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Agenda Topic No. I-5

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CAC-E-16

UNITED STATES DELEGATION  
TO THE  
SECOND MEETING OF THE INTER-AMERICAN CULTURAL COUNCIL

Lima, Peru, May, 1956

Subject: Exchange of Publications

POSITION PAPER

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ATTACHMENTS

1. Detailed comments on CAC Study 16 Recommendations
2. Detailed Comment on CAC Study 16 Draft Convention
3. Report of UNESCO Committee of Experts on International Exchange of Publications, Paris, February 6-10, 1956

PROBLEM:

1. Consideration by the Inter-American Cultural Council of IACC Report CAC-E-16, "Study on Exchange of Publications" in compliance with Resolution XVII of the Tenth Inter-American Conference.

2. Consideration by IACC of Document IACC 12, "International Exchange of Publications in the Americas," prepared by Secretariat (Miss Marietta Daniels), Columbus Memorial Library, Pan American Union, for Agenda, Chapter I, Item 6.

3. These two long documents, with their several annexes and attachments, raise the complex problems of facilitating and extending exchange systems between and among Member States by means of multilateral and bilateral exchange of publication agreements, some already existing and others proposed.

4. Posed as a connected issue is the equally complicated matter of increasing the bibliographical control of official and non-official publications as an essential pre-requisite to the international exchange of publications.

## POSITION:

1. Committee for Cultural Action Study 16
  - a. Recommendations

The U.S. opposes Recommendations 2-9 as impractical, and 1 as superfluous. Attachment 1 to this paper provides detailed comment on each.
  - b. Draft Convention for Exchange of Publications

The U.S. strongly opposes the draft convention prepared, as making no new contribution beyond existing inter-American treaties, especially the Buenos Aires Convention of 1936, and as containing material irrelevant to such a proposed convention. It is unworkable, and omits all points of importance deemed essential by specialists in this field; Attachment 2 provides detailed comment on each proposed Article.
2. "International Exchange of Publications in the Americas," IACC Document 12. Agenda Chapter I, Item 6
  - a. Recommendations
    - (i). The U.S. strongly supports the conclusions that multi-lateral conventions provide only the framework for bi-lateral agreements; that national action must precede and support both bilateral and multilateral arrangements; and that inasmuch as nineteen earlier resolutions and four conventions on the subject of international exchange of publications in the Americas have not thus far been exploited, there is no pressing need now for one more such new multilateral convention until after national governments exploit further the existing and adequate means to foster this important activity.
    - (ii). The U.S. supports, if it is offered for action by other delegations, the proposal that appropriate data on exchanges in the Americas be collected by the Pan American Union, as basis for a practical program of fostering the exchange of publications according to the diverse needs and possibilities of the Member States, either under existing or new arrangements, bilateral or multilateral.
    - (iii). The U.S. would be willing to support the recommendation that certain fundamental points, adapted to the needs of the American Republics, might be embodied in any new general convention on this subject, but opposes the preparation of

such a convention by IACC at its Second Meeting. The Delegation is not authorized to participate in the negotiation of any convention and, if there is a strong interest on the part of other delegations in the preparation of a new convention, should propose that IACC suggest to the Council of the OAS (COAS) that it study the possibility of convoking a meeting of experts on this subject for the purpose, such a meeting to be held once the governments concerned are in agreement as to its scope.

- (iv). The U.S. supports, in principle, the recommended duties and responsibilities outlined for the Columbus Memorial Library for the fostering of international exchange of publications in the Americas. The Delegation, at its discretion, and subject to its instructions on budgetary implications of the PAU program, should initiate or support a resolution embodying the points of this detailed recommendation.

b. Draft Convention

- (i). If IACC proceeds with the consideration of a new exchange of publications convention at its Second Meeting, the Delegation should seek to have the draft in IACC Document 12 be the basis of discussion. But in so doing it must make it clear that the U.S. participates in IACC consideration of that draft only as a preliminary discussion of technical points regarding the possible content and not as a negotiation of the new convention itself. The Delegation has not been furnished with the legal authority to sign a convention; it must abstain in the vote on any draft that may be agreed to by the other delegations, with a statement for the record indicating the U.S. position under these circumstances.
- (ii). The U.S. does not actively oppose the provisions of the draft convention in Doc. 12, but would, before becoming a party, enter certain reservations and stipulations to portions referring to official responsibility for exchange of non-official publications, and certain bibliographical responsibilities.

3. General U.S. Positive Action

- a. The Delegation will follow the traditional policy of the Government to support and foster practical means to encourage the international exchange of publications, official and non-official, as a proven means of increasing international understanding and good will.
- b. The U.S. is prepared to support a positive resolution advocating greater OAS support of the bibliographical and international exchange of publications functions of the Columbus Memorial Library in connection with discussions of cultural programs set forth in IACC Document 9, Part III.

- c. The Delegation can report that the Government will continue its well established activities, support, and cooperation in the international exchange of publications in the Americas, on a multi-lateral and bilateral basis, covering both official and non-official publications and other bibliothecal materials.
  
- d. The Delegation can indicate, at its discretion, that existing international agreements, notably the Brussels Conventions of 1886 and the Buenos Aires Convention of 1936 already provide for many of the desirable goals, mechanisms, and procedures to increase international exchanges of publications, and to commend these to the serious attention of Member States which have not adhered to them or ratified them and have not fully implemented them by the desirable national legislation.

## DISCUSSION

1. Background of Recent Inter-American Decisions

Resolution XVII of the Tenth Inter-American Conference (Caracas), following a traditional interest of the Pan American movement and the OAS in encouraging international understanding through encouragement of exchange of publications, recommended that the Committee for Cultural Action prepare and submit to the Second Meeting of the Inter-American Cultural Council a draft convention or amendments to existing conventions concerning publications. In accord with this Resolution, the CCA draft should provide "that the Member States of the Organization which ratify the new document will undertake to provide each of the ratifying parties thereto with at least one copy of each work printed in their territory which, in the judgment of that government, has a representative value, individual or continental."

The wisdom of the mandate itself can be seriously questioned. To carry it out, the CCA enlisted the aid of the Columbus Memorial Library to provide technical information, which it did. Taking as its base a 1954 paper prepared by the Columbus Memorial Library for the proposed São Paulo II Meeting of the IACC (postponed) on "The International Exchange of Publications in the Americas" (old CIC-SEC.Doc. 18-E, 27 July 1954), the CCA incorporated this as Chapters II-IV of their "Estudios sobre Intercambio de Publicaciones" (CAC-E-16, 28 junio 1955), adding to it a brief Introduction and Chapter V, "Conclusiones y Recomendaciones." These embrace 9 specific recommendations and a draft convention, the latter in pursuance of Resolution XVII, cited above. These recommendations and the draft convention will be considered by the IACC in Lima. Discussion of their content and value will be found below (See Section 3, Attachments 1, 2).

To supplement CAC-E-16 prepared by the Committee for Cultural Action, the Columbus Memorial Library (Miss Marietta Daniels) prepared a second document, also to be considered by the IACC in Lima, entitled "Inter-American Exchange of Publications" (CIC Document 12, 2 January 1956), which submits a variant draft convention in pursuance of Resolution XVII, after reviewing recent and forthcoming meetings of regional and world experts on international exchange of publications.

Thus in Lima the IACC will consider

- (a) Recommendations by the CAC (CAC-16)
- (b) Draft Convention by CAC (CAC-16)
- (c) Draft Convention by Columbus Memorial Library (CIC-12)

## 2. Historical Background: U.S. Role and Traditional Positions

International exchange of publications as a means to foster international understanding by interchange of knowledge is not new. It was successfully tried in the eighteenth century. Every Inter-American Conference since 1889 has attempted to promote it one way or another (See CAC-16, Annexes), as have unofficial and official groups on a world and regional basis.

In the United States statutory sanction by Congress in 1828, 1834, 1837, 1840 had authorized increasingly liberal exchanges of official documents by the Librarian of Congress, while at the same time the International Exchange Service of the Smithsonian Institution developed as a major mechanism. By 1874 mechanics of U.S. exchanges were functioning efficiently. Until the close of the 19th century (and thereafter) the U.S. actively promoted further development of exchange systems through international cooperation; possibly the culminating points of these efforts were the so-called Brussels Conventions of 1886, which the United States ratified in 1888.

The major Brussels Convention (March 15, 1886) provided for establishment of national bureaus of exchanges, exchange of official documents, preparation of lists of such materials, and various lesser responsibilities. Of the American States, Uruguay (1889), Argentina (1889), Paraguay (1889), Dominican Republic (1923) adhered to it, while Brazil and the United States were original signatories. Under the Brussels Convention, the International Exchange Service of Smithsonian is the agency for transmission and receipts of publications on exchange, while the Library of Congress negotiates and recommends agreements concerning the interchange of official U.S. publications, by legislation of 1936 (Act of 1936 Title IV). Although the Brussels Convention has worked well only in part, it is open to adherence, and by adhering, governments bind themselves to carry forward many activities set forth in the Caracas Resolution XVII.

In 1867 and 1901 the United States Congress modified domestic legislation to improve international exchanges. Under the 1901 legislation, the Library of Congress received by law up to 100 copies of public documents for international exchange. The number was raised to 125 in 1925.

The United States was a signatory of the Convention on Interchange of Publications (Buenos Aires, 1936), which was ratified by the Senate in 1939. A vast network of bilateral, informal agreements between the Library of Congress and more than 1,000 institutions in the other American Republics currently provides "a wider knowledge in the other American Republics of the best contributions of our thinkers and writers and reciprocally to a similar wider knowledge in the United States of the most significant literary and scientific publications of the other American Republics." (Under Secretary of State to Sen. Key Pittman, June 16, 1939). In ratifying the Buenos Aires Convention the United States stipulated that to carry out Art. 3, bilateral agreements would, through exchange of notes, set up the necessary procedures, modify numbers of copies of publications to be exchanged, and to specify the agencies to receive and send them, thus assuring the necessary flexibility for the diverse bibliotecal conditions in the Hemisphere.

In general, the, it has been a consistent, deeply-rooted U.S. policy to encourage international exchange of official and non-official publications in the Americas and throughout the world.

Based on a century of experience, the technical hands currently engaged in the exchange of publications feel no pressing need for a new, multilateral Inter-American Convention on Exchange of Publications; they feel that the most urgent need is for existing arrangements to be improved by suitable national activity and legislation to achieve the following fundamental objectives:

1. Preparation of lists of official publications, indicating those available for exchange; few American republics do this;
2. Preparation of national and special bibliographies of non-official publications, to serve as basis for bilateral exchange agreements; few American republics do this;
3. Bilateral agreements on definitions of "official" and "non-official" publications, as well as broadening the categories of exchangeable materials to include non-book but bibliothecal classes of materials (maps, records etc.);
4. Distinguish by separate treatment, in multi-lateral or bilateral arrangements, handling of official and non-official publications;
5. Provides domestic legislation in other countries to empower the official agencies or services responsible for international exchanges with authority and means to command the materials needed for exchange. Few or none of the other American republics have such legislation.

The United States' interests in the field of exchange of publications are adequately or potentially protected under existing multilateral agreements and the highly developed bilateral agreements networks. Therefore, it sees no present need for a new multilateral convention, or necessarily the amendment of existing ones.

While the Delegation must oppose the negotiation of a new convention by the Second Meeting, the United States is not actively opposed to the eventual consideration of a new such multilateral convention, provided that

1. It is <sup>a</sup>brief, broad statement of general principles and standards, omitting specific commitments as to numbers of copies, specific places of deposit etc.
2. It provides a broad general framework to be filled in by existing or new specific bilateral arrangements, which can take the form of direct exchanges of letters between responsible exchange

centers--institutions and services--without reference to diplomatic channels, to allow for changing conditions in the exchange partnerships.

3. It provides clear distinction between exchanges of official and non-official publications, mutually satisfactory definitions of these to be negotiated between the exchange centers mentioned immediately above in 2.

### 3. Committee for Cultural Action Study(CAC-16)

In general the study presented by the Committee on Cultural Action is excellent in its expository sections (Chapters I-IV) but its conclusions and recommendations are generally unacceptable. The expository sections of the report are taken, as mentioned above in Section 1, almost directly from Document 19 prepared for the proposed meeting of the Cultural Council in Brazil, prepared by Miss Marietta Daniels. These sections set forth accurately and briefly the history of exchange of publications in the Hemisphere and outline clearly the bases on which multilateral and bilateral conventions and agreements should be drawn and the stipulations which they should contain to be technically workable. The recommendations and conclusions, apparently prepared by the Committee on Cultural Action itself, pay small heed to these acceptable criteria. The recommendations reflect the attempts of idealistic laymen to recommend one of two courses of future action in a complicated field.

#### a. Committee for Cultural Action: Conclusions and Recommendations

The CAC concluded that the exchange of publications can be stimulated by means of recommendations, addressed primarily to governments, and also by means of a new convention such as that requested by Resolution XVII of the Tenth Inter-American Conference. In their view it does not appear that either of these two methods is superior or that they are incompatible. On that basis the Committee divided its recommendations into two parts. One is a series of nine specific recommendations, which will be commented on below in some detail; the other is a recommended Draft Convention on the exchange of publications between the American States.

None of the nine specific recommendations appears necessary or acceptable in present form. Attachment 1 provides a critique of each. To a great degree these recommendations are either too broad or too specific. Further, they envision a role for the CCA itself in the exchange of publications field and library development which it is ill-equipped to play and which would duplicate the authorized responsibilities of the Columbus Memorial Library and other OAS components.

#### b. Committee for Cultural Action Draft Convention

Without entering into the details of the nine articles proposing this Draft Convention, it can be said that its substantive parts are impractical and unacceptable, not only to the United States, but probably to professional librarians through the Hemisphere. If any draft or projected multilateral convention must be discussed by the Cultural Council, the proposed or suggested draft in CIC Document 12 is preferable.

CAC Study 16, on pp. 16-17 (English edition; pp. 17-18 of Spanish) lists 8 major criteria or bases which should be included in bilateral or multilateral agreements, none of which are effectively stated in the CAC Draft Convention. The role of national governments, outlined in CAC Study 16, pp. 17-23 (English; pp. 18-25, Spanish), to provide necessary underpinning for implementation of international exchange agreements is similarly omitted from the CAC Draft Convention. It, therefore, lacks adequate specification of prime features.

As it stands, the several Articles of the Draft Convention make no advance over the Buenos Aires Convention of 1936 concerning exchange of publications. Attachment 2 provides a detailed critique of the Draft Convention, comparing it with the 1936 instrument.

4. CIC Document 12a. Conclusions and Recommendations

This document provides useful information about the complexities of exchanges of publications. It antedates the Meeting of Experts, called by UNESCO in Paris during February 1956, and hence does not fully reflect the opinions of specialists called together there to consider revising or rewriting multilateral treaties on exchange of publications. For guidance of the Delegation, a copy of the recommendations of the UNESCO Paris 1956 is appended (Attachment 3).

The Delegation should be prepared to support the following conclusions and recommendations of CIC Document 12 (pp.7-8), as a basis for deferral and referral of the proposal for any new multilateral Inter-American agreements to qualified hands, after pre-requisites of national action are met, in accordance with Position #2,a,(iii).

"In the drafting, acceptance and ratification of a new convention on this topic, or any topic, primary consideration should be given to the practicality of the terms and the means by which they can best be put into effect. A multilateral convention may serve to set forth the principle of exchange among many countries and to indicate general methods which can be utilized to carry out the terms. Multilateral general conventions cannot, however, satisfy the needs of individual countries. Such needs must be provided for in bilateral agreements which can be more specific as to shipping and receiving agencies, final deposit, methods of transmittal, and number of copies and kinds of publications desirable for exchange."

. . .

"Furthermore, the emphasis which has been placed recently by librarians, in conferences and correspondence on the necessity for a firm national program as a basis for the international exchange of publications, as well as of relations between governments and institutions throughout the world in the mutual exchange of information through the printed word. The delegates to the Tenth Inter-American Conference recognized the need for the exchange of such information as an element vital to the effectiveness of the Inter-American System by prefacing Resolution XVII with a statement concerning the importance of the exchange of publications to the cultural, economic and social development of the Americas."

"Responsibilities of the Individual Countries.

Despite the four conventions and nineteen resolutions of conferences dealing directly with the exchange of publications in the Americas, in actual practice the advantages of the mutual exchange of publications have not been even casually exploited. Only one country has endeavored to make practicable arrangements through bilateral agreements with all the

other Member States to send and receive official publications. The exchange of non-official publications has received even less attention. The dispatch of all official publications to the Pan American Union Library, specified in several agreements, has been haphazard and irregular."

. . .

The following recommendation should be supported by the Delegation, if proposed by other delegations subject to its instructions concerning program and budgetary implications.

"It is, therefore, recommended that the Cultural Council propose to Council of the OAS the appropriation of sufficient funds to maintain an active program of library developments, to include among its first responsibilities that of promoting the exchange of publications, in fulfillment of the needs of the Member States. Provision should be made for the employment of a librarian experienced in the problems of international exchange to make a trip through the American nations to observe at first hand the exchange situation.

"Prior to the field observations to be made by this librarian, it is recommended that an effort be made to obtain written information from the governments and outstanding libraries concerning the following points:

1. Present state of the exchange of publications, including efforts made by the government and library associations and conferences.
2. Systems of exchange.
3. Publications received in each country and publications sent from the countries.
4. Publications which different countries and different libraries wish to receive.
5. Facilities now available and those desirable for the shipment of publications.
6. Facilities now available and those desirable for the reception and deposit of publications in each country.
7. Number of copies needed in each country."

The following recommendations in IACC Document 12 similarly merit support by USDEL, as positive proposals or bases for the future drafting or adoption of a new Inter-American Convention. CIC Document 12 (p.12) states that any general multilateral convention should include at least the following features; they are proposed as fundamental to a new convention to fit the need of the Inter-American System:

- "1. The text should be short and stated in general terms, with only sufficient detail to aid in the execution of the convention.

2. The general principle of the reciprocal exchange of publications on an official and institutional basis should be established to include official and non-official publications, and non-book materials.
3. Suggestions should be made to the Signatory States concerning the steps to be taken to provide for adequate internal or national organization to expedite external or international exchange of publications.
4. The National Library, or libraries, or an important library in the capital city should be designated as the repository for the publications, as a means of assuring their availability to government officials and citizens of the country. Although the 1936 Convention recommended the maintenance of separate collections by country, this is not desirable in a new agreement, inasmuch as modern library organization is by subject content rather than place of origin.
5. Provision should be made for the creation and maintenance of an Inter-American office in the Pan American Union to encourage exchange and to aid the governments whenever necessary with their exchange-of-publications problems."

Document 12 (p.11) also specifies the recommended duties and responsibilities which the Columbus Memorial Library should have in order to encourage exchange of publications. As phrased these seem unobjectionable. Even point 8, an outgrowth of Caracas Resolution XIV (which the U.S. did not favor) provides sufficient safeguards to U.S. interests. These matters more properly can be dealt with in discussions concerning Pan American Union cultural programs as a whole.

b. IACC Document 12: Proposed Draft Convention

In accordance with Position no. 2,a,(iii), the Delegation should support IACC Document 12 recommendations deferring the drafting of a new convention until appropriate data are at hand. Position No. 2,b(i) must be closely followed by the Delegation. A specific authorization from the Secretary of State (not provided in this instance because of the basic U.S. approach that implementation of existing agreements and other national action should precede consideration of a new treaty) is required for a representative of this Government to participate in negotiation of a treaty.

The draft convention in Doc. 12 is not unacceptable, but in general it does not adequately distinguish between the mechanisms to promote exchanges of official publications and of non-official publications. The U.S. would necessarily have to reserve its acceptance of certain responsibilities in the latter field.

Attachment 1. Detailed Comments on CAC 16 Recommendations

There are nine specific recommendations, some of them too specific.  
CAC Recommendation 1: Each of the American governments should send to the others a collection of the works that it considers most representative of its cultural and scientific tradition.

Comment: This is an innocuous and acceptable recommendation. It merely reiterates numerous statements to this effect already stated numerous times in earlier conventions, agreements, resolutions, and the like of inter-American bodies.

CAC Recommendation 2: American governments should send each year at least ten representative publications to each of the other governments and to the Columbus Memorial Library.

Comment: This has no real meaning. In general resolutions concerning numbers of copies of anything which the Member States obligate to send to each other should be worked out on a bilateral basis rather than be specified in a multilateral resolution, since the needs and conditions among the states as to publication output and needs is extremely diverse.

CAC Recommendation 3: Each government should deposit publications received from other Member States in a special section of their national library or similar agency.

Comment: Specifications as to the placement of material received on exchange should be flexible, probably only stipulating that exchange material should be freely available to the public of the country receiving such publications. In the case of the Library of Congress, its collections are not housed on a national or geographic basis but rather on a subject basis and it would be operationally impossible to carry out a stipulation of this nature, as would be the case in other national libraries in Latin America.

CAC Recommendation 4: Each government should publish each year a list of its official publications and send it to the Columbus Memorial Library of the Pan American Union so that they may be duly publicized.

Comment: The traditional and continuing United States position is that lists and bibliographies of national productions should be fostered and stimulated in the American republics, but such lists and bibliographies should not be restricted merely to official publications, nor should the specifications as to final destination of such lists be included in resolutions.

CAC Recommendation 5: The CAC recommends that it, in consultation with cultural institutions of the hemisphere, prepare as comprehensive a list as possible of the books that time and experience have shown to be highly representative of the cultures of the respective American countries. It adds that this list should be deposited in the Columbus Memorial Library for purposes of future exchange and should perhaps be publicized in the Inter-American Review of Bibliography.

Comment: This appears to be an impractical and unreal recommendation. The costs of such a job, assuming that it could be performed at all, would so far outweigh its advantages and utility that serious consideration seems ruled out. If pressure for such action is great, the national libraries of the Member States should probably be the agents to prepare such national lists of works, as part of their regular bibliographical programs.

CAC Recommendation 6: The CAC recommends that, in cooperation with the Pan American Union, it should make a survey among governments and principal American libraries to get other certain information about the exchange of publications.

Comment: As constituted, the CAC is technically unequipped to gather these data. The same range of inquiries which it proposes are already being made by national and international organizations, and by the cooperative effort of the Columbus Memorial Library and UNESCO. It seems unwise at this time to authorize one more such survey.

CAC Recommendation 7: Connected closely with the above, CAC recommends that the Cultural Council should engage the services of a librarian to travel through the American countries gathering the above information and that the Cultural Council should recommend the Council of the Organization of American States that it make, through its Finance Committee an additional appropriation for this purpose.

Comment: This recommendation should either be killed or broadened. Although it seems inadvisable to recommend engaging one librarian for this purpose, it seems equally important that the Cultural Council recommend as strongly as possible to the Council of the Organization of American States that it make, through its Finance Committee, sufficient and earmarked funds for the Columbus Memorial Library to make technical studies, responsibility for which has accumulated through the years, among which could be such inquiries as to exchange matters. The present staff and budget of the Columbus Memorial Library is barely sufficient to cover its informational activities, leaving little or nothing for its equally important responsibilities for coordinating, gathering data, and fostering library cooperation on a multilateral basis.

CAC Recommendation 8: Bilateral or multilateral agreements for the exchange of publications.

Comment: This vague and ambiguous recommendation has little or no force, and indicates that the body of the report had not been fully digested, as Chapter 2 indicates the number and scope of the innumerable arrangements already concluded and called for over nearly a century. If any recommendation or resolution along this line is pushed, it should state that multilateral and bilateral agreements and conventions should contain the stipulations outlined on pages 16-17 of the English version of the CAC Study, that multilateral agreements should be couched in very general terms as a basis for further implementing bilateral agreements (where none exists), and that preferably the Columbus Memorial Library act as co-

ordinating agency and advisory body in the drafting and execution of multilateral agreements on exchanges among the American states.

CAC Recommendation 9: The CAC proposes that the Inter-American Review of Bibliography be expanded to provide more comprehensive information on the publications of this hemisphere and their exchange.

Comment: Under existing staff and budget considerations the Review cannot feasibly be expanded to include this type of information, which is already the subject of intensive study and action on the part of UNESCO on a global basis. If a recommendation or resolution along parallel lines must be adopted at the Cultural Council it should be made broad and general, to the effect that more comprehensive information on the publications of this hemisphere and their exchange possibilities should be available, without at this time attempting to indicate the specific mechanisms.

Attachment 2. Detailed Comment on CAC 16 Draft Convention.

Herewith are detailed comments on the Draft Convention on the Exchange of Publications between the American States, drawn up by the Committee for Cultural Action and included by it as a recommended arrangement, pursuant to the mandate given the CCA by Resolution XVII of the Tenth Inter-American Conference. The proposed Draft Convention contains nine articles. Articles 6 through 9 need no detailed comment, as they are standard stipulations concerning the procedures to implement the substantive Articles 1-5.

Article 1. This provides that the signatory states will undertake to send each year to each of the other Member States and to the Columbus Memorial Library at least ten representative publications of national or continental interest.

Comment: In multilateral conventions on exchange of publications, the United States, as well as other countries with heavy responsibilities in this field, strongly oppose designating numbers of copies to be exchanged or deposited.

In addition, this makes little advance over the stipulation in Article II of the Buenos Aires Convention of 1936 that "a collection of works of such character as to afford an understanding of the thought of their men of letters and science" shall be sent by each government to other parties to that Convention. Article IV of the same Buenos Aires Convention provides that national or official Libraries of the Capitals shall enter into agreements to maintain, with the frequency desirable, service of exchange of works edited in each one of them. Therefore, under existing conventions the number of copies which should be supplied can be arranged under authorization of these two existing Articles.

Article 2: The Draft Convention here provides that each state on receipt of publications from other Member States will deposit them in a special section of its respective national library or other appropriate agency.

Comment: This Article again over-specifies the responsibilities of recipients, and is unacceptable to the United States, whose collections are not arranged on geographical and country bases, but rather by classes of materials. Moreover, the Buenos Aires Convention of 1936 specifies, Article I, that "there shall be established in the national or official library of the capital of each of the contracting parties a section dedicated to each of the other states taking part in the Convention." The proposed Article here essentially repeats this stipulation, and therefore is superfluous.

Article 3. This provides that the signatories will recommend that the Pan American Union will expand the services of the Inter-American Review of Bibliography; compile information on all matters relating to the exchange of publications to the Inter-American bibliographic movement in general; promote the conclusion of bilateral and multilateral agreements

on the exchange of publications; and promote the holdings of as many meetings of experts on the exchange of publications as is possible under the present program of inter-American meetings.

Comment: This appears to be a recommendation for a program of the Pan American Union, more properly couched in a resolution to be adopted by the IACC, than part of an international agreement on the exchange of publications. Under existing administrative and other directives, the Pan American Union already has been urged to do the things which this Article stipulates. The matters specified in this Article can be the subject of recommendations by the IACC, to the Council of the OAS. While not necessarily unacceptable to the United States, this Article seems irrelevant in an international treaty.

Article 4. The Draft Convention provides that when a government ratifies this Convention it agrees to send to each of the Member States a collection of the works that are considered representative of its cultural and scientific tradition.

Comment: Again, this is superfluous, in view of Article II of the Buenos Aires Convention of 1936 stipulating that the signatories to that Convention will provide to each of the other parties "a collection of works of such characters as to afford an understanding of the thought of their men of letters and science."

Article 5. The Draft Convention states that the signatories declare that this Convention is inspired by lofty spirit of cooperation, and that reciprocal action will be subject to the particular conditions prevailing in each country.

Comment: This negates any effectiveness of the proposed Convention, making it largely a declaration of intentions, paralleling such declarations since the beginning of the Pan American movement. Again, the intent of this Article is already covered by Article IV of the Buenos Aires Convention of 1936, concerning bilateral agreements, as well as Article III of the same Convention, which has been interpreted and acted on to provide modifications of bilateral exchange of official publications according to the needs and possibilities of the various contracting parties.

### Attachment 3. Meeting on the International Exchange of Publications

The Committee of Experts on the International Exchange of Publications, in which LC's Lewis Coffin was the American representative, met at Unesco House in Paris, February 6-10, and issued the following report.

#### I. Introduction

- I.1 The Constitution of Unesco having made provision for initiative on the part of the Director-General to develop international exchange of publications, the Committee summoned by him for that purpose, reports and recommends as follows:
- I.2 The Committee examined the operation of the Brussels Convention of 1886 over the last years, and was firmly of the opinion that a new international agreement covering the many other agreements now in force was required, and that the new arrangement should take account of the growing importance of publications from other than government sources.
- I.3 The Committee unanimously recommended an increase in the world-wide exchange of publications to strengthen the foundations of international understanding.
- I.4 The Committee reviewed the working of the present exchange arrangements and was of the view that separate consideration was necessary for official and non-official material.

#### 2. Official publications

- 2.1 The following six points should be considered in any arrangements made governing exchange of official publications.
- 2.2 All countries should promote exchanges of their official documents, under the following conditions:
- 2.2.1 Exchange should not apply to confidential documents nor to printed matter or circulars of a non-public character.
- 2.2.2 Form of Exchange preferred: Every exchange between one State and another shall be the subject of a bilateral agreement, which may simply take the form of an exchange of letters.
- 2.2.3 Role of the Exchange Service: It was agreed that for official publications the exchange body should be the national exchange service or, where no such service exists, the authority designated for the purpose, and that this authority should be provided with powers to command the material required.
- 2.2.4 Principal of reciprocal treatment: All bilateral exchange agreements shall afford reciprocal treatment and the quantity of material involved shall be freely arranged in the agreement.
- 2.2.5 Transport: Each government shall bear the transportation costs, by mail, air mail, rail and sea, and all other costs entailed, in the despatch of the material exchanged. Particular arrangements concerning sea transport might be necessary.
- 2.2.6 Lists of the publications for exchange: The list of publications exchanged, on either side, shall be drawn up by agreement between the exchange bodies. The lists made out by each government and accepted by the other may, however, be revised from time to time, and shortened or extended by simple agreement between the two exchange bodies without

there being any necessity to reopen negotiations between the two governments.

2.2.7 It was recommended that in any list of official publications those which are actually available for exchange might be indicated by some distinguishing mark.

3. Publications other than official

3.1 For the encouragement of international exchange of publications outside the official ambit, the Committee considered that the scope of the exchange arrangements and the methods of exchange needed definition. The Committee agreed on the following recommendations:

3.2 Scope of the exchange agreements.

Each State should undertake to promote and encourage the conclusion and application of agreements for the exchange of publications of a cultural, scientific and technical character, such as books, newspapers and periodicals, maps and plans, photographs, microcopies, musical scores, as between both governmental bodies and non-governmental institutions.

3.3 National Exchange Centres.

The Committee considers that it is desirable that in each country there should exist a service to facilitate the exchange of publications. If no such service is set up, each country shall designate the body which should carry out these functions.

The Committee agreed on the following main duties of exchange centres:

3.3.1 They should be to promote and facilitate exchange of publications.

3.3.2 It was their duty to co-ordinate the activity of all institutions which had arranged exchange agreements. Such institutions should supply information to exchange centres of these agreements.

3.3.3 In order to fulfil its functions the exchange centre should have available information concerning the publications for exchange in its country.

3.3.4 Complete centralization of exchanges in the national exchange centres would be unsuitable in countries where considerable delegation of powers and functions to ensure flexibility was essential.

4. Recommendation for action by the Director-General.

4.1 In the light of the above decisions, the Committee arrived at the unanimous view that the Director-General should recommend that the General Conference of Unesco take action for the preparation of an international agreement to facilitate the exchange of publications.

5. Form of a new agreement.

The Committee in its discussions reviewed the various forms which such an agreement might take.

5.1 A single agreement, certain clauses of which would enable contracting States to retain freedom of action in respect of certain specified matters.

5.2 A single agreement containing two parts, one dealing with official publications, the other with non-official publications,

and containing a clause whereby contracting States may exclude from their ratification one or the other of the two parts.

5.3 Two separate agreements for official and non-official publications.

5.4 Countries which have not taken part in the formulation of any new agreement should be encouraged to adhere to it if they so desired.

6. Other recommendations

6.1 The Committee was strongly of opinion that the preparation of complete national bibliographies, and also of specialized bibliographies dealing with particular subjects, was an essential condition of successful international exchange.

6.2 The Committee strongly favoured the development of national exchange centres in order to promote new exchange arrangements and the easier working of existing ones, to ensure that full use is made of all material exchanged.

6.3 The Committee urged that Unesco should continue action to secure the most favourable conditions for postal and customs facilities to allow for the speedy dispatch of publications exchanged. Each government should grant the exchange centres the best possible rail and postal rates, and more particularly airmail rates for exchange material. Further application should be made of the principle of reciprocal arrangements for franking privileges.

6.4 Each government should grant its exchange centre exemption from customs duties in respect of material, both imported and exported, and should accord it the most favourable treatment as regards customs formalities. Although this matter is already dealt with in the Unesco Agreement on the importation of educational, scientific and cultural materials, it could usefully be included in any new agreement concerned with the exchange of publications.

7. Duplicates

7.1 While unable to make specific recommendations for the exchange of duplicates the Committee recommended that Unesco should encourage countries to deal with the exchange of duplicate material by all means in its power.

8. International Executive Exchange Body

8.1 The Committee rejected the idea of an international body to supervise exchanges, but it hoped that if a new international Convention was eventually concluded Unesco would take on the responsibility of international co-ordination of exchanges, including the securing of annual reports on the work of exchange activities and the preparation of studies.