Ensuring Equitable Access to Heritage: The Need for an International Standard under the Auspices of UNESCO

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Abstract

Memory institutions steward the world's documentary heritage and fulfil the crucial mission of both preserving and making it accessible to the public. Understanding the critical importance of access to heritage in the digital environment, institutions that share heritage openly generate many benefits for society. Indeed, openness, defined as a means to enable barrier-free sharing, facilitates heritage preservation, creativity, education, scientific research, and cultural participation in the digital environment. And yet, several obstacles still stand in the way of equitable access to public domain heritage in the digital environment. Illustrated by examples and case studies from around the world, the article demonstrates how barriers like wrongful copyright claims, pseudo-copyright restrictions, paywalls, technological protection measures, and accessibility gaps unfairly limit access to heritage. In response to these challenges, by highlighting successful open heritage initiatives, the article shows how open heritage strengthens legal certainty, supports cultural rights, and fosters creativity and innovation. However, with fewer than 1% of the world's museums, libraries and archives currently sharing their collections openly, the article also points to the absence of an international policy framework encouraging open heritage. Because of this legal vacuum, the full potential of open heritage remains largely unrealized.

To help close this global policy gap, Creative Commons convened the Open Heritage Coalition (formerly TAROCH Coalition). Bringing together around 70 organizations across 25 countries, the Coalition developed the Open Heritage Statement to affirm shared values, identify unfair barriers to access, and offer policy solutions to remove such barriers. The Statement aims to foster international dialogue among all relevant stakeholders and to lay a foundation for UNESCO to develop an international standard-setting instrument, such as a Recommendation, to ensure equitable access to heritage in the public domain in the digital environment.

Keywords

copyright, Creative Commons, cultural policy, digital environment, equitable access, memory institutions, open access, open heritage, public domain, UNESCO

Introduction

The phrase "open heritage" was generated with the application Polona/Typo.

Illuminated initials can be of stunning, intricate beauty. However, beyond the ornamental, these embellished letters found in safely preserved medieval manuscripts served very practical purposes, from helping readers navigate often complex writing systems to providing exempla (images used to illustrate a moral point) (MacDonald, 2019).[1] While nowadays we generally no longer rely on aesthetically striking letters to read books, social media posts, or emails, these decorated capital letters still have a place in our contemporary culture. Moreover, if we want to ensure future generations will also be able to admire, study, and understand these letters, then the manuscripts that hold them, as well as our shared documentary heritage, must be preserved and made accessible, including in digital form, as stipulated in the 2015 *Recommendation concerning the Preservation of, and Access to, Documentary Heritage Including in Digital Form* (UNESCO, 2015a, Definitions).

This is something the National Library of Poland has taken very seriously. Since 2006, the library and partners have digitized nearly four million works — including manuscripts as well as maps and photographs. In the digital library Polona, heritage is made accessible *openly*, and faithful digital reproductions of public domain documentary heritage remain in the public domain. In doing so, Polona encourages creative reuse and empowers the public to share, remix, and build upon heritage. For example, with the creative tool Polona/Typo, anyone can create words and designs from centuries of digitized books, posters, and maps, making public domain documentary heritage playful, relevant, and a part of cultural life. This epitomizes the dual mission of memory institutions (museums, archives, and libraries) in the digital age: to both preserve heritage and enable their users to access and reuse it for the public good. It is also emblematic of the transformative potential of open and equitable access to documentary heritage in sustaining a creative and innovative society (Vézina & Harris, 2025b).

Over the past decades, a growing number of trailblazing institutions like the National Library of Poland have adopted open access policies, practices, and tools that harness Creative Commons licenses and public domain tools to share documentary heritage material digitally for broad access and reuse. These include major museums such as the Metropolitan Museum of Art, the Smithsonian Institution, and the Rijksmuseum; libraries including the National Library of Wales, the Wellcome Collection, and the Bibliothèque nationale de France (Gallica, n.d.); and archives such as the National Archives of Aruba. Together, these pioneering institutions demonstrate the real-world benefits of open heritage.

Unfortunately, not all institutions embrace an open approach. Notwithstanding increasing digital capacity, for the near totality of memory institutions worldwide, providing equitable

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1   For more examples of open access see Europeana. (n.d.-c).

access remains out of reach, with less than 1% of the world's institutions sharing heritage in open access.[2] Concretely, this means that many elements of documentary heritage remain behind closed virtual doors, paywalls, and digital locks. As a result, people are denied a meaningful connection with their heritage, as critical pieces of our shared memory remain out of reach for the communities they represent and for the people eager to build bridges across them.

This runs counter to the global commitments taken by United Nations Educational, Scientific and Cultural Organization (UNESCO) Member States under key standard-setting instruments, including the 2003 *Charter on the Preservation of Digital Heritage* (UNESCO, 2003),[3] the 2015 *Recommendation concerning the protection and promotion of museums and collections, their diversity and their role in society* (UNESCO, 2015b),[4] as well as the aforementioned 2015 *Recommendation concerning the Preservation of, and Access to, Documentary Heritage Including in Digital Form* (UNESCO, 2015a).[5] It also points to a wider legal vacuum around equitable access to heritage in the UNESCO normative landscape: without an international framework providing clear guidance on how to implement open policies and practices, many institutions are left unsure of what is possible — or even where to begin. This is the gap that the Open Heritage Coalition (formerly TAROCH, Towards a Recommendation on Open Cultural Heritage) aims to close by harnessing collective advocacy efforts for global policy change.

In this article, we first provide an overview of the main barriers to equitable access to public domain heritage in the digital environment. We then make the case for openness as a key principle in the preservation and dissemination of documentary heritage and affirming its role in advancing human rights. We continue with a survey of examples of positive reuse enabled by open heritage, followed by the challenges memory institutions face in going open. We conclude with a call to action for memory institutions, policymakers, and civil society to join the proposal by Creative Commons and the Open Heritage Coalition to elaborate an international standard-setting framework under the auspices of UNESCO to enable more equitable access to heritage worldwide.

The Problem: Unnecessary Fences around Public Domain Heritage

Heritage in the public domain should be available for anyone to access and reuse for any purpose without copyright permission (Europeana. 2025).[6] The concept of the public domain is central to

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2   This number was calculated by Andrea Wallace based on data from the OpenGLAM survey (McCarthy & Wallace, n.d.), UNESCO (2020), and IFLA (n.d.). See Wallace (2020), McCarthy & Wallace (2024) for methodology and data sources, and introduction in McCarthy et al (2024).

3   The Charter affirms that digital heritage "should be protected and preserved for current and future generations" (Article 1) and that "the purpose of preserving the digital heritage is to ensure that it remains accessible to the public" (Article 2).

4   The Recommendation refers to "the importance and social role of museums in their protection and promotion, and in the overall accessibility of this heritage to the public" (Para. 20).

5   The Recommendation states that "[documentary heritage] should be permanently accessible and re-usable by all without hindrance" (Definitions).

6   The public domain is a body of creative materials that are not protected by copyright. The Europeana Public Domain Charter (2025) offers a detailed description of the public domain, broken into the following categories: (1) Works on which copyright protection has expired; (2) Works that do not qualify for copyright protection; (3) Ideas, facts and information; (4) Excluded subject matter; (5) Works dedicated to the public domain by their rightsholder.

copyright law and to the way we collectively preserve human creativity and enable the creation of new cultural expressions: for the benefit of society, it limits authors' exclusive rights in scope and time. Once a work's term of protection expires (in most countries, copyright protection lasts until 70 years after the death of the author), it enters the public domain.[7] That is the bargain: limited protection to reap the rewards of creativity in exchange for unlimited public access after a certain period of time.

In reality, though, the public domain is often fenced off from the public. There exists a swath of barriers preventing both heritage stewards and users from fully and equitably enjoying heritage in the public domain. As illustrated by the examples in this section, these barriers are of a legal, technological, financial, and geographical nature, among others (Vézina & Harris 2025a).

Memory institutions sometimes restrict access to public domain heritage by (often unwittingly) erecting legal barriers around it. They do so by claiming an overlay of copyright over faithful digital reproductions of the heritage in their collections. This includes asserting copyright or related rights over digitized reproductions and applying (restrictive or open) copyright licenses to limit reuse. For example, in 2019, the Neues Museum in Berlin released a 3D scan of the 3,000-year-old Nefertiti bust from ancient Egypt under a CC BY-NC-SA license (implying an underlying copyright in this digital reproduction) (Ruiz & Heidel, 2019).[8] There are myriad examples of memory institutions mistakenly sharing digital images of public domain documentary heritage under a copyright license. Sometimes the same work can be both in the public domain and shared under a copyright license, all in the same jurisdiction, something McCarthy refers to as Schrödiger's copyright (McCarthy, 2024). If you are up for a challenge, try to find reproductions of public domain documentary heritage with a CC BY license, you will be amazed by how many there are! These practices undermine the public domain by creating artificial barriers to access and reuse.

Furthermore, in certain countries, memory institutions rely on national cultural heritage laws to prevent copyright-compliant use. This raises another type of legal barrier: by invoking cultural heritage protection laws, institutions may claim a "pseudo-copyright" and prevent further use of heritage.[9] Indeed, several cultural heritage laws are imposing restrictions on access and use of reproductions of public domain heritage. They may require permission and impose a fee for the use of reproductions of public domain heritage held in public collections. That is not what these heritage laws are intended for. These laws aim to protect and enhance cultural heritage and promote the development of culture — they should not restrict prosocial creative reuses (Cunningham, 2024). This issue was in the spotlight in the 2022 legal action that the Uffizi Museum in Florence brought against French designer Jean Paul Gaultier for his use of the public

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7   For an interesting case of an unsuccessful attempt to extend that time limit in the context of musical works, namely Maurice Ravel's "Bolero," see Lopez (2024).

8   The authors are aware of the restitution claims around this artefact, and this example is mentioned here solely to illustrate the copyright licensing issue.

9   These laws exist in Bulgaria, France, Greece, Italy, Portugal and Slovenia, among others. For a detailed analysis, see Communia (2024) and Priora & Dore (2024).

domain masterpiece *The Birth of Venus* by Renaissance artist Sandro Botticelli. The designer was sued for damages of more than €100,000 for the unauthorized use of images of *The Birth of Venus* on clothes, including T-shirts, leggings, and tops (Dreyling et al., 2022). Likewise, in 2020 and subsequently in 2023, the Gallerie dell'Accademia di Firenze and the Ministry of Culture brought legal action against the publishing house GQ (Condé Nast) for the unauthorized use of the image of Michelangelo's *David* on the July/August issue's cover of the GQ Italia magazine. In 2020, the court prohibited GQ from using the image on the magazine cover as well as any digital use. In 2023, GQ was ordered to pay €20,000 as a concession fee in addition to €30,000 for the violation of *David*'s image rights (Dreyling, 2025). By looking at these few examples (and there are more[10]), we notice that cultural heritage protection laws can achieve the opposite of what they were designed to do: repurposed as perpetual pseudo-copyright, they hinder creative enterprise and prevent societally beneficial interpretations of heritage. This hollows out the public domain and seriously undermines fundamental rights.

Another type of barrier concerns institutions that enforce terms and conditions (or terms of use) that restrict the reuse of digital documentary heritage on the institution's website (Brown & Crews, 2010). These terms and conditions function as contracts and can mislead users into thinking that legal restrictions apply where they do not, thereby eroding the integrity of the public domain. For instance, the Van Gogh Museum's terms and conditions restrict reuse of the famous Dutch artist's public domain works to non-commercial uses only, even though this is allowed under copyright law (Van Gogh Museum, n.d.). In the US, the Morgan Library and Museum imposes similar restrictions: "The Morgan will not grant permission for the reproduction or commercial use of these low-resolution downloadable images" (The Morgan Library & Museum, as cited in Valeonti et al., 2020).

Further to the above contractual barriers, some institutions use digital rights management (DRM) and technological protection measures (TPMs), or make available their heritage files with watermarks, as low-resolution files only, or in inaccessible formats, which limit how public domain heritage can be accessed and reused and end up harming scholarly research and cultural participation. For example, a study in Pakistan "revealed that contents preserved with Sindh Archives & Antiquities on local heritage were shared with Sindh Archives & Antiquities watermarks only. [...] From an Open GLAM perspective, the watermarks on digital collections prevent citizens from using and reusing heritage collections and therefore, limit collection outreach" (Subhani & Osman, 2022). Despite housing documentary heritage materials in the public domain, by using technological restrictions, memory institutions in effect limit reuse by educators, researchers, or digital creators. As Professor Melissa Terras noted back in 2014, "all I want is a clear, 300dpi image. It's no use saying «this is in the public domain!» if you only provide 72dpi") (Terras, 2014). Recognizing the limitations of poor-quality data, the Qatar National Library sought to overcome this barrier. In 2014, it created the Qatar Digital Library, a

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10   See De Angelis (2023, 2024) and De Angelis & Vézina (2023) for additional cases.

free-to-use and reuse archive covering the modern history and culture of the Gulf and the wider region. From the start, it built on the International Image Interoperability Framework (IIIF), a set of global open standards for sharing digital objects. This enables deep zoom, side-by-side comparisons, annotations, and searchable text in both Arabic and English. This open, bilingual design made rare manuscripts, maps, and photographs accessible in extraordinary detail to scholars and the public worldwide (Open Heritage Statement, n.d.-d, *StoryFrame* 12).

Furthermore, public domain heritage is often not available in digital files that allow for the creation of accessible formats for people with disabilities, including print disabilities. For example, the 2022 VocalEyes report in the United Kingdom (UK) highlighted that most museum websites lacked basic accessibility features (VocalEyes, 2022). Issues arise from a lack of alternative text (alt text), captions, transcripts, or screen reader-compatible formats, which are all essential to digital equity. People with disabilities often cannot access content in a format adapted to their needs. This digital exclusion disproportionately affects blind and visually impaired people, as well as those with cognitive and motor impairments. People are thus disempowered from creating versions of heritage materials in accessible formats that meet the needs of people with disabilities (Wallace, 2021). Tackling this issue head-on, the Te Whare o Rehua Sarjeant Gallery in New Zealand built accessibility into its digital collection and designed its online platform according to WCAG 2.0 AA standards, ensuring screen-reader compatibility, clear navigation, and accessible multimedia (Open Heritage Statement, n.d.-c, *StoryFrame* 9).

Finally, digitization and the making available of heritage in the public domain require significant resources, particularly financial resources, and many memory institutions are under pressure to monetize their collections to offset funding shortfalls. From the point of view of users, this manifests in prohibitive licensing fees for digital images, exclusive partnership agreements that prevent broad reuse, or access to high-quality formats subject to payment. Several institutions charge the equivalent of hundreds of dollars per image for access to digitized public domain heritage (McCarthy et al., 2022; McCarthy & Wallace, 2024). These fees create barriers for educators, researchers, and smaller cultural creators, particularly outside the Global North.

While financial sustainability is important, unreasonable paywalls undermine the public benefit of digital access, as the report *Open Licensing Models in the Cultural Heritage Sector* demonstrates (Meletti et al., 2025). Instead, institutions should develop economic models for revenue generation that go hand in hand with the open ethos. They should aspire to diversify income streams and develop financially sustainable economic models that do not undermine openness. That said, charging reasonable service fees that cover the cost of creating or supplying an image may be acceptable, but conditioning any use on the payment of licensing fees that prevent legitimate access and reuse of heritage in the public domain is not equitable. A great example of this careful balance is illustrated by the Parliament of Ghana Library. Understanding the role of the preservation of parliamentary documents in information transmission, the library uses open-source software to preserve the memory of the Parliament of Ghana, which "can be

accessed by thousands of users concurrently from many locations without any financial burden to users, apart from the cost of data" (IFLA, 2022).

The Solution: Open and Equitable Access to Heritage

As the overview of diverse barriers in the previous section confirms, when memory institutions fail to enable equitable access, many important elements of heritage remain locked away, out of reach. Inaccessible documentary heritage is at risk of being forgotten, its meaning and context lost, and its transmission to future generations jeopardized. Inevitably, people are denied the ability to meaningfully interact with heritage in the digital space, resulting in an irremediable disconnect between people and heritage and the risk of alienating members of society from their histories (Creative Commons, 2024a). This has repercussions on entire communities of artists and creators, educators, students, scholars, and researchers, as well as the wider public, who lose opportunities to understand, learn, and create with heritage. It is especially damaging for marginalized and underserved communities. An example of this loss comes from Nigeria, where Archivi.ng, a digital archiving project, is working to rescue and digitize decades of newspapers and magazines in storage. Much of this documentary heritage, which contains records of political history, cultural life, and everyday memory, has been inaccessible to the public. Without this type of intervention, these historical materials risk never seeing the light of day (Archivi.ng, n.d.).

Enabling equitable access is not merely technical; it is fundamental to preserving and promoting documentary heritage. When creators, educators, or students cannot reuse public domain materials, creativity stalls and our shared cultural legacy fades from memory. Maintaining the public domain in the digital environment strengthens legal certainty, fosters equitable access, and aligns preservation with the need to build inclusive, knowledge-based societies. UNESCO's 2021 study *Documentary Heritage at Risk: Policy Gaps in Digital Preservation* underscores this challenge. It highlights how inadequate policies, insufficient funding, and technical obsolescence leave large portions of the world's documentary heritage vulnerable to loss. The report makes clear that without coherent policy frameworks, preservation alone cannot guarantee access, and entire bodies of knowledge may vanish (UNESCO, 2021c, p.4).

Failure to embrace open heritage reflects poorly on memory institutions: it undermines their public-interest mission of providing universal access to their collections in the digital environment and opens the door to the erosion of cultural diversity, the widening of the digital divide, the weakening of intercultural dialogue, and the loss of shared narratives that connect us to our past and inspire our future. Barriers also go against the goals of the Memory of the World Programme, which was established "with the objectives of safeguarding the documentary heritage, *facilitating access to it* and disseminating it, and raising public awareness of its significance and the need to preserve it" (UNESCO Executive Board, 2021, emphasis added). In the very early days of open access to heritage collections, Kenneth Hamma, former Executive

Director for Digital Policy at the J. Paul Getty Trust, stated that "restricting access seems all the more inappropriate when measured against a museum's mission—a responsibility to provide public access" (Hamma, 2005; Vézina, 2024). This is echoed by Jason Evans of the National Library of Wales: "in embracing openness as a core principle of access, the National Library of Wales remained true to its core mission, of providing access to knowledge, in an increasingly digital world."[11]

There is thus a unique window of opportunity to unlock heritage's full value and place it at the heart of what matters now, and openness is a key part of the solution.

What is "Openness" in the Context of Heritage?

Openness as a concept entered the heritage sector in the early 2000s (Voigts, 2024). In this context, "open" refers to heritage (and associated metadata) made freely available for the broadest possible access, sharing, and reuse (including commercial use and modification) by anyone for any purpose, free of unnecessary copyright restrictions. In the words of Rick Prelinger, film archivist, "[a]ccess isn't just being able to look at something, it's about being able to work with it to remix it and edit it and make it your own" (Bennett, 2012).[12] Openness is achieved by leveraging the vast potential of digital tools and technologies in enhancing access, protecting the public domain from erosion, and encouraging the use of open licenses and tools to clearly mark heritage materials with the possibilities for access and reuse. The Creative Commons licenses and public domain tools are a simple and effective way for memory institutions to make heritage "open," enabling it to be shared widely for the broadest possible access, use, and reuse (including commercial use and modification), free of charge, and with no or few copyright restrictions (Vézina, 2025).

When it comes to heritage in the public domain, faithful digital reproductions of public domain materials must stay in the public domain—no new copyright or related right applies to the digitized version (Wallace, 2024). As mentioned in the previous section, digital reproductions of public domain works cannot be openly licensed, since Creative Commons licenses can only be used with in-copyright content, not public domain content. Instead, a Creative Commons public domain tool, such as the Public Domain Mark 1.0 Universal (PDM), may be used in connection with heritage that is in the public domain worldwide or CC0 1.0 Universal Public Domain Dedication (CC0) (in jurisdictions that recognize rights in non-original reproductions or jurisdictions where the work is not yet in the public domain). With such open tools, access to and reuse of heritage can be achieved with greater legal certainty, leading to a more confident, less copyright-anxious community of creators and reusers. This is well illustrated by the stance of the Małopolska Virtual Museums in Poland, which states on its website: "We wish that the Resources which are in the public domain be publicly available to the whole of society, free of charge, in high

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11 Unpublished correspondence between Jason Evans and Brigitte Vézina, November 2025.
12 See also Prelinger Archives (n.d.) for examples of the collection.

definition, without watermarks and other technical restrictions (…). Resources that are in the public domain still belong to it after they have been digitized" (Małopolska Virtual Museums, as cited in Moraczewska, 2022).

At the same time, it is important to recall that the concept of openness is relative, nuanced, and contextual. This has two major implications that need to be highlighted. First, openness is a means to an end, not an end in and of itself. Openness is a means to remove unfair barriers to access and use of heritage, enabling people to equitably connect and engage with heritage in the digital environment and to together build and sustain a thriving commons of heritage. The goal is thus not to be open; openness is a pathway to achieve heritage-related goals, such as preservation, safeguarding, transmission, and access for current and future generations. As stated by Xing Qu, formerly UNESCO Deputy Director-General, "Tomorrow's generations also have the inalienable right to access and use the records that document their past" (UNESCO, 2021c).

Second, heritage's public domain status is not the only factor to consider when determining access and use possibilities, let alone when determining rightful ownership or guardianship. In fact, there are other legal and ethical considerations to take into account when making heritage openly accessible, such as data protection, privacy, and cultural sensitivities around heritage, among others, as well as respect for the 2007 UN Declaration on the Rights of Indigenous Peoples (United Nations, 2007) and for principles of participation and free, prior and informed consent, together with the need to uphold the FAIR principles and CARE Principles for Indigenous Data Governance. These considerations mean that some heritage materials may not be suitable for open access (Khan, 2018a, 2018b; Heath, 2020a; Heath, 2020b; Vézina & Muscat, 2020; Vézina, 2021; Fraser, 2021; Oloruntimilehin, 2023; Benedict, 2023b; Vézina et al., 2024). Indeed, in certain contexts, sharing heritage (openly or at all) may exacerbate inequity or harm the communities associated with it. These situations call for careful, contextual consideration. To be sure, open access to heritage does not aim to force access to heritage that was never meant by its community holders or customary custodians to be shared, let alone openly shared (Heidel & Heath, 2020). As recognized by UNESCO experts, "Analogous to policies in the physical world, the concept of 'digital trespassing' is fully recognised and respected when governing the heritage in the virtual reality" (UNESCO, 2021c). The Indianapolis Museum of Art at Newfields has become a recognized leader in collection stewardship. It partnered with Local Contexts, a global initiative that supports Indigenous communities with tools to reassert cultural authority in heritage collections and data. When the museum began reviewing Indigenous items in its collections, it realized that simply digitizing and sharing them online, without understanding the stories, protocols, and permissions behind each piece, could be harmful and disrespectful. Through dialogue with heritage-bearing communities, the museum now applies Local Contexts' Traditional Knowledge (TK) Labels, which embed community-specific protocols and permissions directly into digital records (Open Heritage Statement, n.d.-e, *StoryFrame 13*).

In sum, there may be legitimate reasons not to digitize, allow access, or openly share heritage, particularly where additional governance systems may apply. It follows that heritage should be as open as possible and as closed as necessary. Decisions around open access to heritage should be made in a transparent and inclusive manner that remedies biases and builds relationships based on mutual trust. Memory institutions should transparently engage with, consult, and involve communities of origin to enable free, prior, and informed consent in decision-making processes involving access to heritage.

Some of the Benefits of Open Heritage

When memory institutions are empowered to share their documentary heritage collections openly, they can remove unfair barriers to access and unlock possibilities for uses not yet imagined, expanding shared horizons. The Creative Commons publication *Don't be a Dinosaur; or, The Benefits of Open Culture* (Vézina & Benedict, 2024a) covers a range of benefits made possible by equitable access to heritage, and so does the blog post *The Benefits of Open Heritage in the Digital Environment* (Vézina & Harris, 2025b). As Creative Commons summarizes: when made openly accessible, heritage is easier to find, reaches broader and more diverse audiences, can be preserved, safeguarded, and refined in digital form, and can be (re)used with more legal certainty. This, in turn, leads to more resilient and relevant memory institutions, more vibrant research and more participatory education, more dynamic cultural creativity, and more just, democratic, diverse, free, and equitable societies (Creative Commons, 2024b). Creative Commons' *StoryFrames* also provide real-world examples of how open heritage helps overcome barriers to access (Open Heritage Statement, n.d.-b). In this section, several examples are presented to illustrate the difference that openness can make.

Firstly, openness plays a vital role in preservation. Open access ensures that documentary heritage not only survives physically but remains alive and relevant in public consciousness—a principle enshrined in the aforementioned *Recommendation concerning the Preservation of, and Access to, Documentary Heritage Including in Digital Form*, which encourages Member States to make documentary heritage more visible and accessible through digitization and open access (UNESCO, 2015a). UNESCO's Memory of the World Programme, founded "to guard against collective amnesia," explicitly recognizes that preservation and access go hand in hand (UNESCO, 2021d). The Programme emphasizes digitization and open access as key strategies to make documentary heritage accessible to new audiences and to safeguard it against physical threats, damage, or destruction, thereby helping to transform fragile pieces of our documented memory into sustainable resources for new generations (Vézina & Wetzler, 2022).

However, all too often, the crucial aspect of access is forgotten in preservation efforts. As Creative Commons stated in the framework of World Intellectual Property Organization (WIPO) discussions on preservation: preservation is not just about storage, it is about how heritage lives on in the interpretations of researchers, in the recreations of creators, and in the minds

and hearts of every member of the public enjoying their fundamental right to access heritage. Access is a precondition for preservation that is meaningful, inclusive, and sustainable (Vézina & Stihler, 2023). For example, the scans of the original documents of the archives of the Dutch East India Company (VOC), which have been recognized as UNESCO World Memory since 2003 (UNESCO, n.d.-a), are available on the website of the Dutch National Archives under a CC0 tool (National Archives of the Netherlands, n.d.). As stated by Lodewijk Petram, senior researcher at the Huygens Institute, "it is very important that this data is available to as many people as possible as quickly as possible" (NL Times, 2023; GLOBALISE, n.d.). Similarly, the Walters Art Museum in Baltimore, United States (US), has made nearly 18,000 images freely available (Open GLAM Survey, n.d.). William Noel, the museum's former curator of manuscripts and rare books, reflected on the decision to release the items under CC0 in 2013: "Why did we make our data free and open? So that it would be used… And I know our illuminated manuscripts are more available than anybody else's, just by going to a Google image search for an illuminated Gospel, or an illuminated Koran (just for example)" (Noel, 2013, as cited in Tanner, 2016). This principle is also central to the Software Heritage initiative, which is building a global archive of publicly available source code, when it states: "Software is a precious part of our cultural heritage…only *by sharing it* we can guarantee its preservation in the very long term" (Software Heritage, n.d., emphasis added).

Second, institutions around the world are demonstrating how open approaches can extend reach and impact. For Memory of the World heritage, sharing openly on platforms such as Wikipedia is a way to "highlight under-represented cultures, commemorate great intellectuals, and preserve vital historical records" (Poulter et al., 2025) as well as to "preserve humanity's shared memory, foster intercultural dialogue, and make knowledge truly universal" (Ibid). By way of illustration, in 2012, the National Library of Wales made its most significant policy decision to date in relation to the digitization and reuse of its collections by declaring that it would not claim any new rights in digital reproductions. The policy has had far-reaching consequences for the way in which the Library's digitized collections are accessed and reused. For example, some high-profile Wikipedia articles containing Library images have been viewed over 250,000 times in a single month—more views than the Library's entire digital estate receives in a year. Overall, the Library had accumulated 1.6 billion image views on Wikipedia alone by 2025. Likewise, in 2015, Taiwan's National Palace Museum adopted an open data policy to make its collections of approximately 700,000 ancient artifacts and artworks, images, and research materials more accessible to the public. The museum held several events to promote the open policy, including an event combining fashion, music, and dance with art resources from the museum's open data platform, in addition to hackathons and design competitions promoting the use of open images (Mao & McCarthy, 2020). Last but not least, thanks to its open access policy, the Wellcome Collection in the UK announced in 2021 that its images had passed 1.5 billion views on Wikipedia (White, 2021).

Third, openness can also contribute to improving access for research and education while enhancing student engagement and learning. This was especially true during the COVID-19 pandemic (Vézina & Green, 2020). A 2022 report by the Polish think tank Centrum Cyfrowe presented findings of the "Open GLAM & education" research project, highlighting the importance of online heritage-based tools, resources, and digitized collections for education in the European Union (EU). The study found that "94% of teachers agree that digital heritage-based tools and resources are important to help teachers and non-formal educators perform educational activities" (Centrum Cyfrowe, 2022). Numerous concrete examples illustrate this impact. Academic projects such as the University of Wales' Curious Travellers Project have used the National Library of Wales' content extensively in their research and outputs, such as websites or articles. Another illustration centers on American engineer Teddy Tablante, who created the "Branch Education" YouTube channel (Branch Education, 2019) to teach engineering, science, and technology topics to 14-18-year-olds. His videos on steam engines (STEM Challenge Video) won the 2019 Europeana Science, Technology, Engineering, and Mathematics (STEM) Challenge (Lewis, 2019). Similarly, the Wikipedia in School project in Denmark integrated open heritage resources directly into school curricula, making education more interactive and culturally relevant (Astrup et al, 2021). In Latin America, the Centro de Fotografía de Montevideo in Uruguay provides an open digital archive of thousands of historic photographs, which educators can use as primary sources in local schools and community learning spaces (Centro de Fotografía de Montevideo, n.d.). In Nigeria, a study of open access at the Badagry Slave Heritage Museum found that "making these collections openly accessible could allow for sharing, re-sharing, and building new research on the colonial past and its teaching" (Ikem, 2022). In North America, initiatives like Smithsonian Learning Lab demonstrate the educational potential of large-scale sharing, providing millions of 2D and 3D digital objects for educators and students to build lesson plans and projects with open-access resources. The Endangered Archives Program, funded by the Arcadia Fund at the British Library, offers another case in point of how open access can facilitate scholarship and research. For instance, the 2017 project "Saving the folkloric archival material preserved in Chişinău, Republic of Moldova" aimed to digitize and make accessible in open access the Romanian and other ethnic communities' folkloric archival materials (digital copies of images and sound recordings) belonging to the Institute of Cultural Heritage and the Institute of Philology of the Academy of Sciences of Moldova (Endangered Archives Programme, n.d.). In a similar fashion, the Korean Newspaper Archive, the world's largest and oldest online database of Korean newspapers, provides full access to over 7 million newspaper articles (National Library of Korea, n.d.) in order to ensure "researchers are able to get a view of historical events in those times" (Moon, 2022).

Fourth, when heritage is openly accessible and reuse is explicitly encouraged, it can spark an array of fresh creative expressions. As stated by Michal Cudrnák, Head of Digital Collections and Services at the Slovak National Gallery, "opening up digital collections is an important first step

but it's crucial to let people know what can be done with the images. To get the message out, it's not enough to simply display the Public Domain logo—you should actively encourage people to use images, whether to print a T-shirt or make a Photoshopped collage" (Europeana, 2018). The National Library of Wales has seen cases of publishers using high-quality, openly licensed images of its content in their publications, presumably because they are free and open. Open content allows publishers to produce richer products, ensuring local culture and history are well represented in print and online, such as in the 2016 publication *50 Buildings that Built Wales* by Baker, Stevenson and Wilson.

Open heritage is also a way to support creative enterprises. In Finland, entrepreneurs were creatively inspired by openly accessible cultural, historical, and regional materials made available by the National Library of Finland. They were encouraged to incorporate local history into business practices, all grounded in a shared narrative (Kansalliskirjasto, 2025). Likewise, the Europeana initiative GIF IT UP also demonstrates how digital heritage can be creatively reused for digital storytelling while celebrating underrepresented communities from all corners of the world. In Germany, the widely successful initiative Coding da Vinci led to a multitude of creative projects, including a playful "dating app" (Coding da Vinci, n.d.) that matches users with portrait paintings digitized by the Augustinermuseum (Städtische Museen Freiburg). In June 2025, Europeana released a guide to create a walking tour based on openly accessible heritage collections, leveraging the insights that digital heritage (such as photographs of buildings, letters by people who have lived in any given location, descriptions of landscapes in personal journals, etc.) can offer into the history of places and recognizing how cultural heritage and tourism go closely together (Murphy, 2025).

Fifth, open heritage enables human progress well beyond the confines of art and culture. It can accelerate scientific research, particularly around climate change. Extreme weather conditions induced by global warming have a dramatic impact not only on the environment and biodiversity, but also on heritage sharing (Vézina, 2020; Louisiana State University, 2023). At the same time, the information held in memory institutions can help us better understand our ecosystems and explore collaborative solutions to address the climate emergency. Indeed, memory institutions can activate the open access levers to amplify the scientific value of their documentary heritage collections and foster cross-border collaboration among researchers.[13] In 2022, the Natural History Museum in the UK published a story stating that: "A brand new scientific paper applies computer vision to over 125,000 of the Museum's digitized Butterfly collection to understand how animals may respond to climate change" and that "…open access digitized collections … allows scientists from all over the globe to be able to more easily use collections, can accelerate research in a more collaborative way than ever before" (Pullar, 2022; Wilson et al., 2022; Creative Commons, 2023). For anyone promoting open access to heritage

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13   UNESCO promotes open access to scientific information, including information contained in documentary heritage. See UNESCO (n.d.-b).

collection in the digital environment, the fact that digital images of butterflies made openly accessible thanks to CC0 could help us understand and address climate change—one of the greatest challenges of our times—was incredibly exciting.[14] Along the same lines, the Biodiversity Heritage Library aims to improve research methodology by collaboratively making biodiversity literature openly available to the world. Lastly, historical maps can reveal valuable information about sea shorelines and other geographical features impacted by climate change. The National Library of Finland offers an exceptionally complete set of public-domain Ptolemy atlases published in the 15th and 16th centuries, digitized and openly available online. This collection of Ptolemy atlases is one of the criteria by which Nordenskiöld's collection was added to UNESCO's Memory of the World Register in 1997 (Kansalliskirjasto, 2024).[15]

Another illustration comes from the Cultural Heritage Cloud (ECCCH), an EU platform for heritage professionals and researchers to access data, scientific resources, training, and digital tools. This platform brings together fragmented communities around the digital commons to enable the digitization of existing knowledge and the collaborative analysis of cultural heritage assets, in order to empower users to interact with digitized heritage, fostering the creation of new, collaboratively developed scientific knowledge. Finally, linked to the COVID crisis, a look at a wide variety of digital news reports documenting how science has fought pandemics with vaccination shows the storytelling power of audiovisual heritage in raising public awareness (Europeana, n.d.-a).

Sixth, openness is also a concrete mechanism for diversity, equity, and inclusion. When heritage is openly accessible, users can create versions in accessible formats that meet the needs of people with disabilities (Wallace, 2021). For instance, digital images can be made more accessible with the integration of metadata "alt text" (text descriptions of images) by anyone. Chicago's Museum of Contemporary Art includes alt text and screen reader-compatible content, setting a benchmark for inclusive access (Museum of Contemporary Art Chicago, 2016). For its part, the Małopolska Virtual Museums in Poland offers audio descriptions of artworks, such as a highlander's bust from the Tatra Museum (Małopolska Virtual Museums, n.d.), thus enabling greater accessibility. In 2021, UNESCO published useful guidelines for memory institutions to ensure inclusive access for people with disabilities, acting on its commitment to leave no one behind (UNESCO, 2021a). In the context of diversity, a study of circus collections shared as linked open data from libraries and museums in the US provided an opportunity to address gaps in representation and diversify the historical record through digital storytelling, presenting scholarship in new forms and interpretations "for use by anyone anywhere, not just libraries" (Yon, 2023).

Finally, openness strengthens the connection between heritage and community well-being.

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14   For those curious as to exactly how butterflies helped, here is the low-down: insects are changing due to climate change and hotter years grow bigger insects. This was measurable thanks to the museum's collection that contains digitized images of specimens dating back hundreds of years.

15   For more openly accessible maps, see David Rumsey Map Collection, https://www.davidrumsey.com/.

By providing a public digital space for social discourse, openness can strengthen the bonds within a community and help the public engage with history in ways that inform democratic participation and community resilience. The National Library of Wales offers notable examples of images from its open collection that are used extensively by third-party users on social media, thereby injecting community life with culturally relevant documentary heritage. Using CC-licenced content on social media can be fraught, but a few principles help make the right decision (Heath, 2020a). With open heritage, people, irrespective of social background, education, or financial means, can connect with heritage in the digital environment, leading to a sustained democratic life and greater social justice (Creative Commons, 2023). It is also a means to connect collections with their communities of origin. For example, in 2023, a collaboration between the British Library and the Javanese community led to the digitization and sharing of 76 Japanese manuscripts. In addition to publication on the British Library's Digitised Manuscripts website, the complete sets of digital images were presented to Sri Sultan Hamengkubuwono X, the Governor of Yogyakarta, the National Library of Indonesia, and the Library and Archives Board of Yogyakarta (Gill & Keinan-Schoonbaert, 2023).

The Need for UNESCO Leadership to Support Open Heritage

Taken together, these examples highlight the diverse ways in which the world's documentary heritage is a shared resource that can be accessed and reused, creating value for society and enabling people to enjoy their fundamental right to participate in cultural life and enjoy the arts.[16] With the success of memory institutions that are open, a glimpse of what is possible becomes evident. Even smaller or less-resourced institutions can also do so when open heritage is combined with other activities carried out in collaboration with local communities and in person (Meletti et al., 2025, p. 82). Likewise, open access to community heritage can also flourish (Ziku & Fabos, 2023).

Yet, the vast majority of memory institutions struggle to develop and implement open policies, tools, and practices. Be it in Chile, India, Nigeria, or Brazil, they face persistent barriers to sharing their collections openly (Díaz-Rubio, 2021; Noronha, 2022; Oloruntimilehin, 2022; Fontenelle, 2022; Vézina, 2022c). These include incomplete awareness and misconceptions about what open really means, a dearth of financial resources coupled with the fear of losing revenue from traditional licensing (which calls on the need to diversify income streams and develop financially sustainable economic models that do not undermine openness) (Meletti et al., 2025), legal uncertainty, underdeveloped knowledge and skills (including low copyright and licensing literacy leading to copyright "anxiety"), and above all, the absence of affirmative, international guidance encouraging openness. These hurdles continue to hold memory institutions back.

UNESCO is uniquely positioned to set open heritage standards at the international level, in line with its mandate. A future UNESCO standard-setting instrument would offer much-needed

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16   This right is enshrined in Article 27(1) of the Universal Declaration of Human Rights (1948) and Article 15 of the United Nations (UN) International Covenant on Economic, Social and Cultural Rights (1966).

guidance to memory institutions on how to remove barriers to access. In fact, UNESCO has demonstrated a strong commitment to openness through multiple instruments, notably the 2019 *Recommendation on Open Educational Resources (OER)* and the 2021 *Recommendation on Open Science*. A 2023 UNESCO report shows that the number of countries with open science policies had almost doubled since the adoption of the UNESCO Recommendation on Open Science in 2021 (UNESCO, 2023b). Likewise, four years after its adoption, 61 Member States (78% of respondents) reported having promulgated the 2019 Recommendation on OER to appropriate ministries and institutions (UNESCO, 2023a). The evidence is in plain sight: UNESCO Recommendations lead to positive change.

A UNESCO recommendation on open heritage would be the next logical step in complementing these two very important pieces of the open infrastructure that UNESCO has established. It could catalyze open initiatives through global cooperation and unlock access to heritage's potential to contribute to achieving the United Nations' (UN) Sustainable Development Goals (UNESCO, 2024). The adoption of a UNESCO recommendation on open heritage is the primary goal of the Open Heritage Coalition (formerly Towards a Recommendation on Open Cultural Heritage, TAROCH), a pioneering community-driven initiative by Creative Commons, which will be presented in greater detail in the following section.

What Is Creative Commons?

Creative Commons (CC) is the international non-profit organization behind the widely-used CC licenses and public domain tools that have been key to "opening" knowledge, science, and culture since 2001 and that power open sharing on popular platforms like Wikipedia, Flickr, YouTube, Medium, among others. Since 2002, the CC licenses have provided a simple, standardized way to freely share images, music, research, educational resources, and cultural artifacts (Creative Commons, n.d.). Today, there are tens of billions of works in the commons, including many materials of documentary heritage.

CC was established at the dawn of the internet to harness digital technologies and break down barriers to sharing creative content in order to grow and sustain a thriving commons where people can share and build upon each other's creativity. More than two decades on, CC aims to "empower individuals, institutions, and communities around the world through technical, legal, and policy solutions that enable the sharing of education, culture, and science in the public interest" (Creative Commons, n.d.).

CC's Open Culture Program, in that same vein, aims to enable people to connect with heritage in the digital environment, that is, to access, use, and reuse it. The program supports memory institutions in making digital objects in their collection openly accessible through the use of CC licenses and public domain tools. The program focuses on four key areas:

1. Provide open solutions—such as open licenses, tools, practices, policies, and guidelines—that enhance access to heritage and ensure its responsible use.

2. Advocate for supportive public policies to shape a policy landscape supportive of open

access to heritage, fostering a global environment where sharing and reuse thrive.

   3. Build capacity and skills for heritage practitioners to more effectively and confidently tackle copyright, open access, and licensing issues.

   4. Empower community members to collaborate on joint projects to address common challenges.

What Is the Open Heritage Coalition?

Thanks to funding by the Arcadia Fund, CC started laying the groundwork for the Open Heritage (formerly TAROCH) initiative in 2021. In 2022, it published *Towards Better Sharing of Cultural Heritage — An Agenda for Copyright Reform* (Vézina, 2022a), a policy paper calling for copyright reform to enhance open sharing and access to heritage. Later that year, it also published *Towards Better Sharing of Cultural Heritage — A Creative Commons Call to Action to Policymakers* (Vézina, 2022b), reshaping the issues into concrete steps for policy reform. In 2023, CC brought together members of the open culture community in Lisbon for a roundtable to assess the state of open culture globally, listen to the community's challenges, and co-create opportunities (Vézina, 2023). The roundtable brought to light the desirability of pursuing a UNESCO instrument promoting open culture and gathering community support for collaborative action. One year after the roundtable, CC organized an Open Culture Strategic Workshop in 2024 to refine the community's goals (including winnowing down from "open culture" to "open heritage"), strengthen the network of supporters, and start building a solid plan for future action (Vézina & Benedict, 2024a, 2024b, 2024c).

   This all culminated in the official launch of the Open Heritage Coalition (formerly TAROCH Coalition) in November 2024 (Vézina & Francis, 2024). The Open Heritage Coalition brings together like-minded organizations and institutions that recognize the transformative power of open solutions and that share a vision of open, fair, and equitable access to heritage. The Coalition was formed to explore and support the development of a global standard-setting framework that promotes equitable access to heritage, particularly heritage in the public domain (out of copyright), while respecting diverse governance frameworks on heritage.

   Through global dialogue and collaboration, the Coalition seeks to engage constructively and collaborate with UNESCO and its Member States to explore the development of a Recommendation—or another standard-setting instrument—to promote more equitable access to heritage in the public domain and to reduce any unnecessary barriers through open solutions, including tools, global standards, practices, and systems. This would align with UNESCO's mission as well as its culture and communication and information policy agendas, particularly in promoting intercultural dialogue and cultural exchange, and building connected, resilient, and sustainable societies. It would also align with UNESCO's mission to foster the free flow of information and preservation of, and access to, documentary heritage, contributing to efforts to address global challenges.

Several months after its launch, the Coalition currently has around 70 institutional and organizational members who have signed the Statement of Commitment (Open Heritage Coalition, n.d.), and it is growing at great speed. Membership is open and diverse, reflecting the global nature of this work. This expanding community of experts and advocates contributes a wide variety of skills, experiences, and perspectives, driving a global movement to shape the future of access to heritage in the public domain. Through the Coalition's international Workspaces and local Advocacy Circles, members collaborate on local, community-powered advocacy efforts towards international policy change. The Advocacy Circles serve as regionally organized teams advancing this work on the ground while also contributing to coordinated global action and targeted policy engagement.

At the end of 2025, the Coalition published the *Open Heritage Statement*, a shared articulation of values, challenges, and priorities needed to close the global gap towards equitable access to heritage (Open Heritage Statement, n.d.a). The Coalition deems it important to predicate collective efforts for more equitable access to heritage in the public domain on shared values and principles. The *Open Heritage Statement*, developed collaboratively by members of the Coalition, enshrines these values and principles and identifies the key actions needed to lower barriers to access and enable open heritage to nurture creativity and shape sustainable futures for all. This Statement aims to support UNESCO's ongoing efforts to promote access to documentary heritage, in line with its normative work on cultural rights, digital transformation, and knowledge sharing for sustainable development, and its founding commitment to the free flow of ideas.

The Statement addresses the key issues alluded to in this article and consists of two parts: a preamble and operative provisions. The preamble serves to situate the Statement in its wider context, providing general background, articulating values and principles, and explaining the barriers and challenges to equitable access to heritage around the world. The operative provisions propose policy solutions to lower the barriers and unlock the potential of open sharing of heritage. The Statement is open for institutions and organizations to sign on to and help promote it within the UNESCO ecosystem as a basis for further exploration of these crucial issues.

Conclusion

To understand our present, our past needs to be understood: our memories, our history, our heritage. However, without equitable access to that heritage, we limit the foundations of cultural participation, digital inclusion, and open knowledge societies that underpin the UN Sustainable Development Goals. Conversely, when heritage is open and equitably accessible, it sparks new narratives across diverse contexts, nurtures collective memory, advances digital equity, and invites people to transform yesterday's heritage into today's creativity and tomorrow's innovation. This is a joyful and creative cycle. Yet without global alignment, the full potential of open heritage remains largely unrealized.

A global, UNESCO-led framework could help change that by empowering memory institutions with shared standards, mobilized resources, and clear opportunities for international cooperation on preservation and access. Until then, it remains critical to raise awareness of the importance of open access to heritage as a key means to realize the human right to participation in cultural life in the digital environment. It is equally essential to promote capacity building and technical assistance to fill both the knowledge gap and the digital divide.

At its core, the Open Heritage Coalition aims to catalyze international norm building through a UNESCO Recommendation (or other standard-setting instrument), one that would provide long-overdue legal clarity and practical guidance for memory institutions to ensure equitable access to public domain heritage.

In the wake of Mondiacult 2025, UNESCO's major cultural policy conference, memory institutions—big or small, public or community-led (Ziku & Fabos, 2023; Benedict, 2023a)—are in a pivotal position to activate the levers that can spark wide-ranging, positive change for all kinds of documentary heritage, including musical heritage (Fronty, 2024). Alongside policymakers and civil society actors, institutions can join in the global conversation that explores the role of openness as a means of activating the 2022 Mondiacult Declaration as well as the 2015 *Recommendation on Preservation and Access to Documentary Heritage, Including in Digital Form* across borders, in a spirit of international cooperation and in furtherance of cultural and linguistic diversity. As Peter Scholing, digital librarian, researcher, and information scientist at the Biblioteca Nacional Aruba, Aruba's National Library, said, "[l]anguages are living entities that carry the collective memory, culture, and identity of a people. However, in today's rapidly evolving online landscape, … small-scale languages like Papiamento may be hard to find, and the traditional (oral, written, analog) methods of language preservation are no longer sufficient. The preservation of Papiamento now relies on the strategic use of digital tools to capture, store, and *make accessible* the rich body of written and audiovisual materials that embody the language (Scholing, 2024, emphasis added).

Memory institutions and like-minded organizations are encouraged to join the Open Heritage Coalition and sign the *Open Heritage Statement* to promote the wider recognition of open access to heritage and to be part of a global movement that is helping to shape the future of open heritage.[17] As noted by UNESCO experts, "it is critical to give memory institutions the mandate to select and preserve digital documentary heritage and to uphold the universal right to access cultural heritage" (UNESCO, 2021b, emphasis added).

Disclaimer

This article reflects the views of its authors and does not necessarily represent the opinions of Creative Commons.

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17   Membership information is available at: Advocacy - Creative Commons, https://creativecommons.org/about/arts-culture/advocacy/.

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