

## #3

## HOW TO CONVINCE YOUR LEGISLATOR

Copyright Untangled is a series of factsheets about education and the copyright reform. This sheet will give you talking points to convince your legislator.

*“Every day as a researcher, even in one of the wealthiest European universities, you hit restrictions based around copyright that stifle your research. Private interests should not be allowed to interfere with the public good, especially for health, education, and research.”*

– High School Teacher, petition signee [rightcopyright.eu](http://rightcopyright.eu)

### Who should you talk to?

The European Parliament can amend, reject or accept the Commission’s proposal on copyright in the Digital Single Market. It is therefore important to

**CONTACT  
TO YOUR MEP**

and tell him or her what you think should change about the proposal. You can find your MEP on the website of the European Parliament: [www.europarl.europa.eu/meps/](http://www.europarl.europa.eu/meps/).

The Council of the European Union can also negotiate, reject or adopt the proposal. The council consists out government ministers from each EU country who are supported by the Permanent Representatives to the EU. Therefore you can either

**CONTACT  
MINISTRY**

of your country or

**PERMANENT  
REPRESENTATIVE  
TO THE EU**

To explain them what should be changed about the proposal. You can look up the permanent representation of your country [here](#).

### What should I say?

Dear legislator,

I’m worried about the the future of education in relation to copyright in Europe. I would like to talk to you about article 4 on education of the proposal of the Directive on copyright in the Digital Single Market. The proposal does not serve educational purposes. The following points should be taken into account:

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### 1. REMOVE UNNECESSARY PHYSICAL AND/OR TECHNOLOGICAL BARRIERS

Face-to-face teaching activities are not limited to the walls of a classroom. Teachers carry out educational activities in a variety of locations. The Commission's proposal will create unnecessary obstacles to traditional educational activities that take place outside the school, for example, educational activities involving digital uses of copyrighted materials, which are carried out by teachers and students affiliated with an educational establishment on the premises of e.g. a library or a museum. **We therefore recommend an exception that gives the education community the ability to access and use content for educational purposes without physical or technological barriers, provided that the uses are in accordance with fair practice.**

### 2. BROADEN THE BENEFICIARIES OF THE EXCEPTION

We are worried that the proposed new exception only applies to 'educational establishments.' Education is understood today as a lifelong process that is conducted by a multitude of institutions, formally and informally, and includes learners themselves. This was noted in the Council Resolution of 27 June 2002 on lifelong learning. Yet, when defining copyright law, the Commission's proposal fails to embrace its own lifelong learning approach by limiting the potential beneficiaries of the proposed exception to 'educational establishments' such as offered by museums, libraries, archives, professional associations, independent learning, and civil society organisations. **We therefore propose that the beneficiaries of the exception will be broadened to include all persons and entities providing an educational activity.**

### 3. REMOVE THE REFERENCE TO LICENSES

The European Commission's efforts to harmonise digital education at the EU level will be of little consequence if member states can ultimately decide to subject the application of the exception to the availability of 'adequate' licenses. The proposal does not clarify whether this covers important factors like if the license has a reasonable price, respects other exceptions and limitations, or even provides fair remuneration to the original author. Many educational institutions will be ill-placed to negotiate license contracts, while others will not even be able to consider purchasing a license. **We therefore recommend that the reference to licenses is removed from the exception.**

#### Join us in our mission to shape the future of education

- Share this handout with educators and educational organisations across Europe to inform them about the current copyright reform related to education.
- Sign up for our [monthly newsletter](#).
- We are building an informal coalition of like-minded organisations and individuals. If you want to be part of our community and raise your voice for better copyright for education, drop us a line at [education@communia-association.org](mailto:education@communia-association.org) so that we can make sure to keep you up to date on our activities.