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**Item No. 12 on the agenda: Library**

(Memorandum prepared by the Secretariat)

<i>Summary</i>	<i>The document illustrates developments at the Library and its activities in 2009, perspectives for 2010 as well as proposals for the coming years</i>
<i>Action to be taken</i>	<i>The Governing Council is invited to take note of the progress made and to consider additional measures</i>
<i>Mandate</i>	<i>Work Programme 2006 - 2010</i>
<i>Priority level</i>	<i>High</i>
<i>Status</i>	<i>Ongoing activity</i>
<i>Related documents</i>	<i>C.D. (89) 2</i>

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## **A. Introduction**

1. This document illustrates the activity of the Library and the services it offered in 2009 as well as proposals for the coming years.

2. In 2009 and the first months of 2010, Library space was affected by major works undertaken by the Italian Government, first for a new fire protection system, then for the renovation of the main reading room and the entrance hall. The Library has nevertheless continued to function fully, despite the considerable discomfort experienced by researchers and staff alike caused by noise, dust and space restrictions.

3. This has also produced a great deal of extra work for the staff, since part of the Library's activities have had to be relocated and books and periodicals transferred. Some of these transfers are temporary, until the work is finished, but others will be permanent, the refurbishments calling for a reorganisation of working space. This reorganisation, which is still underway, will affect the collections, staff offices and reading rooms, and is designed to make the most rational use of the space available.

## **B. Services and activities**

### ***Services for the general public. Scholars; independent researchers; interns***

4. The Library is open to the public from Monday to Friday, from 8 a.m. to 5.30 p.m., except on public holidays. In 2009, the Library was closed to the public in August. The Library is used both by occasional visitors and by research scholars and independent researchers who spends periods of between two and six months in the Library. It also hosts interns working on Institute projects (for example, the data bases).

In 2009, the Library hosted 6 research scholars, 32 independent researchers and 13 interns from 29 countries.

In 2009, 1,211 visitors and researchers attended the Library.

### ***Services for the Organisation***

5. The Library is at the disposal of staff members and experts of the Institute, to carry out research for the various UNIDROIT projects. The Librarian also, where appropriate, carries out bibliographical research at the request of staff members and experts. In order to be able to continue these activities, the Library must be able to avail itself of the necessary books and periodicals dealing with the subject-matter of ongoing projects, also in light of the adoption of the new Work Programme and new projects.

6. The Librarian is in charge of preparing the Uniform Law Bibliography which is published in the Uniform Law Review every three months.

### ***Library website***

7. The Library website ([library.unidroit.org](http://library.unidroit.org)), which is kept up to date by the Librarian, offers general information intended for the general public and provides access to the on-line catalogue (OPAC).

### ***Access to external resources***

8. In order to improve the services offered by the Library - in particular the accessibility of books and periodicals - without actually purchasing the material, UNIDROIT has concluded an agreement with GVB - *Gemeinsamer Bibliotheksverbund* - enabling it to request books on loan as

well as articles from various German and Austrian library networks. This system has already demonstrated its usefulness in 2009.

Negotiations are underway with other such networks, particularly in Italy and France, so as to expand the service.

9. The Secretariat is exploring the possibility of joining a much wider library network including, among others, the British Library and a number of American libraries (Interlibrary loan project). This means that the Library must satisfy the requirements of the IFLA (International Federation of Library Associations), that is to say, its "Guidelines for Best Practice in Interlibrary Loan and Document Delivery", which requires books to be bar-coded. Moreover, the Aleph500 "circulation" module used by the Library will have to be activated. Finally, UNIDROIT will have to be prepared to photocopy or digitalise any materials that might be requested by other network participants.

#### ***Equipment and computerised services***

10. The Library places a number of computers at the disposal of its visitors, both for on-line consultation of the catalogues and other electronic resources, and for general Internet consultation.

11. The wi-fi connection in the reading rooms enables users to navigate freely using their own laptops.

12. The Organisation's computer expert, who is responsible for day-to-day and special maintenance of the Secretariat hardware and software, is available to assist Library users – in particular research scholar, independent researchers and interns, where needed.

### **C. Collections**

13. The Library's activities with respect to its collections consists, on the one hand, in preserving existing collections and, on the other hand, in the acquisition of new material. The latter involves selecting books and periodicals, their purchase, payment of invoices, cataloguing, affixing magnetic labels, and, as far as periodicals are concerned, binding and stacking.

#### ***Books***

14. The Library's stock of books currently stands at over 244,000 volumes.

In 2009, the Library acquired 718 new titles for the collection, of which:

- 471 bought (total expenditure: € 47,518.08),
- 207 as gifts (total value of € 13,102.03),
- 40 as part of exchange agreements with the *Uniform Law Review* (total value : € 2,670.30).

15. These figures are anything but satisfactory. Budget restrictions mean that it is impossible to buy all the books the Library would need in order to fulfil its principal tasks, that is to say, to provide the materials to underpin the Organisation's research requirements and to make sure that the Library remains attractive to scholars and independent researchers alike.<sup>1</sup>

16. UNIDROIT seeks to palliate these restrictions by requesting books from publishers in exchange for the publication of a review in the *Uniform Law Review* (these reviews are as a rule drafted by members of the Secretariat staff and occasionally by other collaborators), and by accepting – and indeed at times applying for – donations, either in kind or in cash. Some authors offer their books to the Library free of charge. However, this concerns only a very small number of volumes.

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<sup>1</sup> By way of comparison, the le Max Planck Institute in Hamburg devotes over € 400,000 a year to the purchase of new books.

In 2009, as in previous years, the Library received donations in kind from the Max-Planck-Institute of Foreign Private and Private International Law in Hamburg, from the Library of the Department of Trade and Industry of Her Britannic Majesty's Government, and by the Library of the Law Faculty of Lucerne University. In 2008, it received donations in cash from the Uniform Law Foundation and the UK Foundation.

### **Periodicals**

17. The Library receives a total of 253 periodicals, of which in 2009:

- 111 bought (total expenditure: € 30,293.36);
- 12 as gifts (total value: € 1,045.03);
- 130 as part of exchanges with the Uniform Law Review (total value: € 9,669.60).

18. The Library has been compelled to cancel a number of subscriptions owing to budget cuts.<sup>2</sup> Some periodicals are now available thanks to electronic resources (see below), but unfortunately not all.

19. The exchange system in place with the Uniform Law Review plays an important role in compensating for the Library's lack of funds. The Library, as mentioned, receives 130 periodicals and 40 book collections in exchange. In 2009, UNIDROIT was able to activate new exchange agreements, which means that it will now also be receiving the following periodicals: *Hong Kong Law Review* (Hong Kong); *Revue de Droit Uniforme Africain* (Togo); *Journal of Arab Arbitration* (Lebanon), *Revue Congolaise de Droit des Affaires* (Congo); *Anuario Argentino de derecho internacional* (Argentina); *Rettens Gang* (Norway); *Suomen säädöskokoelma* (Finland); *The Asian Business Lawyer* (Korea); *Revista Chilena de Derecho* (Chile); *Pravnik Revija za Pravno Teorijo in Peakso* (Slovenia).

It should be borne in mind that this is also a good way of promoting the *Uniform Law Review* with the exchange Institutions concerned, which would probably not be able to afford to take out a paying subscription to our journal.

### **Electronic resources – Databases**

20. UNIDROIT currently subscribes to two electronic resources: HeinOnline and West Law International.

21. The subscription to HeinOnline, which costs US\$ 1,295 (€ 955.71) a year, could be developed both in terms of access (currently limited to two simultaneous users) and availability of collections, currently mostly periodicals and other United States documents.<sup>3</sup> Unlimited access would cost US\$ 3,500.00 (€ 2,583) a year; the expansion of available collections through the inclusion of the *Foreign & International Law Resources Database* would involve an additional outlay of US\$ 1,095 (€ 810); the inclusion of Kluwer periodicals<sup>4</sup> would involve an additional outlay of US\$ 2,545 (€ 1,883).

<sup>2</sup> The Max Planck Institute in Hamburg devotes over € 500.,00 a year to the purchase of periodicals.

<sup>3</sup> Law Journals / English Reports; U.S. Treaties & Agreements; U.S. Supreme Court; Federal Register / Code of Federal Regulations; U.S. Attorney General Opinions; U.S. Statutes at Large; U.S. Federal Legislative Histories; U.S. Presidential Library; European Center for Minority Issues; Legal Classics; American Association of Law Libraries (AALL); Association of American Law Schools (AALS); U.S. Code.

<sup>4</sup> Business Law Review, Common Market Law Review, European Business Law Review, European Foreign Affairs Review, European Public Law, European Review of Private Law, International Journal of Comparative Labour Law & Industrial Relations, Journal of International arbitration, Journal of World Trade, Legal Issues of Economic Integration, World Competition, European Environmental Law Review.

22. The subscription to Westlaw International is working well. It might be envisaged to expand the current subscription to encompass Westlaw France and Westlaw Spain, which would involve an additional outlay of € 7,000 a year.

23. It might also be envisaged to subscribe to other electronic resources ; the Library staff have used free trial periods to test the following:

- Beck-online, which covers several German publications (among others, the Münchner Kommentar, Staudinger, many German law reviews published by the Beck publishing house). The total cost of a subscription to the three main modules (private law, commercial law and company law) would be € 2,544 a year. If we subscribe to Beck-online, we might stop purchasing the paper versions of certain German books.
- "Sistema Pluris On-Line", which covers Italian law (jurisprudence, legislation, doctrine), with full-text access to all documentation and to the articles published in a number of Italian journals;<sup>5</sup> the cost of this subscription would be € 1,620.00/ a year.

24. The Secretariat is studying the most appropriate solutions, which will perforce be affected by the scarcity of available budget resources.

#### **D. Catalogue**

25. The catalogue contains all the volumes in the Library, as well as a range of articles selected from the periodicals that the Library receives. The articles are selected by the Librarian, who looks for subjects connected with the Library's specialisation (uniform law, private international law, international commercial law, comparative law in the civil and commercial law field). Since 1998, the paper catalogue is no longer updated, as in other Libraries.

26. The on-line catalogue, which is accessible on the Internet, was all but completed in 2008, and the software makes it possible to conduct searches using different search parameters which have proved very useful and efficient.

27. The only section which still needs to be inserted is that of the United Nations collections. As to the Authority Files for Corporate Authors names, 80% of these have now been inserted and the remaining 20% need to be completed. These two tasks, which require specialist knowledge, are carried by the Librarian herself, other duties permitting.

#### ***Perspectives for 2010 and beyond***

##### ***Reclassification of collections***

28. The classification into different sections of the book and periodicals collections, which match the catalogue entries and their location on the shelves, goes back a long way and although changes have been made over the years to meet changing demand, this was never done according to any rational system. The development of the law in general and the new specialisations in the Library, which follow the projects on which the Organisation works, mean that a reclassification has now become indispensable. The Secretariat, which is fully aware of what this task implies,

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<sup>5</sup> Il Fallimento, Le Società, I Contratti, Il Corriere Giuridico, Lavoro nella giurisprudenza, Giornale diritto amministrat., Diritto penale e processo, Urbanistica e appalti, Danno e responsabilità, Famiglia e diritto, Il Corriere del Merito, Diritto industriale, Notariato, Immobili e proprietà, Diritto dell'internet, Diritto del TurismoTrust, Giurisprudenza Tributaria, Enti non profit, Ambiente e sviluppo, Contratto e impresa, Diritto e pratica tributaria, Diritto e Pratica Tributaria Internazionale, Nuova Giurisprudenza Civile Commentata, Rivista di Diritto Civile, Rivista di Diritto Processuale, Responsabilità Civile, Obbligazioni e Contratti, Famiglia, persone e Successioni, Giurisprudenza Italiana.

accordingly intends in the next few years to introduce a new classification of certain sections and to insert new ones. Work on this will start in the second half of 2010.

29. The Secretariat is also in the process of adopting a more finely-honed classification system for the material in the on-line catalogue, which will be carried out in collaboration with the Library of the Max Planck Institute in Heidelberg. enrich

### ***Enhancing the catalogue***

30. Like many other libraries, the UNIDROIT Library is looking at possible ways of enhancing its catalogue. One of the most useful of these possibilities consists in including the table of contents of the relevant publication with each catalogue entry, which would enhance the research options. There are two ways of doing this: we can either purchase the necessary data from outside sources, or we can produce them directly in the Library.

31. As to the first option, such data may be purchased from professional providers who supply these tables of contents in formats that are compatible with the Library software. The Secretariat has already received estimates from several providers that offer this service to other important libraries.

32. The second option, that of producing the data in the Library, requires a special type of (“book-eye”) scanner; the resulting computerised data are inserted into the catalogue by means of software compatible with the Library software (ADAM by Exlibris).

Both the scanner and the software cost a great deal of money (a scanner tailored to our needs would cost € 16,000); however, besides enhancing the catalogue, they can also be used to digitalise books and articles, which would be extremely useful in light of the Library’s accession to the Inter-Library loan system.

## **E. Premises**

### ***Space for books and periodicals. Problems with damp in parts of the premises***

33. Once the work referred to in the Introduction has been completed, some of the Library space will have to be re-organised; many of the books and periodicals sections have had to be transferred and these transfers are still in progress.

34. Moreover, parts of the premises, particularly in the basement, are extremely damp and not fit for the preservation of books. The Secretariat has called in expert advice but no workable solutions have so far been suggested. Although the Secretariat will continue its efforts to identify an appropriate solution, some of the books affected may nevertheless have to be transferred to other premises.

### ***Refurbishment of staff offices and space set aside for researchers***

35. The Secretariat is also re-organising the staff offices and the reading rooms against the time when the renovation work will have been completed, so as to rationalise the use of available space both for the various activities carried out by the Library staff and for the researchers (for purposes of consultation and personal research).

### ***A new multi-function room***

36. The renovated main reading room will be set aside for a range of uses. The furniture has been selected to enable the room to be used as a reading room but also as a meeting room, with folding tables so as to be able to re-arrange the room depending on the use to which it is to be put (reading room, conference hall, seminars, working group meetings, etc.). The room is being fitted out with interpreter’s booths.

## F. Staff

### *Permanent staff*

37. The Library employs the following members of staff:

	Activity	Time devoted to the Library
Bettina Maxion	Librarian	100%
Gioia Giordano	Assistant Librarian	100%
Reza Zardoshtian	Library Assistant	85%*
Stefano Muscatello	Computer experts and other services	50%*
Laura Tikanvaara	Secretary	50%*

\* the remainder is devoted to other Secretariat activities

### *Occasional collaborators, interns*

38. The Library also makes use of the services of a part-time collaborator, whose main task is the insertion of new acquisitions in the on-line catalogue.

39. During the period 2009-2010, the Library hosted two interns who assisted with work on the inventory, the catalogue and carried out general administrative tasks.

40. The Library recently received a proposal to host interns as part of the European Leonardo da Vinci programme. An agreement for this purpose is now being worked out.

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41. *The Governing Council is invited to take note of the activities of the Library, of the proposals to improve its services, as well as the limits imposed on its work by the scarcity of budgetary resources at its disposal.*