Copyright reform:
Online access to cultural heritage

Paul Keller, EPP hearing, 8 June 2017

Europeana brings together the digitised collections from more than 3500 libraries, archives and museums across Europe: more than 55 million objects

The DSM proposal represents the long overdue possibility to issue the rules for cultural heritage institutions to operate online.

We are happy to see that the proposal contains provisions aimed at enabling preservation (Art. 5) and access to out-of-commerce works (Art. 7-9)…

… however the proposal fails to fully address the issues faced by cultural heritage institutions today.

Art. 5 needs to be more than reproductions made for the sole purpose of preservation. It must include digitisation and all other internal reproductions made in the context of institutions' public mission.

Article 5 should also be expanded to enable cross-border document supply, on-site access to collections, and rules against appropriation of Public Domain materials.

Access to out-of-commerce works
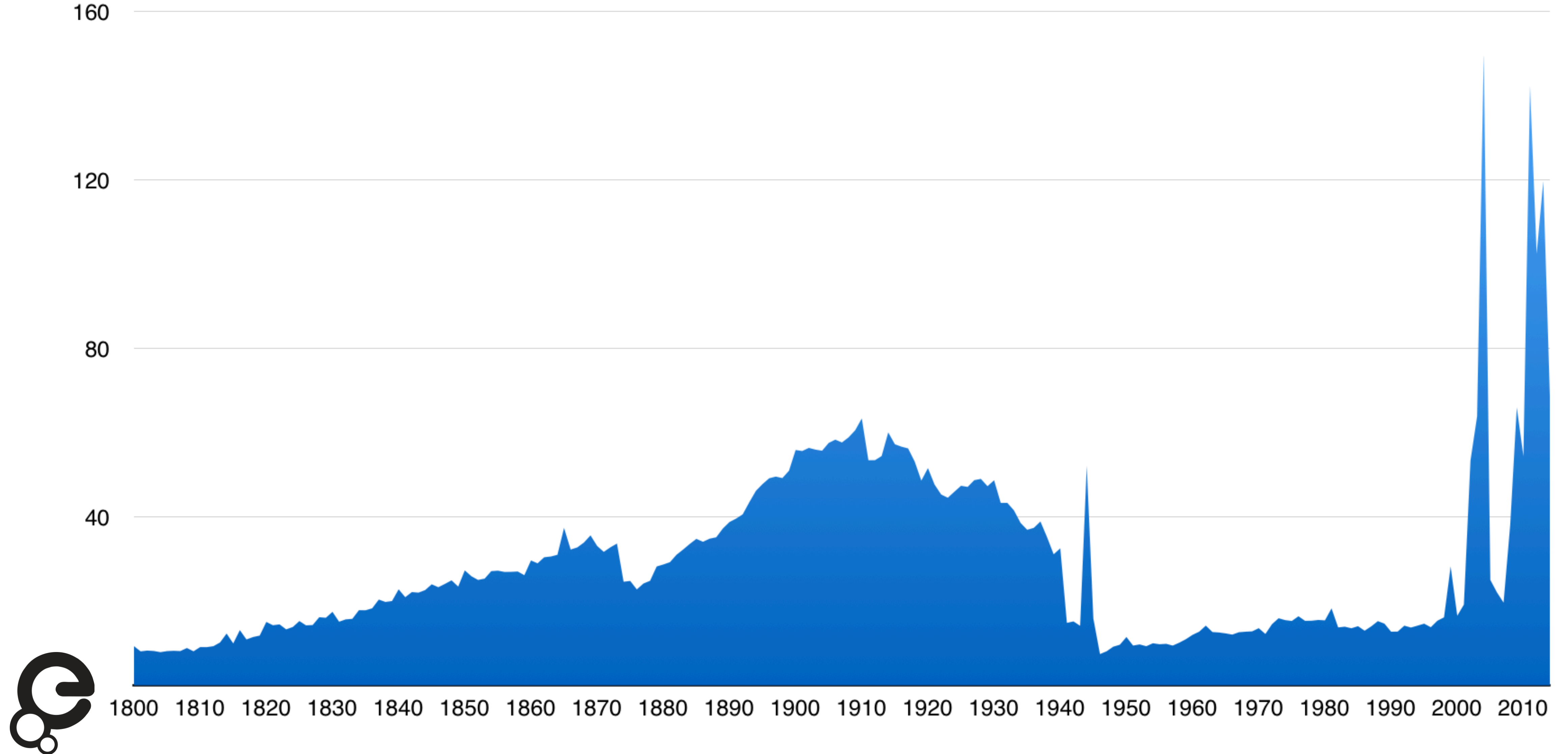
The licensing-based approach contained in articles 7 to 9 will not provide a solution in all member states, sectors and for all types of works…

… so we need a fallback mechanism that applies where licensing cannot provide a solution. Application of the fallback mechanism should be determined by member states.

We also need to simplify some of the provisions of the licensing mechanism to make it more usable for cultural heritage institutions.

You have the chance to lay down rules that enable Europe's cultural heritage institutions to establish public spaces online in full respect of copyright and without harming the ability of authors and other creators to exploit their works.

Thank you!