



Commissioner Günther Oettinger

Digital Society & Economy
European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels
Belgium

cc: Vice-President Andrus Ansip, Digital Single Market
cc: Commissioner Tibor Navracsics, Education, Culture, Youth and Sport

27 October 2015

Open letter on copyright reform for online access to cultural heritage

Dear Commissioner Oettinger,

Europe's public cultural heritage institutions are key to influencing and shaping our lives with unrivalled access to information, culture and our shared history. They promote knowledge, education, research and encourage the creation of new culture.

Ways to share and engage with cultural content have been transformed in a digital age, but limitations in current European copyright rules restrict that full potential. As a result, our institutions contain large collections established and cared for using public funds but they cannot be made easily available to the public online.

Later this year the European Commission is due to propose new European copyright rules as part of its strategy to create a single European digital market. We the undersigned directors of Europe's (leading) museums, libraries and archives therefore want to reinforce the importance of creating improved copyright rules which enable easier online access to more of Europe's rich cultural heritage. The success of a single European digital market hinges on such key areas being adapted.

In its evaluation report of the existing copyright rules, adopted before the summer, the European Parliament has clearly recognised this issue, directly influenced by the case for change made by a broad coalition of cultural heritage institutions.

The European Parliament has demanded that the upcoming Commission proposal on new copyright rules includes updated rules for libraries, archives and museums that allow us to fully engage with people online. As Europeana exists to provide a space to collaborate and share cultural heritage, we would like to reinforce the report's messages.

Let us be clear, when we ask for copyright rules that allow us to fully represent our collections online, we are not asking for rules that undermine the ability of creators, publishers or other intermediaries to earn a living from their creativity. We want the ability to provide online access to those works in our collections that are not actively exploited by their creators or subsequent rights holders. Improving online access to works that are not available via other channels helps promote creators whilst encouraging new creative activity.

Our institutions are in a challenging position operating as custodians of in-copyright works, where obtaining copyright permission is time consuming and is often impossible to secure, whilst also managing the public's expectations in providing online access.

A copyright system that locks away large parts of our collections in museums or confines them to physical archives and libraries, that are not always easy to reach, benefits no one. Ultimately, such a system does not reflect the legitimate expectations of Europe and is contrary to the policy objectives of the EU and its member states in the fields of culture and education.

Europe will become much stronger if we can represent traditionally publicly funded access to physical cultural heritage in a vibrant digital space.

We call on the European Commission to address these concerns in the upcoming legislative proposal on copyright. As recommended by the European Parliament in July, the proposal needs to include updates to the existing exceptions benefitting libraries, archives and museums. Those updates should allow our institutions to provide online access to our collections that are not actively managed or available via commercial channels, without having to obtain permission from the rights holders.

We look forward to working with the Commission and all other stakeholders to create a copyright policy framework that ensures cultural heritage can be shared and enjoyed by all; supporting both the role of institutions to share and provide access to other people's works whilst also safeguarding the legitimate interests of creators and publishers who are key to encouraging and inspiring ongoing cultural exchange.

Yours sincerely,

Jill Cousins, Executive Director, Europeana Foundation



Mikkel Bogh, Director, National Gallery of Denmark

Dr. Maria Inês Cordeiro, Director-General, National Library of Portugal, Portugal

Kaat Debo, Director, MoMu, Belgium

Severiano Hernández Martínez, Subdirector General de Archivos Estatales, Dirección General de Bellas Artes y Bienes Culturales y de Archivos y Bibliotecas. Ministerio de Educación, Cultura y Deporte. España.

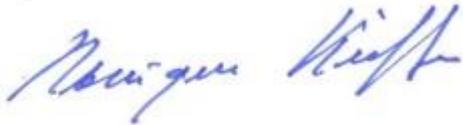
Concha Vilariño Periañez
Subdirectora General de Coordinación Bibliotecaria, Dirección General de Bellas Artes y Bienes Culturales y de Archivos y Bibliotecas. Ministerio de Educación, Cultura y Deporte. España.

Miguel González Suela, Subdirector General de Museos Estatales, Dirección General de Bellas Artes y Bienes Culturales y de Archivos y Bibliotecas. Ministerio de Educación, Cultura y Deporte. España.

Björn Jordells, Director General, Swedish National Archives, Chair of Digisam, Swedish National coordination of digitisation, digital preservation and digital access to cultural heritage



Monique Kieffer, General Director, National Library of Luxembourg



Dr Lily Knibbeler, Director-General of the Koninklijke Bibliotheek, The Netherlands



Erland Kolding Nielsen, Director General, The Royal Library, Copenhagen University, Denmark



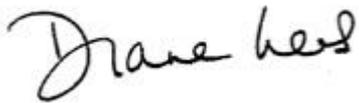
Juhani Kostet, General Director, National Board of Antiquities, Finland



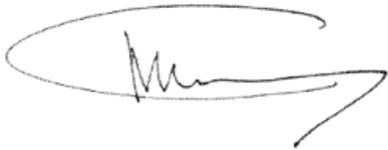
Svend Larsen, Chief Executive, The State and University Library Denmark, Denmark



Diane Lees CBE, Director-General, Imperial War Museum/Chair of the National Museum Directors' Council, UK



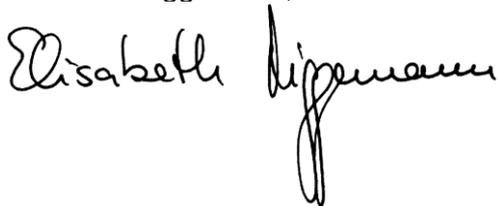
Prof. Dr Patrick Lefèvre, Bibliothèque royale de Belgique, Belgium



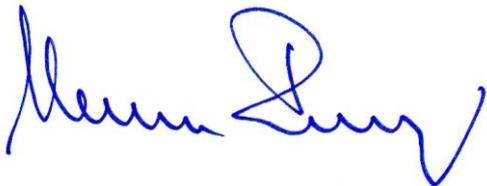
Dragoş Neagu, President, National Association of Public Libraries and Librarians in Romania (ANBPR)



Elisabeth Niggemann, Director-General, Deutsche Nationalbibliothek, Germany



Prof.Dr.Dr.h.c.mult. Hermann Parzinger President, Prussian Cultural Heritage Foundation



Wim Pijbes, General Director, Rijksmuseum Amsterdam



Pier Paolo Poggio, Scientific Director, Fondazione Luigi Micheletti, Brescia, Italy



Claudia Șerbănuță, General Director, Romanian National Library



Sorina Stanca, Director, Cluj County Library, Romania



Karel Velle, General Director, National Archives, Belgium



Gian Luca Farinelli, Director Cineteca di Bologna, Italy
No digital signature received.

Marens Engelhard - General Director, National Archief, The Netherlands
No digital signature received.

Edwin van Huis, General, Director Naturalis Biodiversity Center, Leiden, The Netherlands
No digital signature received.

Jan Müller, CEO Netherlands Institute for Sound and Vision, Netherlands
No digital signature received.

Massimo Negri, Director ,EMA - European Museum Academy, The Hague,The Netherlands
No digital signature received.

Adriana Szekely, President, Romanian Librarians Association (ABR)
No digital signature received.

Andris Vilks, Director, National Library of Latvia
No digital signature received.