

## The Vienna 3 Step ISBN Test (VI3ST) – Executive Summary

The survey VI3ST was announced at the ISBN AGM in Vienna in 2016 and undertaken by Renek Mendruń, ISBN Agency, Poland. It consists of just three mandatory questions:

- Does the legal system of your country apply ISBN in any context? (Yes/No)
- Do you see any possible conflicts of the “ISBN law” with other existing laws in your country and/or the ISBN standard? (Yes/No)
- If so, is this leading to unexpected effects? (Yes/No)

85 agencies took part in the survey. 45 countries do not apply ISBN in the law<sup>1</sup>, and 40 countries do<sup>2</sup> (with 6 of them not going into detail).

Within the 34 countries specifying the situation we may describe four main legal implementations:

- 1) 17 countries **legally designate an institution to be the responsible ISBN Agency**<sup>3</sup>
- 2) in 14 countries **ISBN is mandatory**<sup>4</sup>
- 3) 8 countries apply **tax reliefs or financial incentives for books with ISBNs**<sup>5</sup>
- 4) 6 countries apply **ISBN for reference purposes**<sup>6</sup>; (4 countries use ‘different’ implementations)



<sup>1</sup> Armenia, Australia, Bermuda, Brunei, Botswana, Canada, Croatia, Denmark, Faroe Islands, Fiji, Finland, The Gambia, Ghana, Guyana, Haiti, Hong Kong, Jordan, Kenya, Korea, Lebanon, Lesotho, Luxembourg, Macau, Malawi, Malta, Morocco, Nepal, Netherlands, Netherlands Antilles, Norway, Paraguay, The Philippines, Rwanda, Seychelles, Sierra Leone, South Africa, Swaziland, Switzerland, Tanzania, Tunisia, United Kingdom, United States, Uruguay, Uzbekistan, Zimbabwe.

<sup>2</sup> Albania, Azerbaijan, Algeria, Argentina, Belarus, Bosnia and Herzegovina, Brazil, Bulgaria, Canada/Québec, China, Colombia, Costa Rica, Czech Republic, Dominican Republic, Ecuador, Estonia, France, Greece, Indonesia, Iran, Italy, Kosovo, Lithuania, Maldives, Montenegro, Namibia, Nigeria, Oman, Panama, Peru, Poland, Portugal, Romania, Russia, Serbia, Syrian Arab Republic, Tajikistan, Uganda, Ukraine, Vietnam.

<sup>3</sup> Argentina, Belarus, Bulgaria, Colombia, Costa Rica, Dominican Republic, Estonia, Greece, Kosovo, Montenegro, Namibia, Panama, Poland, Romania, Russia, Tajikistan, Uganda. Within the 17 countries there are 6 -- Belarus, Estonia, Kosovo, Montenegro, Russia, Uganda – which have implemented ISBN to the law only for this reason. One agency claims, that such an implementation should be considered as a technical application only. 16 countries, however, do understand this as a legal procedure.

<sup>4</sup> Algeria, Argentina, Brazil, China, Colombia, Costa Rica, Ecuador, Greece, Lithuania, Panama, Serbia, Syrian Arab Republic, Ukraine, Vietnam.

<sup>5</sup> Bosnia and Herzegovina, Canada/Québec, Colombia, Dominican Republic, Italy (for ebooks only), Poland, Romania, Serbia.

<sup>6</sup> Bulgaria, Czech Republic, France, Namibia, Portugal, Romania.

Within the same 34 countries:

- 1) 22 introduce one legal implementation (the agency goes by law to ... or mandatory ISBN, or reference purpose, or tax relief/financial incentives)
- 2) 9 introduce a mixture of two implementations
- 3) 3 introduce a mixture of three implementations

There are a few existing combinations of practical implementations, but the point is: according to ISBN agencies surveyed there are no problems with applying ISBN to the law (legal conflicts and/or unexpected effects). Looking from this viewpoint there are 5 possible modes (marked: white, green, brown, yellow, red):

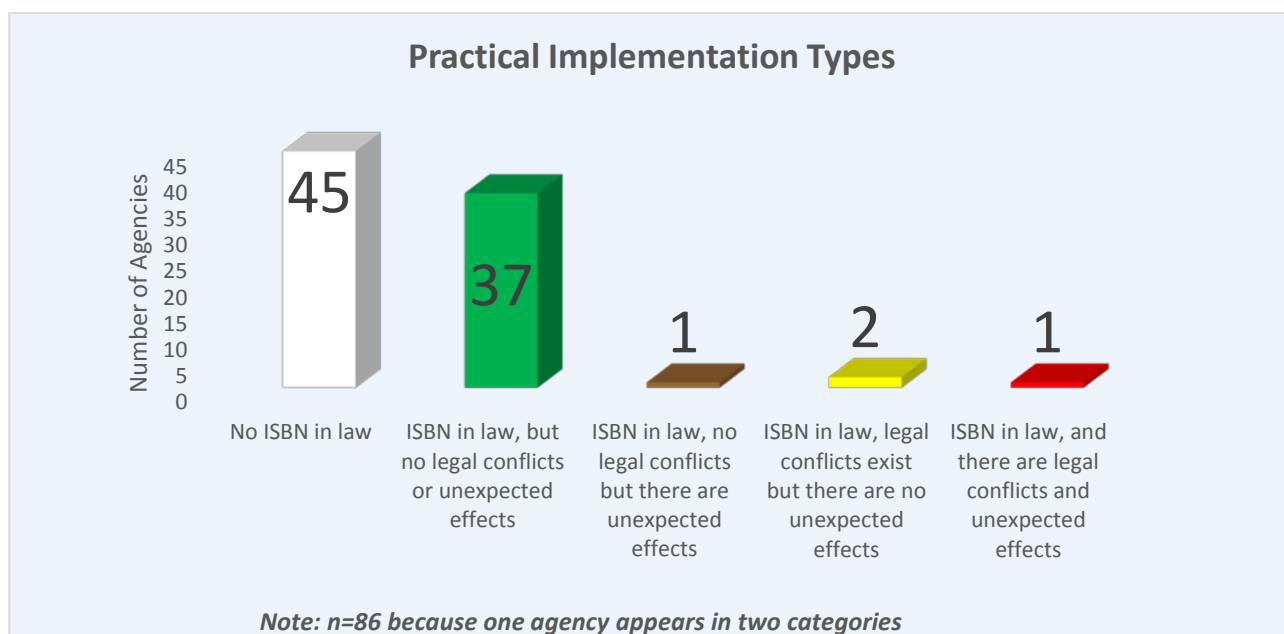
WHITE: no ISBN in legislation; 45 agencies

GREEN: 37 agencies; ISBN in the law: YES, legal conflicts: NO, unexpected effects: NO

BROWN: 1 agency; ISBN in the law: YES, legal conflicts: NO, **unexpected effects: YES**

YELLOW: 2 agencies; ISBN in the law: YES, **legal conflicts: YES**, unexpected effects: NO

RED: 1 agency; ISBN in the law: YES, **legal conflicts: YES, unexpected effects: YES**



According to the VI3ST only one implementation – **applying ISBNs in the tax law** – leads to unexpected consequences (it might or might not be combined with potential legal errors). Two agencies report a very similar problem: the interpretation of which kind of publications may receive ISBN, **as stated by government employees**, is not always correct with what the ISBN agency would say. The scope is too large.

Among 8 countries applying tax reliefs or financial incentives, there are 6 -- **Bosnia and Herzegovina, Canada/Québec, Italy (for ebooks only), Poland, Romania, Serbia** – which may be experiencing similar systemic problems.