

The London Manifesto

Fair Copyright Reform for Libraries and Archives in Europe

Fair copyright across Europe is essential. Without it we will fail to adequately support research, innovation and growth, and hinder the ambition for a digital single market. With it we will better foster knowledge across borders, meet the needs of disabled people and take full advantage of the digital age. We are calling for fair copyright that is fit for purpose and will benefit every European citizen.

We are advocating for:

1. **Harmonised exceptions:** Harmonisation and uniform application of copyright exceptions across all EU member states so that they apply regardless of media or technology.
2. **Open norm:** The addition of a new “open norm”, an open-ended exception subject to the three-step test, to avoid the current situation where European creativity and research cannot immediately benefit from technological innovations because copyright legislation is slow to catch up.¹
3. **Right to lend:** An automatic “right to lend” for libraries², to include the right to lend all digital media, including transferring digital files for a limited period.
4. **Right to acquire:** A right at reasonable cost for libraries and archives to purchase or obtain a licence to use any work in copyright that has been made commercially available.
5. **Right to mine:** An automatic right to perform computer analysis of copyright works for libraries, archives or their users whenever they have lawful access to the content. This recognises that the right to read includes the right to mine.
6. **Right for disabled people:** Individuals with any cognitive and/or physical disabilities are entitled to the same access to knowledge as anyone else. In any country they must be allowed to make copies, or have made copies for them, in any format necessary if their disability is impeding access. The EU and its member states should speedily ratify the WIPO Marrakesh Treaty 2013, in particular to permit the transfer of accessible format copies between countries.
7. **Right to enjoy statutory exceptions:** Prohibition of contractual terms and/or technological protection measures (TPMs) that override any statutory copyright exceptions.
8. **Right to cross-border uses:** The right for libraries and archives to share resources and make available, communicate, transmit and distribute content and supply copies made under a copyright exception across borders.
9. **Mass digitisation:** An automatic right for libraries, archives and museums to mass digitise their commercially unavailable research collections, and give online access across the whole of the EU without liability to compensate rightholders.³
10. **Standardised terms of protection for copyright:** Swift and complete harmonisation of copyright durations across all member states.

About LACA

The London Manifesto has been published by the Libraries and Archives Copyright Alliance (LACA). Convened by CILIP, the Chartered Institute of Library and Information Professionals, LACA advocates a fair and balanced copyright framework which respects both the rights of copyright holders and the interests of a democratic and free society. In doing this we stress the importance of a library or archive patron's ability to access and make reasonable use of copyright materials. Library and archive patrons include all types of people ranging from researchers through to members of the general public.

LACA collaborates closely with IFLA, the International Federation of Library Associations and Institutions, LIBER, La Ligue des Bibliothèques Européennes de Recherche and EBLIDA, the European Bureau of Library, Information and Documentation Associations and is a member of Copyright for Creativity, a broad-based initiative of European civil society, libraries, industry and creators that seeks an informed debate on how copyright can more effectively support innovation, access and creativity.

References

¹ E.g. Without a specific exception, in the USA researchers have been able to content mine under US Fair Use provisions. In Europe, where there is no open norm exception, only the UK has introduced a national content mining exception in 2014, limited by the Information Society Directive to non-commercial purposes.

² In the EU, lending by public libraries is subject to remuneration.

³ Germany, France, Denmark, Finland, Sweden and Czech Republic have legal mechanisms to allow mass digitisation of commercially unavailable materials. These should be expanded across Europe, including a cross-border effect so they work legally between EU member states.

Find out more

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The Chartered Institute of Library & Information Professionals is the leading body representing the information professions. We believe in a literate, knowledgeable and connected society. We build the professionalism of our members by supporting the development of skills, knowledge and excellence. We provide unity through shared values and advocate on behalf of the information professions. Our members work in a range of sectors including higher education, schools, public libraries, health, commercial organisations and across government.