

# EUROPEANA COPYRIGHT 2020-2025

GUIDING PRINCIPLES FOR EUROPEANA'S  
COPYRIGHT WORK

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# INTRODUCTION

This document provides clarity on the objectives that Europeana works towards when it comes to copyright, aligned with the [Europeana Strategy 2020-2025 Empowering Digital Change](#). It sets out guiding principles for Europeana's copyright work throughout 2020 to 2025. It describes the environment we currently operate in and identifies three main priorities that we will work towards as an initiative and in collaboration with others.

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# OUR VISION FOR COPYRIGHT

The Europeana Initiative's vision imagines a cultural heritage sector powered by digital and a Europe powered by culture, giving it a resilient, growing economy, increased employment, improved well-being and a sense of European identity.

The Initiative's mission is to empower the cultural heritage sector in its digital transformation.

To contribute to this, our vision for copyright is to support cultural heritage institutions in Europe to adopt best practices, including unified approaches and standards, and to encourage the adoption of adequate policies for the sector and in the sector, so that it is empowered to deal with copyright, contributes to accessible and reusable digital cultural heritage, and fully makes use of the benefits of digital transformation.

# THE ENVIRONMENT WE OPERATE IN

Technological developments and their affordability keep opening possibilities to go beyond 'just' preserving our heritage, and ensure greater dissemination and access. These advance the ways in which cultural heritage meaningfully contributes to society by better supporting creativity and innovation, through for instance research, education and lifelong learning. The Covid-19 crisis has also put digital at the heart of many cultural heritage institutions' strategies.

Often, legislation and policies follow and influence the ways in which an institution can benefit from these technological developments. However, and sometimes as a consequence, as cultural heritage institutions seek to take advantage of these opportunities, legal challenges arise. The [20th century black hole](#) is a

clear example of how a lack of balance between rights and exceptions has stopped heritage from being widely shared and reused, and of how opportunities offered by new technologies can be hampered.

[Europe has clearly expressed an aim](#) of fostering the digitisation and online accessibility of cultural material and digital preservation. Cultural heritage professionals and access to knowledge defenders have advocated for fairer copyright laws. As a result, there has been an expansion and adaptation of exceptions and limitations, such as through the [Orphan Works Directive](#) and the [Copyright in the Digital Single Market Directive](#), and efforts to facilitate licensing in practice. The success of some of these efforts remains to be seen, but these are useful steps in the right direction.

Cultural heritage institutions wishing to digitise, make their collections available or allow their use regrettably often lack sufficient copyright expertise that can help them confront the many questions around copyright, as well as other legal matters or ethical aspects, that arise. There is limited knowledge about the extent to which an institution can rely on exceptions and limitations, ways to determine the copyright status of their collections (and what this means), ways to conclude licenses with rights holders, or how to inform users of the extent to which content can be used. Indeed, a number of [copyright inaccuracies subsist](#) across Europeana collections, and this challenge, present also in other portals, risks misleading users and hampering efforts to be present and reliable in digital and online environments.

Institutions often do not adequately consider or resource copyright in their activities, which serves to undermine their success. As a consequence, professionals are often daunted and overwhelmed by the complexity of copyright. Insecurity can lead to unwillingness to

take risks, and less digital cultural heritage is made available, accessible and reusable.

At the same time, policies and practices around open data, on [respecting the public domain](#), on open science and on the reuse of public sector information have advanced the discussion on the value of openness for innovation and creativity, having an influence on standards in the cultural heritage sector. The “[Open GLAM](#)” movement is contributing to a change of mindset in the cultural heritage sector and encouraging many to adopt open practices on collections. There are efforts to train professionals around copyright and to raise awareness on the values of opening up.

# PRIORITY #1 FOLLOW EVOLVING POLICY FRAMEWORKS AND PRACTICES

We want to see a sector that understands policy changes and their impact, as well as evolving practices, and that feels empowered to participate and influence them. In order to take advantage of new possibilities, and to be able to address challenges that arise, Europeana and the sector need to stay flexible, informed and engaged. Europeana will keep abreast of policy developments in Europe to seize opportunities raised by new legal provisions and address new challenges. We will continue to ensure that policy and legislative changes are mindful of the needs of cultural heritage institutions and the contribution they make to society, in line with our advocacy framework.

Furthermore, in order to support those sharing data with Europeana, we will share information about relevant legislative and policy changes and foster a thriving copyright community. There, professionals from very diverse backgrounds in the cultural heritage sector will be brought together and be able to discuss shared experiences and challenges, and steer Europeana's position. We will develop useful tools and resources, and will explore with the sector how our own policies and practices need to evolve to adapt to the changing environment and continue providing a valuable standard.

# PRIORITY #2 REACH A HIGHER QUALITY OF RIGHTS INFORMATION

We strive to support Europeana data partners in giving users clear and simple information on the extent to which Europeana resources can be used. In the coming years, we will work for a change of mindset in favour of the value of providing reliable copyright information online when sharing digital cultural heritage, and more correct information online.

We will raise awareness of this issue, particularly to address claims of copyright protection where it does not exist, in line with our [public domain charter](#). For that, we will engage with other actors and institutions and participate in the OpenGlam movement.

We will work to refine our policies and standards, and will monitor, review and enforce our internal processes to be more transparent and consistent in addressing inaccurate rights statements. We will build capacity among our data partners so that they feel empowered and informed to make decisions around copyright, both when sharing collections with Europeana and through their own portals/platforms.

We will continue to work with the [Rights Statements Consortium](#) to ensure the sustainability of interoperable standardised ways to communicate rights information.

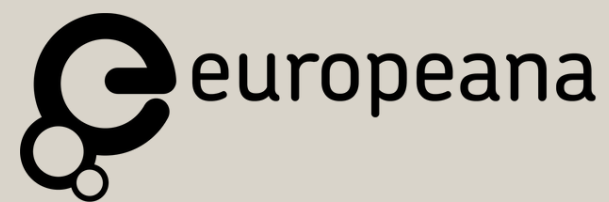



# PRIORITY #3 BUILD COPYRIGHT CAPACITY


The cultural heritage sector needs to be better prepared to make adequate copyright, as well as other legal and ethical, decisions.

We will therefore support Europeana data partners and professionals across Europe to deal with copyright in their institution. With them, we will explore related areas that impact the possibilities to digitise and disseminate knowledge, such as data protection, personal image protection or ethical questions. We will create and disseminate useful materials and training opportunities.

We will keep bringing practitioners in the sector together to foster the exchange of best practices and experiences. We will engage with other institutions and will contribute to opportunities that support an increase of the level of copyright knowledge for the cultural heritage sector.



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