

QUESTIONS FOR THE PUBLIC CONSULTATION "EUROPEANA - NEXT STEPS" TOGETHER WITH MODEL ANSWERS

The present document complements the Commission Communication on 'Europeana – next steps' with a series of questions for consultation. Interested parties are invited to submit their comments on all or some of the questions **by 20 November 2009** to:

European Commission,
Directorate General for Information Society and Media
Unit 'access to information', EUFO 2281
Rue Alcide de Gasperi
L-2920 Luxembourg
or by e-mail to: ec-digital-libraries@ec.europa.eu

Contributions will be published on the digital libraries website of the Commission, unless requested otherwise by the organisation/person submitting them.

The questions of this consultation all have a direct impact on the future development of Europeana. Some of the questions - in particular questions 7-10 - also have more general policy implications for the digitisation, accessibility and use of content from cultural institutions. The replies to these questions will feed into the further policy development in areas such as the re-use of public sector information and copyright related questions for the digitisation and online accessibility of cultural material. In the latter area the questions complement the work undertaken by the Commission in the context of the Green Paper on copyright in the knowledge economy and the follow-up Communication. Where relevant, the results of the consultation will be taken up and further discussed in stakeholder groups and working groups with Member States' representatives.

Questions and answers:

General

Question 1

Which orientations would you suggest for the future development of Europeana as a common access point to Europe's cultural heritage in the digital environment?

- 1.2 Europeana should broaden its range to more accurately reflect the cultural and scientific heritage of Europe. This would include, but is not limited to, monuments, architecture and the built environment, archaeological sites, social history institutions, university repositories and medical museums.

Question 2

Which features should be given priority in the further development of the site?

- 2.2 Europeana should therefore focus on prioritising functionalities rather than features. A priority list must include the following.
 - 2.2.1 Work needs to be done on improving access through search and browse. This means working on models to relate metadata from the

different domains, to show other items connected to the search undertaken. This will demonstrate the depth of Europeana and exploit the serendipity of chance associations. Some will be achieved by new algorithms connected with the semantic web but some is very labour-intensive and dependent on metadata standards.

Question 3

Has Europeana struck the right balance between making Europe's digitised cultural heritage searchable through a common entry point and at the same time giving visibility to the institutions that contribute the material, or should the material accessible through Europeana be presented in a more unified way?

3.3 However, according to research conducted in scientific, technical and medical publishing, most users' primary concern when online is to find the material they are looking for. Their interest in the content holder or publisher is usually secondary.

Question 4

How should Europeana further develop its own autonomous identity?

4.2 The EU can help to build Europeana's brand identity by ensuring that all funded projects associated with Europeana reinforce the central brand. Projects should not devote resources to building individual short-term project brands which are inconsistent with the identity of Europeana.eu and result in confusion for users.

Question 5

Should there be minimum requirements for the content brought into Europeana by the contributing organisations (e.g. minimum viewing or use options)? If so, who should be responsible for defining and imposing these minimum requirements?

5.2 Europeana should work with content holders to achieve consensus on the minimum requirements. It should also communicate the minimum requirements to providers and the reasons for setting them. Otherwise the current voluntary nature of contribution will become difficult to maintain.

Content for Europeana

Question 6

Which categories of content are so important for the users that Member States and their cultural institutions should be encouraged to make them available through Europeana? What measures can be taken to ensure the availability of these works through Europeana?

6.1 More studies across the range of user types in different countries are needed to establish what users want.

6.5 Governments and Ministries should be made more aware of the benefits of digitisation in infrastructure programmes such as the Structural Funds,

especially the European Regional Development Fund, particularly in times of high unemployment. An interesting example of this comes from Sweden, where in 1994 the Swedish National Archives was asked to employ 1000 people overnight. The resulting National Archives Database made the Swedish Archive one of the best catalogued archival resources in Europe and prepared it for the internet age. The project resulted in the creation of an archival system that rationalised the work processes at the Archives and gave access to reproductions which users could order, enabling the Archive to get a monetary return on them. The project also gave training in computer skills and stimulated a strong interest in local culture among the participants.

Question 7

What is the best way to encourage cultural institutions and rightsholders to take into account cross-border access - including through Europeana - in their agreements on digitisation and dissemination of in-copyright material? Which legal or practical barriers to this cross-border access need to be addressed?

- 7.1 Harmonization of copyright in Europe would improve the current situation. Revisit the Berne Convention with specific reference to the Internet so that new laws for Internet usage of copyrighted material can be determined.

Question 8

How can the difference in the level playing field for digitising and making accessible older works between the US and Europe (in particular the 1923 cut-off date in the US, that places all material from before 1923 in the public domain) be addressed in a pragmatic way (e.g. better databases of orphan and out-of-print works, a cut-off point that imposes lower requirements for diligent search in relation to orphan works)?

- 8.1 Facilitation at least for orphan and out-of-print works

Question 9

What policies should be adopted to avoid the process of digitisation itself creating new types of sui generis copyright that, in turn, could create barriers to the dissemination of digitised public domain material?

- 9.2 Harmonization of copyright in Europe

Question 10

What measures can be taken to ensure that cultural institutions make their digitised public domain material accessible and usable in the widest possible way on the Internet? Should there be minimum requirements for the way in which digitised public domain content is made available through Europeana?

- 10.1 Imposing minimum requirements could be detrimental to ensuring the material is at least accessible. However encouragement to adhere to the public domain in principle is very important.

Financing and governance

Question 11

Which financing model would reflect a fair distribution between Community funding, Member States' funding and private funding, taking into account that the aim of Europeana is to give the widest possible access to Europe's cultural heritage at a pan-European level? Could Europeana be financed solely by national cultural institutions or by private funding?

- 11.1 In the interests of public access to Europe's cultural and scientific heritage in the long-term, and the sustainability and independence of Europeana, the funding model should be 100% financed by the European Union, including overhead costs.

Question 12

Is sustained European Union funding for the basic operations of Europeana necessary and justified for the period after 2013? What type of European funding instrument could best be used?

- 12.3 Europeana has clear potential for adding further value, thereby justifying sustained long-term funding. A 100% funding model with overhead allowance is the appropriate model; project funding is not a suitable model in the long term – see 11.6 above. The sums of money being requested for Europeana are low in relation to the broader benefits offered to the European knowledge economy and to Europe's citizens in terms of deepening understanding, offering personal enrichment and developing lifelong learning.

Question 13

Which governance structure for Europeana would best fit the preferred financing model (as indicated under question 11)? Should there be a role in the governance structure for organisations other than content providers?

- 13.1 The governance of Europeana should come from its major, long term, persistent stakeholders, the content providers. They have the public responsibility – usually enshrined in their founding charters - to give access to their collections and maintain them for future generations.

Question 14

How can private involvement in Europeana best take shape (e.g. through sponsoring, through technological partnerships, through links from Europeana to the sites of publishers and other right holders where the user can buy in-copyright content, or through another type of partnership)?

- 14.3 If private technology companies are part of projects then the contracts with them should be negotiated prior to signing the grant agreement. The contracts should not be negotiated at the end of projects where the likelihood is that commercial need outweighs the economic possibilities for the other project

partners. An upfront knowledge of the costs can be built into a sustainable business model.

Question 15

How can private sponsorship of Europeana best be stimulated? Are commercial communications on the Europeana site acceptable, and, if so, what type of commercial communications (e.g. logos of sponsors, promotion of specific products)?

- 15.2 Some forms of promotion could be directly beneficial to content holders giving increased access to their material and possibilities for revenue e.g. a search on Rembrandt could show a list advertisements for Rembrandt exhibitions and relevant publications, a search on trains could direct the user to posters sold in webshops of the museums, a search on names could lead to archives promoting their paid for services in genealogy. Equally, digitisation on demand services connected to bibliographic references could lead to revenue and digitised products.

Question 16

Should there be a contribution (financial or other) in exchange for the links from Europeana to sites with content for which the user has to pay? Can a model such as that of Gallica 2, providing links from the site of the Bibliothèque Nationale de France to the content on the sites of French publishers, be transposed to Europeana?

- 16.1 Europeana must be operational first, and then the opportunities for this type of linkage can be explored. The model must be simple to operate and not have complex accounting requirements. The Gallica 2 model may be unsuitable for the distributed environment of Europeana because of the complexity of accounting procedures.