that make up the book sector – authors, publishers, printers, booksellers, importers, librarians – and, on the other, of representatives of the principal state bodies involved in book development policy, including ministers of

education, culture and development, planning, the tax administration, customs and excise, copyright authorities, the central bank and the post office.

It is advisable for the members of this Council to meet before the Bill is adopted in order to study the preliminary draft. They will already have met, to study certain aspects of the publishing sector, during the assessment phase. The specialist should ensure that this multi-sectoral relationship and co-operation between individuals continues uninterrupted throughout the drafting of the Bill and is subsequently institutionalized in the National Book Council.

While the establishment of the Council, its membership and a brief description of its remit should be set out in the Book Law, the details of its workings should be left for implementing regulations adopted by the executive branch, to preserve a degree of operational flexibility. And, of course, the National Book Council will be the focal point of efforts to evaluate the results of the policy in the short or medium term.

## HUMAN-RESOURCE TRAINING

Training is an aspect of book policy which in most developing countries will require external bilateral or international co-operation.

If special attention is paid to creative writing from the most elementary levels of schooling upwards, the long-term effect will be to generate more authors, who begin the chain of professions that make up the book sector. Printers and librarians also have institutionalized training courses at their disposal, from the most elementary to the most sophisticated levels. But training facilities for publishers and booksellers are far less common, not only in the developing world but also in the industrialized countries. It is therefore very important to draw up as accurate an inventory as possible of real training needs in the different branches, then to work out a plan combining formal academic training for young people in specialized schools and institutes with on-the-job training, further training and refresher training

for people who are already employed in publishing, in the form of special courses and seminars.

With UNESCO's co-operation, organizations specializing in book development and networks of institutions which act as focal points for information on the subject or actually offer training themselves have been set up in the different regions of the world. They include the Regional Centre for Book Promotion in Latin America and the Caribbean (CERLALC), the Asia-Pacific Cultural Center for UNESCO (ACCU) and its network the Asia-Pacific Co-operative Programme for Reading Promotion and Book Development (APPREB), the African Publishers' Network (APNET) and the Association Internationale des Editeurs Africains Francophones (AIEAF).

The International Publishers' Association also plays a key role in training, joining in training activities in various parts of the world and centralizing information on training courses.

# SPECIFIC ASPECTS OF TEXTBOOK PRODUCTION POLICY

Like other books, textbooks have a dual nature as both educational items and economic products. In any case, no policy for textbooks can be drawn up independently of the general context of the publishing industry.

The mental machinery set in motion by reading stimulates the child's critical faculties and provides a basis for intellectual and personal development. But the skills acquired by reading can soon be lost upon leaving school if an adequate supply of reading material is not provided: the reading habit, the first elements of which are acquired in early childhood, the pleasure of recreational reading and, more generally, the survival of the culture of the written word necessitate – beyond textbooks – an abundant and varied supply of books accessible to all. In developing countries, textbooks often account for a large proportion of national book production, hence the close relationship between school textbooks and the publishing industry.

Textbook publishing is a key factor in the sound development of the publishing industry in any country. The provision of school textbooks is a priority for governments, which are legitimately concerned to ensure their quality, relevance to the syllabus and prompt delivery, as well as reasonable retail prices.

The priority attached to these considerations frequently causes governments to order and purchase books from foreign publishers. While this may solve the immediate problem, it does nothing to enhance national identity, and is most certainly detrimental to the development of local authors and publishers.

It is very difficult for the incipient publishing industry in a developing country to compete with foreign publishing groups in terms of quality, deadlines and prices. But purchasing vast quantities of textbooks printed abroad will not solve the problem of the transfer of publishing know-how. On the contrary, it hinders the development of the national publishing industry by depriving it of the opportunity to supply the only market that can actually be considered as such, being a captive and predictable market, linked directly to population growth.

Any government committed to the development of a national book policy must therefore carefully weigh the pros and cons of its decisions concerning textbooks, and award certain orders exclusively to local publishers, perhaps the least complex to execute or those concerned with particularly sensitive subjects. Depending on the situation, the government may offer tax incentives on raw materials, or flexible credit schemes for national publishers, set reasonable delivery deadlines, promote free competition between national firms or at least set up semi-public corporations to publish textbooks. The idea is not to hinder free international competition, much less the free flow of books, but rather to create a situation in which national firms can compete on an equal footing in a market to which they have a legitimate claim.

Another important question is the control the state can and should exercise over the content and price of textbooks. It is of course for the state to determine curricula and the broad area that textbooks must cover in each subject and at each level. These broad content lines, together with specifications concerning length, format and presentation, delivery date and, where applicable, maximum retail price, must be made known to all potential suppliers. Those states in which

textbooks require an official seal of approval will also require dummy versions or even final proofs to be submitted for verification by the appropriate authority, and only once the required changes are made will the textbook be approved for use in the education system. The ministry or other body responsible must assign properly trained staff with expert knowledge in both education and publishing to the task of drawing up the broad guidelines and technical specifications for textbooks, as well as for assessing their content, or else call on outside experts. The training of staff for the public sector is therefore not so much a matter of technical training with a view to textbook production by the state, which is not in the interests of the national publishing industry either, as of training people who can have useful discussions with the sector on questions of content as well as the more technical aspects of book production.

Before concluding we must address the interesting question of the provision of textbooks free of charge, a fundamental concern for any government interested in making education for all a reality.

The experimental provision by many developing countries of a single, free, state-produced textbook has not generally been a success. It is a very costly operation for the state and one that has often given rise to corruption, and it restricts the freedom of teachers and parents' choice regarding the education of their children. The provision of a variety of school textbooks not only encourages democracy in education but creates a situation of healthy competition between textbook publishers.

While the idea of a single textbook has been dropped in most states, several have a policy of providing school textbooks free of charge, whether on a national scale or exclusively for particular geographical regions or social groups with low purchasing power. It may take the form of grants to schools, to purchase the textbooks of their choice in sufficient numbers for their pupils, or of 'school cheques' issued by the state to each pupil to purchase textbooks from the list of books recommended by the school.

In the first case, the textbooks belong to the school that selects them and buys them directly from the publisher or through a central purchasing system, and pupils are required to hand them in at the end of the school year. This system certainly respects the freedom of schools to choose from a variety of textbooks, as well as providing pupils with free textbooks and contributing to the development of 'classroom libraries', but it deprives pupils of the chance to start building their own personal libraries, obliges them to use books that have already been used, and does not save the state significant expense in view of the high proportion of books handed in at the end of the year in too poor a condition to be of any further use.

The 'school cheque' is an ideal way of offering free books and freedom of choice, and at the same time it contributes to the development of bookstores. But the high cost to the state frequently prevents it from being applied to the whole school population; either the cheques do not cover the full cost of the books that families have to buy or they are attributed as if under a scholarship scheme.

Finally, some countries grant tax deductions that vary with the number of children a family sends to school, which can be seen as another way of providing free textbooks.

The solutions briefly described here are just a small sample of the range of measures that reflect the different situations in each country: stage of development, budgetary resources available for education, population growth, school attendance rates, complexity and decentralization of the education system and sophistication of the tax system. There is little doubt, however, that all countries consider equality of opportunity in education a national goal and would like to provide textbooks free of charge if that were possible without tying the hands of their publishing industries.

# APPENDICES

## APPENDIX 1

FORMULATING A NATIONAL  
BOOK POLICY

Subsector	Aspects for evaluation	Development strategies for the sector	Executive entity
<p><b>Author</b></p> <ul style="list-style-type: none"> <li>• Writers of all kinds</li> <li>• Translators</li> <li>• Illustrators</li> <li>• Graphic designers</li> <li>• Photographers</li> <li>• Publishers of commissioned works</li> </ul>	<ul style="list-style-type: none"> <li>• Copyright at home and abroad</li> <li>• Taxation of creativity and royalties</li> <li>• National authors and private/public publishing</li> </ul>	<ul style="list-style-type: none"> <li>• National copyright law</li> <li>• Accession to international copyright protection instruments (Berne/Universal)</li> <li>• Tax incentives for authors</li> <li>• Literary competitions and prizes</li> <li>• Collective management</li> <li>• Authors' associations</li> </ul>	

Subsector	Aspects for evaluation	Development strategies for the sector	Executive entity
<p><b>Publisher</b></p> <ul style="list-style-type: none"> <li>• Decides which books to publish</li> <li>• Takes financial responsibility</li> <li>• Co-ordinates:               <ul style="list-style-type: none"> <li>- Author</li> <li>- Printer</li> <li>- Distributor</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Publisher's level of professionalism</li> <li>• Training facilities</li> <li>• Banking credit system</li> <li>• Main area of investment in publishing</li> <li>• Tax incentives</li> <li>• Aids to decision-making for publishing (market analysis; surveys of reading)</li> <li>• Piracy</li> <li>• Reprography</li> <li>• State of book exportation</li> </ul>	<ul style="list-style-type: none"> <li>• Training courses and seminars</li> <li>• Book law (tax incentives, loans, export incentives, publisher's rights, National Book Councils, etc.)</li> <li>• Participation in state publishing (school textbooks?)</li> <li>• Use of ISBN</li> <li>• Collective administration societies</li> <li>• Participation in national and international fairs</li> <li>• Professional associations of publishers</li> </ul>	
<p><b>Printer</b></p> <ul style="list-style-type: none"> <li>• Printing</li> <li>• Production</li> <li>• Binding</li> <li>• Packaging</li> </ul>	<ul style="list-style-type: none"> <li>• Professional level of printers (at different levels)</li> <li>• Training mechanisms</li> <li>• Printing potential (quality and quantity)</li> <li>• Ratio of books to overall printing production</li> <li>• Financing and concentration of capital</li> <li>• Paper and other raw materials</li> <li>• Exports</li> </ul>	<ul style="list-style-type: none"> <li>• Overall plan of the printing sector</li> <li>• Schools of graphic art and other training mechanisms</li> <li>• Customs benefits for importing equipment and materials for book production</li> <li>• Tax incentives for:               <ul style="list-style-type: none"> <li>- Printing</li> <li>- Export</li> </ul> </li> <li>• Professional printers' associations</li> </ul>	

Subsector	Aspects for evaluation	Development strategies for the sector	Executive entity
<p><b>Distributor and bookseller</b></p> <ul style="list-style-type: none"> <li>• Book imports</li> <li>• Distribution and sale of imported and home-produced books</li> </ul>	<ul style="list-style-type: none"> <li>• Professional training mechanisms</li> <li>• Import procedures (customs procedures and charges)</li> <li>• The importance of imported books</li> <li>• Ratio of imported books</li> <li>• Modes of payment (exchange rate, currency control)</li> <li>• VAT and other taxes</li> <li>• Distribution network</li> <li>• Bookshops (city, country; other sales outlets)</li> </ul>	<ul style="list-style-type: none"> <li>• Training mechanisms</li> <li>• Bank credit for the book trade</li> <li>• Customs policy</li> <li>• Currency payment mechanisms</li> <li>• Postal rates               <ul style="list-style-type: none"> <li>- Air</li> <li>- Surface</li> <li>- Sea</li> </ul> </li> <li>• Tax incentive policy</li> <li>• Fixed sales price</li> <li>• Accession to international conventions for the free flow of books</li> <li>• Professional associations of distributors and booksellers</li> </ul>	
<p><b>Reader (libraries)</b></p>	<ul style="list-style-type: none"> <li>• Training at all levels</li> <li>• Library networks and services (public, school, university and specialized)</li> <li>• Library endowments, trained staff and facilities</li> <li>• Reading lessons</li> <li>• Research into reading</li> </ul>	<ul style="list-style-type: none"> <li>• Academic and training courses at all levels</li> <li>• National information network</li> <li>• Organization of library services</li> <li>• Research into reading habits, attitudes, needs and levels</li> <li>• Campaigns to promote reading</li> <li>• Promotion of reading in rural communities</li> <li>• Professional reading associations</li> </ul>	

## APPENDIX 2

# A MODEL BOOK LAW

Latin American countries have been trying for decades, on an individual basis, to bring national book development legislation into force. Steps taken by CERLALC to make a synthesis of the principles of such legislation (either already in force or in the process of ratification) led to the adoption in 1992 of a model law known as the ‘Guayaquil Model Law’ which owes its name to the town where the last meeting of lawyers specialized in the field of book development was held. The Guayaquil Model Law has since been a source of inspiration to Latin American legislators in this field.

## LAW [NUMBER AND DATE] (SETTING OUT LEGAL PROVISIONS FOR THE BOOK SECTOR FOR [COUNTRY])

### Chapter I.

#### General purposes

**Article 1:** The creation, production, printing, publishing, sale, distribution, promotion and dissemination of [adjective of nationality] books is declared to be in the public interest, and a national policy is hereby adopted for the following purposes:

1. Promotion of the publication of works by [adjective of nationality] authors to ensure that national publishing houses can base their work on the intellectual production of [adjective of nationality] authors.
2. Increase and improvement of national publishing production to ensure that the printing and publishing sector meets the country's cultural and educational requirements, observing appropriate standards as regards quality, quantity, price and diversity, and ensures that [adjective of nationality] books are available on the international market.
3. Promotion of the free circulation of [adjective of nationality] books inside and outside the national territory, applying preferential tariffs, flexible procedures and measures to promote the reading habit.
4. Protection of the nation's literary, bibliographical and documentary heritage thanks to the maintenance and development of a national system of libraries and archives and a procedure for legal deposit.
5. Protection of the moral and economic rights of authors and creators through the enforcement of national legislation and the application of the international conventions and regulations.

6. Adoption of a preferential lending and tax regime for all participants in the publishing process.
7. Establishment of a continuous training and education policy for all workers in the national publishing sector.
8. Development of a national strategy for the promotion of reading, access to books and information, strengthening of the network of libraries, archives and documentation centres, and bookshops and sales outlets for publications of all kinds.
9. Promotion of a book and reading culture through the mass media and through participation in national and international promotional events and regional and global integration initiatives.
10. Support for the national publishing sector, including the library system and bookshop network, in order to ensure the supply of the raw materials, capital, equipment and services that would guarantee the sustained and democratic development of a book and reading culture.

**Article 2:** It is incumbent upon the state, with the support of private initiative and the participation of the citizens, to fulfil the objectives of the national book policy referred to in the foregoing article.

## **Chapter II.**

### **Enforcement authority**

**Article 3:** The National Book Council is created to serve as the Government's advisory body for implementation of the present Law and for developing national book and reading policy. The Council shall have the following functions:

1. To advise the Government on the enforcement and implementation of the present Law and on the development of national book and reading policy.

2. To harmonize state and private-sector interests and efforts for the sustained and democratic development of the national publishing process.
3. To propose to the competent authorities the adoption of legal, economic and administrative policies or measures that would help promote and strengthen the culture of books and reading, and publishing in general.
4. To serve as an entity for consultation and conciliation in all matters concerning publication policy and its implementation, evaluation and updating.

**Article 4:** The National Book Council shall be attached to the Ministry of Education or Culture. It shall be composed of the following:

1. The Minister of Education/Culture or a person delegated by him or her, who shall serve as Chairperson of the Council.
2. The Director of the National Institute of Culture [or equivalent body] or a person delegated by him or her, who shall serve as Secretary-General of the Council.
3. A representative of [adjective of nationality] authors and creators.
4. A representative of printers and graphic arts agents.
5. A representative of publishers and distributors.
6. A representative of booksellers.
7. A representative of librarians.
8. The Director of the National Library [or its equivalent].
9. The Director of the Official Copyright Agency [or its equivalent].
10. A representative of the Ministry of Finance/Economy.

### Chapter III.

#### Promotion of publishing output

**Article 5:** Every year banking and financial institutions shall offer credit lines to help increase and improve the production and dissemination of books and publications, offering preferential terms with regard to amounts, guarantees, interest and time scales.

**Article 6:** Publishing houses devoted exclusively to book printing, editing or publishing, like bookshops and literary agencies, shall be exempt from income tax during the first ten years following start-up of their activities.

**Article 7:** Imports of originals, photographs, films, recordings and other reproducible objects, raw materials, inputs, machinery and equipment for printing or publishing books shall be exempt from customs tax and duties.

**Article 8:** Authors' and translators' royalties paid to [adjective of nationality] authors, illustrators and translators or those domiciled in the country for books in [country] shall be exempt from income tax.

**Article 9:** Preferential or reduced postal rates shall apply to books printed and published in [country], in accordance with national law and international postal agreements, and they shall circulate freely. Circulation of books may be restricted only by judicial decision.

## Chapter IV.

### Promotion of demand for books and of the reading habit

**Article 10:** The state shall encourage demand for books and the reading habit by means of education and information campaigns, using educational establishments and the media; literary prizes and scholarships for unpublished works and national creators; book exhibitions and fairs; the acquisition of books for the network of public libraries, archives and documentation centres; and other measures to democratize books and reading.

**Article 11:** The media shall offer preferential or reduced advertising rates, as well as institutional advertising space, for the dissemination of books printed or published in [country].

**Article 12:** The Government, on the advice of the National Book Council, shall acquire for the public library network a reasonable minimum percentage of the first edition of all books printed and published in the country that are likely to enhance the national book collection by virtue of their cultural, scientific or technological interest. The annual budget [or its equivalent] shall contain a line that ensures that this policy for the acquisition of national books for public libraries is duly implemented in a manner that ensures that budgetary resources increase annually.

**Article 13:** The Government, on the initiative of the National Book Council, shall announce the measures needed to develop the ongoing training and education of persons working in the publishing and graphics sectors, in particular booksellers, librarians, translators, editors and literary agents, so that they join actively in management of the sector and benefit from its development.

**Article 14:** By the terms of this law, the development of the publishing sector in general, and the promotion of demand for books and the reading habit in particular, are priority objectives of the state's cultural and educational policy and shall be given pride of place in plans and programmes for public investment and social and economic development.

## **Chapter V.**

### **Control of publications and protection of copyright**

**Article 15:** Any book printed or published in [country] shall include the following information: the title of the work, the name of the author or compiler or translator, the publishing number and the quantity of copies, the place and date of printing, the name and domicile of the publisher, and the International Standard Book Number [ISBN]. Legal benefits shall be withheld from any book which fails to provide such information, provides it only in part or inaccurately, or is printed, published or reproduced without authorization or in violation of the law.

**Article 16:** For the due protection of copyright, any book printed or published in [country] shall be registered with the Official Copyright Agency [or its equivalent]. For purposes of legal deposit, three copies of each edition shall be dispatched to the National Library [or its equivalent]. Failure to meet these two requirements shall result in the withholding of legal benefits.

**Article 17:** All publishing contracts (for printing, publication, joint publication, translation, distribution, literary representation, and so forth) must be awarded in writing, shall be binding on the parties and shall be registered with the Official Copyright Agency [or its equivalent], in default of which it shall have no force with regard to third parties.

## **Chapter VI.**

### **Penalties**

**Article 18:** The undue use or inappropriate allocation of credit incentives, tax exemptions and other benefits provided for in this Law shall be penalized by suspension or cancellation of the benefit or by fines of up to 1,000 times the minimum wage, at the discretion of the Government, and without prejudice to any fiscal or penal sanctions that might be applicable.

**Article 19:** The clandestine publication or unauthorized reproduction of books shall be penalized by payment of up to 1,000 times the minimum wage, at the discretion of the Government, without prejudice to any penal sanctions that might be applicable.

## **Chapter VII.**

### **Implementing regulations and applicability**

**Article 20:** Regulations to implement the present Law shall be issued by the Government, on the advice of the National Book Council.

**Article 21:** This Law shall serve as a normative framework for any national publishing activity, shall annul all conflicting provisions and shall come into force on the date of its promulgation.

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As stated in the Foreword, this edition gathers together the essence of twenty years of fieldwork. It is the fruit of practical experience rather than theoretical reflection drawn from bibliographic sources, which are, moreover, generally non-existent in the specific field of the development of book publishing policy.

For this second edition, however, UNESCO has added a select bibliography. These references, in one manner or another, concern book publishing policy. This bibliography doesn't pretend to be exhaustive, but will without a doubt – like the accompanying websites – be of use to specialists in the field.

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## Websites

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[www.oas.org/oipc](http://www.oas.org/oipc)

Inter-american Cultural Policy Observatory (in Spanish):

[www.oas.org/uds/observatorio/espanol](http://www.oas.org/uds/observatorio/espanol)

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(Activities and legislation of the European Community concerning publishing.)

**<http://agora.mcu.es/libro>**

(Includes dates, statistics and studies on the publishing sector and reading habits in Spain, the European Union and Latin America.)

**<http://infolac.ucol.mx/documentos/politicas>**

The development of books and the reading habit is a frequent cause of headaches to cultural organizers.

As a means of communication, books not only have spiritual, educational and cultural implications, but also involve the industrial and commercial aspects of the publishing trade.

The association of these two factors results in a complex system of parameters that can be off-putting to cultural managers. However, in spite of this, publishers still seek to voice their problems and enjoy the understanding that their unique cultural product deserves.

**National Book Policy** is intended as a guide for responsible persons in both the public and private sectors as they make their way through the maze of professions and interests in the book world. Hence its fundamentally practical nature. It avoids socio-cultural analysis and historical or prospective references to books as such – important subjects that are properly dealt with in other UNESCO publications – and points the way to the application of book development policy in the field.

**National Book Policy** is not based on theory: it is the fruit of twenty years' experience in developing countries – particularly in Latin America – where the implementation of such a policy has made many people aware of the often quite astonishing increase in their publishing potential.

[www.unesco.org/publishing](http://www.unesco.org/publishing)

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