



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR COMMUNICATIONS NETWORKS, CONTENT AND
TECHNOLOGY

Media Policy
Copyright

Brussels
CNECT.I.2/KN/

Astrid Verheusen
Executive Director
LIBER
Association of European Research
Libraries

By E-Mail: A.Verheusen@KB.nl

Dear Ms Verheusen,

I would like to thank you for the email you sent on 15 April 2020 to Commissioner Breton concerning the LIBER's call on copyright and the coronavirus pandemic. Commissioner Breton asked me to reply on his behalf.

The Commission is aware that the COVID-19 crisis and the imposed lockdowns have caused serious disruptions to libraries and other cultural heritage institutions. We recognise the important role libraries play in our society and appreciate their efforts to support teachers, students and researches during this challenging period.

When it comes to the specific copyright law issues raised in the LIBER's statement, we believe that some of them could be addressed under the national rules implementing the illustration for teaching exception set out in Article 5 of Directive 2001/29/EC¹. In addition, most Member States are currently working on the implementation of the Directive on copyright in the Digital Single Market². This Directive provides for specific rules to facilitate online distance teaching (Article 5) and online access to cultural heritage in the collection of libraries (Articles 8 to 11). The smooth transposition of this Directive may contribute to address the challenges described in your statement. Member States have to implement these rules by June next year. I would encourage LIBER's national members to engage with the competent national authorities responsible for copyright to discuss their concerns and possible solutions that may be feasible in the

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32001L0029>

² Directive 2019/790/EU; <https://eur-lex.europa.eu/eli/dir/2019/790/oj>

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context of EU copyright law. The Commission for its part is committed to working together with the Member States to ensure the effective implementation of the new Directive and the provisions addressed to libraries and educational establishments in particular.

On a more practical level, the Commission has already taken steps to support the accessibility of learning resources during the crisis. For example, we have launched a Commission website with free online learning tools and resources funded by several EU Programmes like Erasmus+, Marie-Curie Actions and EIT³. Teachers and educators will be able to explore a range of online teaching materials and training opportunities in different languages to ensure continuity in education and training activities. An upcoming review of the Digital Education Action Plan in mid-2020 will further support the development of online learning at different levels of education across Europe.

In addition, we understand that publishing and right holders' organisations have taken certain steps to facilitate access to resources for teachers, students and researchers⁴.

We will continue following these initiatives. We are keen to continue the dialogue with LIBER and with other interesting parties, including publishers and right holders organisations. Please do not hesitate to contact us for further discussions.

Yours sincerely,

(e-signed)
Marco GIORELLO
Head of Unit

³ https://ec.europa.eu/education/resources-and-tools/coronavirus-online-learning-resources/online-platforms_en

⁴ https://ec.europa.eu/info/sites/info/files/research_and_innovation/news/documents/joint_thank_you_to_scholarly_publishing_community.pdf; <https://mailchi.mp/faa4406c077d/ifro-news-covid19>