



Petra Kammerervert
Chair CULT – Committee on Culture and Education
European Parliament
Rue Wiertz
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1047 Bruxelles
BELGIQUE

Berlin, 19 April 2017

Dear Ms. Kammerervert,

I am contacting you about the **Commission's proposal on copyright in the digital single market** currently being discussed in the European Parliament and the Council of the EU. Europeana and other European wide cultural heritage associations are advocating on behalf of The Network of European Museum Organisations (NEMO) among EU policy makers, but as there are such important issues at stake, I would like to address you directly.

The Network of European Museum Organisations was founded in 1992 as an independent network of national museum organisations representing the museum community of the member states of the Council of Europe. Together, NEMO's members speak for over 30.000 museums across Europe. NEMO ensures museums are an integral part of European life by promoting their work and value to policy makers and by providing museums with information, networking and opportunities for co-operation.

The Commission's proposal is a good start but needs some amendments to work in practice. We urge you therefore to support any amendments that support our institution to fulfill its mission to serve citizens, teachers and researchers. The areas that affect us most are provisions for:

1. *A mandatory exception for preservation:* such an exception needs to include digitisation as a mean of preservation as well as for education, learning, research, teaching, presentation, lending, insurance and accessibility, and allow for joint digitisation efforts including third parties.
2. *Use of Out of Commerce Works:* We ask for a provision that introduces an exception to use OOC works where licensing, or extended licensing, is not available or can be expected to become available.
3. *Text and Data Mining (TDM):* The beneficiaries of the proposed exception are too narrow. It should include cultural heritage institutions, journalists and civil society organisations.
4. *Illustration for teaching:* Again, the beneficiaries of this proposed exception are too narrow. It should in our view focus on the educational purpose rather than the kind of institution or person carrying out the teaching.

In [this document](#), you will find a more comprehensive analysis of the amendments tabled in your committee (CULT) on the first two points where I hope for your full attention.

Your support to update existing legislation would allow our institution to work efficiently in the digital era and to bring Europe's cultural heritage into this world.

Best regards,

on behalf of the Network of European Museum Organisations