FOP 101: Freedom of Panorama

CEE Meeting, Kiev, 2014
What is it about?

- **Freedom of panorama** — provision in the copyright laws that permits making images of buildings (and artworks which are permanently located in public places) and publishing such images.
Example: FOP

- Taras Shevchenko sculpture in Canada

*Herb Neufeld, CC-BY 2.0*
Example: NOFOP

- Taras Shevchenko sculpture in Ukraine
- Not in public domain yet

- This image cannot be used in Wikipedia freely

*Vart, CC-BY-SA 3.0*
Freedom of Panorama in Europe

- **Buildings**
  - *Green* – FOP
  - *Yellow* – Non-commercial use only
  - *Red* – No FOP
State of the FOP

2014:

- 83 countries have adopted Freedom of Panorama norms
- In Ukraine you still have to take a written permission from an author (architect, sculptor) to distribute a photo of his/her work
Is this law practiced in Ukraine?

- Nobody seems to care
  - at a first glance
  - photographers at such sites as Flickr, Panoramio, Wikipedia, Wikimapia ignore it
  - but this law is indeed practices in Ukraine
While ultimately

- Wikipedia cannot violate any laws (even if they are mostly on paper)
The two solutions

- Wait 70 years after death of the authors
  - For example, center of Kiev would become free only in 2059

- **OR:** Persuade legislative bodies of our countries to adopt FOP