**Country report <RUSSIA>**

Annual report to the IFLA CLM committee

Lyon 2014

**Introduction**

During the past year the effective copyright and intellectual property legislation has been increasingly dictating the need for its observation by every player in the book market. The libraries operating under no library exceptions develop their own digital libraries rather slowly, mainly focusing on public domain resource. Generally, illegal or pirate resources constitute the main problem of copyright in the country; piracy is opposed by libraries, publishers, law societies and is now strongly addressed by the government. There is a reason for that: over 60% of authorship works used in social networks violate copyright law, as to e-books and e-publications, the illegal content was amounting to 90% as of mid-2013. However, today we witness serious changes. More often illegal downloading from the Internet or uploading pirate copies is resisted by copyright holders and the government, and by the end of 2014 – mid 2015 we expect a dramatic improvement in the spread of legal content, possibly up to 50%. New legislative initiatives and the approach taken by many publishers to offer legal users cheaper content facilitate the process.

**Copyright:**

***New legislation***

The current era in intellectual property rights law-making in Russia can be confidently characterized as the anti-piracy one.

On August 1, 2013, the Federal Law No. 187 (the so-called ‘anti-piracy law’) came into effect to establish the duties of information brokers to block illegal TV and movie content. The first year of the law enforcement has just come to an end. In accordance with the law, upon discovering the facts of their content illegal distribution on the Internet, copyright holders may bring about court action to restrict access to such a resource. After the court decision is made, the Internet resource owners have to take away this content, otherwise the resource will be blocked.

Moreover, whether the government agency, namely, Roskomnadzor (The Federal Service for Supervision of Communications, Information Technology, and Mass Media) authorized to control the distribution of illegal content, independently detects such content, it is entitled to issue a serious warning to the owner, and in the case of further violation the web site will be blocked.

In 2014, owing to the intensive efforts of library and publishing community, amendments have been made to the Civil Code Part IV that regulates legal relations in copyright and intellectual property. In particular, library users can make digital copies of nationally published scientific and educational books for their personal use without getting the consent of copyright holders in case 10 years passed after the original publication with no further editions or reprints during the whole period.

Besides, a kind of long-awaited *Fair Use* principle is introduced for articles, book fragments, and preprints of scientific educational literature which permits making digital copies for the needs of library users.

These amendments will come into effect on January 1, 2015.

***Proposed legislation***

Since August 1, 2014, this law has covered musical products and books.

It is proposed to introduce prejudicial procedure for the cases of copyright infringement on the Internet.

***Pending legislative issues***

The improvement of intellectual labor protections and the development of a unified national policy in the sphere of intellectual property is the next thing on the agenda.

What is meant here is the project of a new federal agency to consolidate authorities to develop a government strategy in the area of intellectual property, to supervise observance of effective legal acts, to offer public services in copyright and selection inventions.

Today, the mentioned functions are distributed among dozens of government agencies, including ministries for education and science, economic development, culture, agriculture, Russian Federal Service for Intellectual Property, and other executive bodies.

**Law cases**

During the first year of the anti-piracy law enforcement, the Federal Service for Supervision of Communications, Information Technology, and Mass Media (ROSKOMNADZOR) blocked 12 web sites, mainly, torrent trackers.

**Advocacy/Lobbying activities**

**“Read Legally”** is a joint project of the Russian Book Union and the Federal Agency for Press and Mass Communications of the Russian Federation (ROSPECHAT) aimed at educating and promoting awareness among e-content users.

The anti-piracy law has got a strong feedback from the community, with different viewpoints expressed by Internet users, Internet companies, lawmakers. Many of them consider the law to be excessively repressive and show their concern over the possibility of applying the law to *any* undesirable content. The Russian Public Initiative petition seeking the revision of the law has been signed. However, until the enforcement practice is established, the law will not be revised.

The Ministry of Culture of the Russian Federation has prolonged the All-Russian Organization for Intellectual Property (VOIS) accreditation for collective management of rights for further ten years.

**Educational activities**

In 2014, a full-scale operation of the information system of access to library digital catalogs in education and science began. Besides the open access to the address and bibliographic data on library holdings of scientific and educational materials, the system also covers full texts from public domain and those materials licensed by copyright owners, as well as qualifying papers: term theses, graduation dissertations, and master’s theses. As of August 1, 2014, the system comprises approximately 14 million records, 65,000 full texts and about 500 members: scientific and university libraries, public and specialized libraries. Russian National Public Library for Science and Technology acts as the principal agency for the system.

Besides, several e-libraries of educational resources have been developed in several Russian universities, to support learning and teaching processes and e-learning systems. Electronic Library Systems (ELS) have been advancing as well (their number now exceeds 15), all of them are licensed by the Ministry of Education and Science of the Russian Federation. Regulation prescribes universities to provide students with Internet access within university campuses and to use digital resources supported by the very ELS in their curriculum. In their turn, the ELS shall comprise the content covering the learning and teaching needs of the universities in the main disciplines of the curricula.

**Main e-book library projects:**

National Library Resource ([www.natlib.ru](http://www.natlib.ru/)) –
40 thousand full texts of domestically published books,
all with individual agreements with rightholders;

National Electronic Library ([www.rusneb.ru](http://www.rusneb.ru/)): main
stakeholders – Russian State Library, Russian National Library, Russian National Public Library for Science and Technology, Boris Yeltsin Presidential Library –
over 1 million texts including dissertations;

SKBR ([www.skbr2.nilc.ru](http://www.skbr2.nilc.ru/)) – Union Catalog of Russian
Libraries – 35 million records; full texts submitted to SKER,
Union Catalog of Electronic Resources –
300 thousand;

Federal Electronic Medical Library (*www.femb.ru)* –
20 thousand full texts;

Union Catalog of Scientific and Technical Literature ([www.gpntb.ru](http://www.gpntb.ru/)) – over 1 million bibliographic records
plus 1.5 thousand full texts

**Strategic plans for the future**

Since August 2013, capital reforms in the [intellectual property](http://www.copyright.ru/ru/intellectual/) sphere have been advancing. The ‘anti-piracy’ Law No. 187, its amendments concerning musical and book content, establishing federal executive agencies for intellectual property management just mark the start of a long and scrupulous law-making and law enforcement process.

**Other issues**

It was in 2012, when the RF President, for the purposes of further advancement and preservation of Russian culture, ordered to add annually no less than 10% of book publications into the National Electronic Library (NEL). The selection procedure was developed and approved by the Ministry’s of Culture Order of December 23, 2013. The NEL being built mainly by the Russian State Library, the National Library of Russia, and the Russian National Public Library for Science and Technology, comprises today over 1 million texts, including dissertations. Annual 10%acquisitions are managed by the National Library Resource; the procedure for working out and signing agreements with rightholders has been developed and is successfully applied.

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