



SOCIAL ACTIVISM AND COPYRIGHT LAW

10 Legal Rules for Citizen Journalism in Lebanon

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- ▶ As most parts of the world are ruled by regulations and based on the concept of individual rights, independent media projects in Lebanon require some essential knowledge about Copyright Law to be sustainable and successful.
- ▶ This guide aims to prevent non-profit civil society actors to get trapped in legal deadlocks. Citizen journalism related activities often bear the risk of violating second party rights. Trying to help avoiding legal complications, these instructions propose 10 questions & answers on Copyright Law, which social media producers should be aware of.
- ▶ Though, a word of caution has to be raised about the generalization of the recommended guidelines. Every case is different and cannot be fully grasped by these directives. The saying “two lawyers, four opinions” also applies to the field of Copyright Law, a precise legal assessment of a particular project therefore depends on the specific circumstances.
- ▶ Finally, this manual advocates that media property rights should not be seen as a useless rule easily breached, but rather as a safeguard of civil society. The protection provided by copyright secures efforts and the freedom of decision of non-governmental organizations, journalists, artists, and musicians creating an atmosphere, which encourages to craft more and motivates others to create.

1 WHAT MATERIAL CAN I USE FOR SELF-PRODUCED ARTICLES, WEBPAGES, OR VIDEO CLIPS WITHOUT GETTING IN TROUBLE?

- ▶ As a general rule, every piece of media (music, pictures, video excerpts etc.) of somebody else can only be used with permission, if not mentioned otherwise. It is the author's right to control what is done with her/his work.
- ▶ However, there are many sources with free or less restrictive licenses, such as Creative Commons (CC). Creative Commons licenses can be of many types, but most artists agree to allow their content to be used, as long as you give them credit.
- ▶ For more details about CC see: <http://wiki.creativecommons.org/FAQ>

2 WHERE CAN I FIND CREATIVE COMMON SOURCES?

- ▶ For a directory to CC content go to:
http://wiki.creativecommons.org/Content_Directories/
- ▶ For free photos and pictures see in particular:
<http://www.flickr.com> and <http://www.everystockphoto.com>
- ▶ For free music and video see:
<http://www.jamendo.com/en/> and <http://www.artistdirect.com>

3 WHAT SHALL I DO IF I AM NOT SURE ABOUT THE TYPE OF LICENSE?

- ▶ If you have any doubts, do not copy material without authorization. Copyrights exist automatically, and do not require any formal registration! The claims "copyright of" or "©" are not needed for protection, and just function as reminders of the law.

4 ARE THERE ANY EXCEPTIONS TO THESE RULES FOR NON-PROFIT PROJECTS?

- ▶ No. The fact that your project is non-profit can affect the amount of damages awarded to the property owner in court, but it is still a violation.
- ▶ In practice, if the work has no commercial value, the infringement may less likely result in legal action, but you never know.

5 CAN I TAKE A PIECE OF MEDIA AND CHANGE IT?

- ▶ It depends. As Art. 21 of the Lebanese Copyright Law (Law No. 75, 1999) states, the original author shall enjoy the moral right to object to any distortion, mutilation or modification of the work which would be prejudicial to his honor, reputation, fame or artistic, literary or scientific position.
- ▶ Nevertheless, things can be different if you use material for an art project creating something completely new out of it.

6 IS THERE A TIME LIMIT TO COPYRIGHT LAW?

- ▶ Yes. A copyright is protected for a limited period of time. As stated in Lebanon's Copyright Law the protection lasts until 50 years after death (see Art. 49 Lebanese Copyright Law, No. 75, 1999).

7 DOES IT MAKE ANY DIFFERENCE IF THE PIECE OF MEDIA IS FROM ANOTHER COUNTRY AND NOT FROM LEBANON?

- ▶ No, as long as the media is from a country, which also signed an international convention as Lebanon did (and many countries have). Lebanon is party to the World Intellectual Property Organization Convention, the Berne Convention, the Universal Copyright Convention and the Rome Convention.
- ▶ These conventions secure protection to Lebanese works in foreign countries, and vice versa.

8 WHY DO WE NEED ALL THIS? BREACHING COPYRIGHT LAW DOES NOT HURT ANYBODY, RIGHT?

- ▶ Well, as you like freedom, it is up to the copyright owner to decide what others do with their work. Ask them. Many will understand that you are using the material for a good cause and will support your volunteer efforts for civil society activities.








9 WHAT WILL HAPPEN IF I BREACH COPYRIGHT LAW?

- ▶ A copyright owner can take legal action against you. He/She is entitled to remedies by getting a fair compensation for the material or moral injury and damage incurred (see Art. 84 Lebanese Copyright Law, No. 75, 1999).
- ▶ The amount of such compensation will be determined by the court based on the commercial value of the work, the damage and lost profit incurred by the right holder and the material profit realized by the infringer.
- ▶ Under the Lebanon's Copyright Law remedies against infringements also include criminal actions, which can lead to imprisonment from one month up to three years; fines; and temporary closure of establishment.

10 WHAT CAN I DO IF SOMEBODY BREACHES MY COPYRIGHT LAWS?

- ▶ You can settle outside the courtroom, or take legal action.
- ▶ The Civil District Court concerned has the jurisdiction in civil suits regarding copyright infringement. You therefore have to prove the authorship of the work.
- ▶ Your work is under copyright protection the moment it is created and fixed in a tangible form.

RESOURCES

-  **Lebanese Copyright Law (1999):**
http://www.economy.gov.lb/MOET/English/IPR/Copyright/Documents/CopyRight_En.pdf
-  **Lebanese Ministry of Economy and Trade, Copyright Law in Lebanon:**
<http://www.economy.gov.lb/MOET/English/IPR/Copyright/Pages/Default.aspx>
-  **Mohammed Darwish (2009), National Copyright Laws Global Survey, Lebanon Country Report, Consumers International:**
<http://a2knetwork.org/reports/lebanon>
-  **Khalil Ghosn and Abdel Aziz Jama'a (2009), Copyright handbook for Illustrators & Writers, مسروقة في كراتية وميات:**
<http://therefordesign.net/blog/wp-content/uploads/2009/07/Copyright-handbook-03MAY09.pdf>
-  **Stephen Franklin (2007), Nine Steps to Citizen Journalism Online. Committee of Concerned Journalists:**
<http://www.concernedjournalists.org/nine-steps-citizen-journalism-online-0>
-  **ICNews (2008), Citizen Journalist Training Guide 1.2:**
<http://kron.icnews.com/cjguide/ICNEWSCTrainingv1.2.pdf>
-  **Mark Glaser (2006), Your Guide to Citizen Journalism:**
<http://www.pbs.org/mediashift/2006/09/your-guide-to-citizen-journalism270.html>

CONTACT:

- ▶ Rootspace: <http://www.therootspace.org/site/>
- ▶ Social Media Exchange: <http://www.smex.org/>
- ▶ Consumers International: <http://www.consumersinternational.org/>
- ▶ Creative Commons: <http://creativecommons.org/>

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