

EBLIDA, the *European Bureau of Library, Information and Documentation Associations*, is an independent, non-profit umbrella organisation of national library, information, documentation and archive associations in Europe. Subjects on which EBLIDA concentrates are European information society issues, including copyright and licensing, culture and education and EU enlargement. We promote access to information in the digital age, and the role of archives and libraries in achieving this goal. We represent the interests of our members to the European institutions, such as the European Commission, European Parliament, and the Council of Europe.

EBLIDA is strongly in favour of the principle of access to public sector information and believes that this is an important part of the role of libraries in society today, but we believe that the moment has not yet come when it is practicable to remove the exemption for cultural and educational institutions.

The practical difficulties are: (a) the organisation and presentation of digital data created by institutions is still in an immature and experimental state (especially considering, in respect of digital data; the variety of purpose, format, metadata/indexing and physical location/hardware); (b) legal questions of ownership of rights in the data are, again, currently largely unresolved (ownership by individual researcher *versus* institution *versus* commercial sponsor of research); (c) lack of clarity about the timeframes for data intended for future publication, a process which may take literally years, or for commercial exploitation by the institution or individual holding the rights in the data.

We note that the current tendency is for individuals and institutions to waive their rights in data.

For all the reasons given above our view is that educational and cultural institutions should remain exempt from the Directive until the existing practical difficulties, in making data available, have been resolved.

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