

(English version)

**Question for written answer E-004258/25
to the Commission
Barry Andrews (Renew)
(29 October 2025)**

Subject: EU-wide recognition of e-lending rights for libraries

European libraries are being priced out of fair access to e-books. While individuals can buy an e-book and own it permanently, libraries must often pay several times the cost of an e-book to obtain temporary licences.

Some publishers refuse to sell to libraries altogether or only via costly bundles that often include titles the libraries don't need. This makes digital lending financially unsustainable and restricts access to essential reading across public and academic settings.

Certain Member States (e.g. the Netherlands and Germany) have already modernised their laws in this area but the national copyright law of many Member States does not yet recognise a statutory right to lend digital works, leaving libraries susceptible to inflated prices, arbitrary limits or outright refusals.

This undermines fair access to knowledge and weakens EU education and research institutions. Libraries serve the public good at local level, and their digital role must be recognised and protected on fair terms.

The Court of Justice of the EU already confirmed in 2016 ⁽¹⁾ that e-lending can fall within public lending rights when functionally equivalent to physical lending.

Will the Commission act to facilitate an EU-wide recognition of e-lending rights in EU copyright law and protect libraries in the EU from unfair licensing costs?

Submitted: 29.10.2025

**Answer given by Executive Vice-President Virkkunen on behalf of the European Commission
(19 December 2025)**

Under EU copyright law, the Rental and Lending Directive (2006/115/EC) ⁽¹⁾ grants rightsholders an exclusive right to authorise or prohibit the lending of their works. Member States may derogate from this right in respect of public lending, provided that at least authors obtain a remuneration for such lending.

The European Court of Justice (CJEU) in the Case C-174/15 *Vereniging Openbare Bibliotheken v. Stichting Leenrecht* essentially stated that the concept of 'lending' in Directive 2006/115/EC covers the lending of a digital copy of a book, if specific conditions are met.

The Commission is assessing the role of copyright in facilitating access to libraries' digital collections, by means of a comprehensive study ⁽²⁾. The study includes an analysis of the e-lending practices across the EU and of the issues faced by libraries and rightsholders. The results of this study will be carefully analysed and taken into consideration when discussing the need for further measures.

Additionally, the study results are further disseminated through the ongoing awareness-raising campaign ⁽³⁾ on copyright rules among public interest institutions, covering also the rules applicable to e-lending.

¹ Judgment of the Court of Justice of 10 November 2016, *Vereniging Openbare Bibliotheken v Stichting Leenrecht*, C-174/15, ECLI:EU:C:2016:856.

⁽¹⁾ OJ L 376, 27.12.2006, pp. 28-35.

⁽²⁾ <https://op.europa.eu/en/publication-detail/-/publication/c689fa8b-cf2b-11f0-8da2-01aa75ed71a1/language-en>.

⁽³⁾ <https://digital-strategy.ec.europa.eu/en/policies/copyright-awareness-campaign>.