

EFHA International Symposium 2020

Is Sharing Always Caring?

in collaboration with Creative Commons and the Onassis Foundation

Monday, 2nd November 2020

13,00 - 13,15 **Welcome and Introduction to the Symposium**
Marco Rendina, EFHA, and **Prodromos Tsiavos**, Onassis Foundation

13,15 - 13,35 **Evelin Heidel**, Creative Commons
Exploring the benefits and (some) challenges of open access

13,40 - 14,00 **Ariadna Matas**, Europeana Foundation
Open access & standardised information for digital cultural heritage

14,05 - 14,25 **Andrea Wallace**, University of Exeter
What is "open" and who is centered in "open access?"

14,30 - 14,50 **Brigitte Vézina**, Creative Commons
When available rhymes with appropriable

15,00 - 15,45 **Roundtable**
chaired by **Prodromos Tsiavos**, Onassis Foundation, and
Marco Rendina, EFHA

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16,00 - 17,30 **Workshop**
Roads to opening up
with **Evelin Heidel**, **Ariadna Matas** and **Brigitte Vézina**



Tuesday, 3rd November 2020

14,00 - 14,15 **Welcome and Introduction**

Marta Franceschini, EFHA, and **Brigitte Vézina**, Creative Commons

14,15 - 14,35 **Monica Moisin**, Founder of the Cultural Intellectual Property Rights Initiative™

A legal perspective on decolonising fashion, unfair exploitation and commodification of cultural identities. What can GLAMs do about it?

15,05 - 15,25 **Hazel Clark**, The New School - Parsons New York
Fashion – the fabric of cultures – revisited

15,30 - 15,50 **Janice Deul**, Diversity Rules

Curatorial activism and the lack of Black in museum fashion collections

16,00 - 17,00 **Roundtable**

with **Filep Motway**, Editor-at-Large Vogue Greece; **Andreea Diana Tanasescu**, La blouse roumaine IA Association (Give Credit); **Eva Losada**, fashion photographer

Chaired by **Marco Pecorari**, The New School - Parsons Paris, and **Marta Franceschini**, EFHA



Evelin Heidel

Exploring the benefits and (some) challenges of open access

Institutions get very specific benefits by allowing broad re-use of digital reproductions of public domain works, from more mission alignment to increased staffed efficiency. But institutions that haven't taken these steps yet remain concerned about very concrete issues, for example, the possibility of losing revenue or not getting enough credit for the hard work of taking care of these collections. We will explore the benefits and challenges using the evidence provided by the cultural heritage institutions that have been sharing their content under CC licenses and tools for the past ten years and speak to how undecided institutions can address some of their fears. Why is it important for cultural heritage institutions to release their collections as open access, and what concrete steps can they take to do that?

Bio

Evelin Heidel (a.k.a. Scann) is a longtime member of Creative Commons, currently working at the Open GLAM initiative (<http://openglam.org>). She has worked in digital heritage, community digitization and intellectual property for the past ten years. Harvard Fellow at the Harvard Library Innovation Lab (2018), International Visiting Scholar at Washington College of Law, American University (2019).

Ariadna Matas

Open access & standardised information for digital cultural heritage

At Europeana, we believe that digital means usable. We provide the impetus, expertise and tools to support cultural heritage institutions in harnessing digital to open up their collections - to make them available to be used in new ways. But for digital cultural heritage to be truly usable, copyright needs to first be cleared, and second be properly communicated. During her talk, Ariadna will describe the principles that Europeana stands for, the challenges that the sector faces around copyright, the standards that Europeana relies on to communicate rights online, and the value of making content usable.

Bio

Ariadna contributes to the management and development of Europeana's policies and frameworks with a strong focus on copyright, and supports the implementation of them throughout the Europeana Network. Ariadna studied law in Spain, in Germany and in France and has a Master's in Intellectual Property Law. Before joining Europeana, Ariadna worked for the International Federation of Library Associations and Institutions (IFLA) on copyright matters.

Andrea Wallace

What is "open" and who is centered in "open access?"

When it comes to digital collections, the term "open access" is commonly used by GLAMs to describe access-based initiatives that make collections free to view online or download. But reuse of those collections may be prohibited for various reasons. The underlying materials might be restricted by a valid copyright or cultural sensitivity



concerns, or the GLAM might claim copyright in the digital reproductions. Framing access to this media as “open” can be confusing for the public. Isn’t digital access to digital collections just... access? What does, or should, make that access open? This talk explores how we might (re)center users in our understandings of open and open access to reduce GLAM confusion around collections management, dispel the stigma around “closed” access, and increase legal certainty around cross-border reuse - both legal and ethical. In this way, open GLAM presents us with a new methodology for examining what collections materials are appropriate to share, to whom, and for what reuse purposes.

Bio

Andrea joined the University of Exeter as a Lecturer in Law in August 2017. She completed her PhD in Cultural Heritage Law with the CREATE RC UK Centre Copyright and New Business Models in the Creative Economy at the University of Glasgow in partnership with the National Library of Scotland. Andrea previously received an LLM, cum laude, from Radboud University in the Netherlands, a JD, magna cum laude, from DePaul University College of Law in Chicago, and a BFA from the School of the Art Institute of Chicago. She is also a registered attorney with the Illinois Bar.

Brigitte Vézina

When available rhymes with appropriable

Handling collections of Indigenous cultural heritage and “traditional cultural expressions” often brings about specific and complex copyright issues: Copyright is often not held by the Indigenous community that holds the cultural heritage; Cultural heritage is subject to customary rules. The world over, calls are being made for users to be mindful when borrowing from other cultures and to respect others’ rights, interests and traditions. Cultural heritage institutions can respectfully handle traditional cultural expressions by ensuring their activities do not conflict with the rights, interests and wishes of the Indigenous communities who identify with them. What policy options are available to bring about a nuanced and respectful approach to opening up GLAM’s collections?

Bio

Brigitte Vézina is a fellow at CIGI and Open Policy Manager at Creative Commons. Brigitte is an expert on international negotiations for the intellectual property (IP) protection of traditional cultural expressions and IP issues around cultural appropriation in the fashion industry. From 2006 to 2016, she worked as a legal officer in the Traditional Knowledge Division at the World Intellectual Property Organization in Geneva, where she dealt with IP issues related to cultural heritage. Her past experience includes work in the Cultural Enterprise and Copyright Section at the United Nations Educational, Scientific and Cultural Organization in Paris, and with the Montreal-based IP law firm Robic. Brigitte holds a bachelor’s degree in law from the University of Montreal (2002) and a master’s in law from Georgetown University (2005, with distinction). She has been a member of the Quebec Bar since 2003.



Monica Moisin

A legal perspective on decolonising fashion, unfair exploitation and commodification of cultural identities. What can GLAMs do about it?

Starting from the capricious nature of the concept of "public domain" and the controversial positioning of Traditional Knowledge (TK) and Traditional Cultural Expressions (TCEs) in this sphere, reducing the phenomenon of cultural appropriation in the creative industries requires concerted action. The existing intellectual property legal tools alone are not sufficient. In the context of a large-scale movement of digitalising intangible cultural heritage, with or without the consent of the Indigenous People and local communities who are custodians of the TCEs and associated TK, what extra-legal tools are available to GLAMs to ensure a fair and equitable management of cultural intellectual property and cultural heritage?

Bio

Monica is a cultural intellectual property and fashion lawyer with 7+ years of experience in international IP Law and various legal matters related to the fashion business and creative industries. With a double specialization in EU law and international arbitration, Monica advises her clients on various legal matters related to the fashion business and creative industries, including contract negotiations, various IP matters from trademark and design registration to drafting licensing agreements and managing IP portfolios, representation and assistance in alternative dispute resolution procedures etc. She hosts workshops, talks and lectures and offers legal consulting and sustainability strategy consulting. Monica is a member of the WearSustain Network, a One Young World Ambassador, Top 40 Under 40 EU-India Leaders Awardee (2019). On 26 April 2018 – as part of the World Intellectual Property Day “Women in Innovation and Creativity” campaign – Monica launched the Cultural Intellectual Property Rights Initiative (CIPRI) in Berlin, Germany.

Camille Callison

Caring is building Relationships to facilitate Respectful Sharing of Indigenous knowledges

Creating respectful relationships with Indigenous communities, creating culturally appropriate policies and developing unique nation or tribe specific best practises is now essential to the role of cultural memory institutions. Often libraries, archives, museums, galleries and other types of cultural memory institutions are focused on the acquisition, providing access and preserving traditional knowledges and languages but it is only in relationship with the originating Indigenous community that knowledge is shared using the appropriate Indigenous laws and traditional that govern these tangible items will it contribute to their recovery, revitalization and copyright protection in a meaningful manner thereby avoid any glimmer of cultural appropriation.

Bio

Camille Callison, member of the Tahltan Nation in Northern BC, is the Learning & Organizational Development Librarian and PhD student (Anthropology) at the University of Manitoba. Camille is Past Chair of the Indigenous Matters Committee, a Copyright Committee member, chaired the Truth and Reconciliation Committee and was on the founding board of the Canadian Federation of Library Associations (CFLA-FCAB). Camille is an Indigenous Partner on the Truth and Reconciliation Commission Taskforce and a member of IFLA



Indigenous Matters Section Standing Committee, National Film Board Indigenous Advisory Group and Canadian Commission for UNESCO Memory of the World Committee and Sector Commission on Culture, Communications & Information.

Hazel Clark

Fashion – the fabric of cultures – revisited

In the Introduction to *The Fabric of Cultures: Fashion, Identity and Globalization* (2009), Eugenia Paulicelli and I refer to fashion as ‘a privileged lens through which to gain a new understanding of cultures.’ Almost a decade later, in the Introduction to *Fashion and Everyday Life: London and New York* (2017), written with Cheryl Buckley, we cite Elizabeth Wilson’s positioning of fashion ‘as one of the most immediate and everyday cultural manifestations and one which we neglect at our peril.’ Taking Raymond William’s definition of culture as ‘a whole way of life’ (1958) these two books serve as metaphorical bookends for this presentation, which uncovers the ongoing complexities of the production and consumption of fashion; considers museums and exhibitions as mechanisms of cultural production; and reflects on the changing interactions between personal, national, and transnational fashion identities.

Bio

Hazel Clark, PhD is Professor of Design Studies and Fashion Studies at Parsons School of Design, New York, where she teaches on the MA Fashion Studies. Her most recent publications are *Fashion and Everyday Life: London and New York* (2017), with Cheryl Buckley, and the anthology *Fashion Curating: Critical Practice in the Museum and Beyond* (2018) with Annamari Vänska.

Janice Deul

Curatorial activism and the lack of Black in museum fashion collections

The presentation retraces and shares Janice’s story, tackling issues as activism in fashion and also exploring her experience as activist and curator.

Bio

Janice Deul is an Afro Dutch fashion activist & publicist with a background in journalism, who is advocating diversity & inclusion in fashion, media and the creative/cultural industry by addressing topics like beauty standards, bodypositivity, racism & colorism and cultural appropriation. She does so via her inspirational platform Diversity Rules, via talks, media workshops, lectures, op-ed articles, appearances on radio & tv and as member of advisory committees, for instance for the Amsterdam Art Council and the Dutch Council for Culture. She is one of the authors of *Little Black Hair Book*, sharing the hairstories of Afro Dutch women and men, and is currently co-writing a handbook for an inclusive fashion industry (due to be published in Spring 2021). Besides this Janice Deul is co-curating the ‘Voices of Fashion’ exhibition in Centraal Museum Utrecht, a celebration of Black couture, beauty & styles.



Organisers

EFHA

The European Fashion Heritage Association was established in 2014, following a successful project co-funded by the European Commission, in which for the first time both public and private archives and museums across Europe gathered together to share online their rich fashion heritage of historical clothing and accessories, contemporary designs, catwalk photographs, drawings, sketches, magazines, catalogues and videos. Since then, the Association has grown attracting more than 40 European fashion institutions, from small private museums to large national institutions, with the objective to unlock and give free access to the unique and vast fashion heritage of Europe. We believe that this growing network we have created will strengthen our understanding of national and international identities and help us in finding a definition of our European identity, unlocking the full potential of sharing our common fashion heritage for creatives, scholars and fashion lovers alike. The Association operates also in the broader landscape of European digital cultural heritage, contributing as fashion thematic aggregator to Europeana, Europe's platform for digital cultural heritage, empowering cultural heritage institutions to share their collections with the world.

Creative Commons

Creative Commons (CC) is the world's leading non-profit organization that stewards the Creative Commons open copyright licenses and tools, which are free, easy-to-use, simple and standardized tools that enable the worldwide sharing of creative content. CC licenses and tools are the easiest and simplest means to communicate to the public what uses can be made of digital cultural heritage objects and to facilitate wide dissemination of culture. They are becoming the standard for GLAMs that are opening up their collections on the internet, helping navigate some of the challenges posed by copyright law and enabling broad reuse. As part of its stewardship role for the OpenGLAM initiative, CC provides guidance on the use by cultural heritage institutions, such as galleries, libraries, archives and museums (GLAMs) of open tools as a way to further their missions of providing access to and enabling use and reuse of their collections by the public. CC helps GLAMs understand and apply our licenses and tools so they can more effectively and clearly share their collections with the commons, notably by offering training courses such as the CC Certificate. CC also develops technology like CC Search that makes openly licensed material, including cultural heritage from several museums and other cultural heritage institutions' collections, easier to discover and use.

Onassis Foundation

The Onassis Foundation was created in 1975 on the basis of a historical weight, a responsibility, and a desire. The historical weight was and remains the name of its founder, Aristotle Onassis, who in January 1974, in an airplane crossing over the Atlantic, was inspired to write the Foundation's founding declaration. The responsibility can be condensed into the words "aid, progress, and development," which Onassis himself carefully chose, noted down, underlined, and passed on as a legacy, the motivating factor underpinning the Foundation's existence. And the desire was, is, and will remain, the individual. The Foundation's first and last principle is human nature. Progress, stories, and the individual's imprint within the greater whole of the city. Words and curiosity – sometimes torturous, sometimes entertaining, but always creative. Thoughts, contradictions, and above all the release of possibilities, of the strengths we each carry within, which develop if properly nurtured. The individual, full of contradictions and adventures, takes shape in an ongoing workshop of actions, interventions, and ideas that begins with the Foundation's financial self-sufficiency and independence and ends with its three central pillars of activity: Culture, Education, and Health. These are the things a human being needs to truly live – rather than merely to survive.

The symposium is part of Europeana Initiative's capacity building framework.

