



## Public consultation “Europeana - next steps”

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### **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?*

#### **Answer**

- 1.1. Europeana should continue to integrate all available digital content from libraries, archives, museums and audiovisual collections.
- 1.2. Europeana should work as a catalyst for further mass digitisation projects. More pressure for new funding for digitisation on national level is needed. Due to a lack of public funding of mass digitisation programmes the content in Europeana is biased in terms of content from the content providers’ point of view as currently there are almost no books or audio materials available. This should be addressed by supporting the Member States politically and financially in initiating mass digitisation activities.
- 1.3. Europeana should in due course become embedded into research and educational infrastructures, e.g. into digital research and educational environments and workflows.

This supposes a higher level of integration of Europeana into student and researcher digital communities. Europeana should also be better connected to well-established internet communities like Wikipedia.

- 1.4. Europeana should include collections from the wider Europe [i.e. Council of Europe countries], but this should be taken in a slightly later phase of development, once the countries of the EU are fully incorporated.
- 1.5. In order to encourage Europeana to flourish, and by extension, to encourage digitisation programmes and online access to knowledge, it is vital to revisit EU copyright laws in relation to the web. Allied to this are issues around funding for cultural institutions and their digitisation programmes. Pressure on funding digitisation has two consequences which run counter to the Commission's intention in funding Europeana. The first is that institutions set up exclusive licensing deals on long-term contracts in order to get material digitised; the second is that they aim to raise revenue from re-use of digitised material. Charging for all types of re-use acts as an effective barrier to innovation and start-up creative enterprise.

### **Question 2**

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

#### **Answer**

- 2.1. There should be more consultation with end users (academics, students, citizens). This would guide the further development of the service and would allow validating whether Europeana meets the needs of end users, research, teaching and learning.
- 2.2. Usability of the user interfaces and a reliable and stable service with a fast response time to user requests should be the highest priority.
- 2.3. Multilingualism should remain a high priority.
- 2.4. Data enrichment should be a service offered by Europeana to content providers (e.g. enriching metadata records with geospatial information).
- 2.5. Europeana should employ semantic web technologies and add Web 2.0 features like user annotations and user generated content. Rather than developing its own social network it should link with existing communities like Facebook.
- 2.6. Europeana should expose its API to allow integration with other services.
- 2.7. Developing an "On request" application through which the public could ask for a copy of an analogue object to be digitised and made available via Europeana.

### **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?*

## **Answer**

- 3.1. Europeana's branding at the search level gives way to the content provider's branding at the item level. It is essential that Europeana displays content provenance and ownership at item level. It is unlikely that providers would so enthusiastically make content available were they to lose their branding opportunity.
- 3.2. It is important to find ways to show provenance and ownership of the digital item also when it is re-used via APIs.
- 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?*

## **Answer**

- 4.1. Europeana has established a fairly strong brand image for digitised cultural heritage in Europe. To maintain this brand image it has to demonstrate the quality of the materials it makes available, and the quality of its services.
- 4.2. Institutions bring high reputational advantage through their contributions to Europeana. Branding of the contributor alongside the Europeana branding is of primary interest to the stakeholders, and shows return on their investment in providing content to Europeana.
- 4.3. The EU can help to build Europeana's brand identity by ensuring that all funded projects associated with Europeana reinforce the central brand instead of devoting resources to building individual short-term project brands.
- 4.4. Materials accessible through Europeana should also become much more visible through Google and other search engines.

## **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?*

## **Answer**

- 5.1. Minimum requirements should be defined by Europeana in consultation with the content providers and Council of Content Providers and Aggregators (CCPA) of the EDL Foundation. 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.

- 5.2. In addition minimum requirements regarding the conditions of use for the content provided (content licenses) to Europeana should be established. Creative Commons licenses would be a good basis for a Europeana licensing framework.
- 5.3. Technical aspects (e.g. minimum set of metadata, persistent identifier for each item) should also be addressed. The EDL Foundation should be responsible for creating an agreed framework of standards in consultation with the Council of Content Providers and Aggregators. These standards should be agreed in collaboration with participating partners and consortia, and these bodies should be responsible for disseminating and complying with these standards in terms of the material and metadata they are offering up to Europeana.
- 5.4. All data should comply with one of the current world standards for Library, Museum, Archive and Audiovisual materials. These standards, their updating and maintenance are the responsibility of the professional Associations such as IFLA, IASA, ICA and ICOM. Europeana should make use of these and not invent more unless a new standard is needed to facilitate cross-domain interoperability.
- 5.5. Organisations or aggregators submitting data to Europeana should use OAI-PMH as an update mechanism as it will allow low maintenance and automatic update of their content regularly.
- 5.6. The metadata and thumbnails contributed to Europeana should be re-usable in web services provided by Europeana. Digitised items remain under the control of the content providers, and this gives them increased traffic and impact. It also allows them to charge for high resolution images for commercial use where appropriate.
- 5.7. All digitised content should contain a persistent identifier and European-level resolving services are needed to make use of these effectively. Persistent identifiers will always take a user from a link to the content item; without them, users will be constantly frustrated by broken links and error messages.
- 5.8. The proposed Public Domain Charter of the EDL Foundation should be used as a guiding principle for organisations to find other ways, where possible, to earn revenue rather than from the digitisation of their content.
- 5.9. Public Private Partnerships contracted in order to digitise content should be licensed for short timescales. Online advances are so rapid, that tying up previously out-of-copyright information in exclusive deals for multiple years risks limiting freedom of access and thus inhibiting innovation and the development of the knowledge economy.

## **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?*

### **Answer**

- 6.1. More studies across the range of user types in different countries are needed to establish what users want.
- 6.2. Avoiding the 20th century black hole in particular regarding books is critical, especially when seeking to engage younger audiences. Measures should be taken to encourage and financially support organisations to digitise book material.
- 6.3. Audio and audiovisual material is significantly underrepresented in Europeana. It should be a priority to increase the number of these resources in Europeana.
- 6.4. Governments and Ministries should be made more aware of the benefits of digitisation in infrastructure programmes.
- 6.5. Measures can be taken to encourage organisations to digitise. Financial incentives can be offered. Case studies on the multiplier effect or return on investment of digitisation should be encouraged and made more widely available. Good examples exist from the Strategic Content Alliance in the UK and the SEO economisch onderzoek - <http://www.seo.nl/> - in the Netherlands.

### **Question 7**

*What is the best way to encourage cultural institutions and right holders 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?*

### **Answer**

- 7.1. Harmonisation of copyright in Europe would improve the current situation. In order to encourage digitisation programmes and online access to knowledge, it is vital to revisit EU copyright laws in relation to the Internet. The challenge of copyright in Europe is that legislation exists at both European and national levels. What is required to overcome these barriers to trans-border access is a more standardised European copyright regime, which balances the rights of rights holders with those of users. Developments such as Europeana almost require a stronger European input into copyright legislation, and the relevant EU directorates should take action to press ahead in this direction.
- 7.2. Libraries would need assistance in negotiating favourable digitisation contracts with private companies. The EU Guidelines on Public-Private Partnerships should be accompanied with concrete implementation guidelines. All information, including full text, images (even if not at the highest resolution) and metadata should be made as freely available as possible through Europeana.
- 7.3. Audio and audiovisual material is more adversely affected by inconsistencies in legislation than any other class of material. Action is needed urgently to enable access to and preservation of the 20th century audiovisual record.
- 7.4. Legal inconsistencies and IPR-related difficulties around the digitisation of orphan and out-of-print works need resolution.
- 7.5. Organisations should avoid licensing agreements which restrict use of material to specified territories. Such restrictions inhibit the intentions of the EU in funding

Europeana – i.e. to promote cross-cultural understanding and recognition of the common European heritage.

### **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)?*

### **Answer**

- 8.1. It could be argued that the US position is more supportive for digitisation activity because it is a rule that is easy to implement. The EU should pursue greater harmonisation of current legislation in the Member States in this area in order to facilitate digitisation of older content. Facilitation at least for orphan and out-of-print works is of key importance.
- 8.2. Setting a US-style cut-off date across the whole of Europe would be a huge step forward. E.g. 70 years delay: before this date, works are considered out of copyright. 25 years delay: before this date, lower requirements apply for diligent search in relation to orphan works.
- 8.3. Orphan works are particularly difficult. The current approach in many European countries is not to digitise material where the rights holders cannot be traced. Inevitably, such an approach will lead to the creation of a mass of orphan works, works which an individual would like to have digitised but where the rights cannot be cleared. A European legislation for orphan works is required.

### **Question 9**

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

### **Answer**

- 9.1. There should be a clearly stated use and re-use policy together with an agreed Open Access policy, which takes into account issues such as commercial/non-commercial re-use of the digital material. Creative Commons could serve as a model for a Europeana licensing framework.
- 9.2. The proposed Public Domain Charter of the EDL Foundation could be used as a guiding principle, with additional clarification concerning the commercial re-use of digitised materials. As a principle, material that is in the public domain in analogue form should also be accessible in digital form on the basis of an agreed access policy. Otherwise there is either a risk that especially digitised books in the public domain will not be accessible for many years or that top quality content will not be contributed to Europeana.

**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?*

**Answer**

- 10.1. Provide more funding through EU funding streams, and require that the resulting digitised materials should be available free of charge in Open Access. Cultural institutions seek money to digitise so that they may fulfil their public role. They may choose closed-access revenue models unless an incentive not to do so is provided.

**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 pan-European level? Could Europeana be financed solely by national cultural institutions or by private funding?*

**Answer**

- 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.
- 11.2. Individual Member States' primary responsibility should be to fund national digitisation and national digital portals to aggregate content for Europeana. The EU should give incentive financing for the development of pan-European digitisation programmes, especially in the fields of cross-border interest.
- 11.3. Services like the delivery of high quality images, sound and video records and print-on-demand materials could be charged services.
- 11.4. Income could be generated from added value services developed for users. These services could attract private companies interested in raising their visibility via sponsorship. Services could also be developed in collaboration with private companies (e.g. online booksellers).

**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?*

**Answer**

- 12.1. See also the answer to Question 11.
- 12.2. Structural funding for Europeana should be part of the European long-term strategy for Europeana in order to ensure continuity in building meaningful digital collections. Countries already pay into the Community budget for the promotion of European cohesion and social unity. Some deployment of this budget to a development such as Europeana would serve well.

### **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?*

### **Answer**

- 13.1. The governance of Europeana should come from its major, long term, persistent stakeholders, the content providers. The current governance structure vested in the EDL Foundation has been arrived at after much debate with all the stakeholders, the content providers, ministries of culture and education, the users, and the European Commission. This governance structure should be maintained at least in the medium term.

### **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)?*

### **Answer**

- 14.1. Europeana should take every opportunity to make its materials more visible and ready for sharing and re-use, especially in a non-commercial context (integration into education and research), but to some extent also in commercial environments. Europeana should integrate with services provided by commercial companies such as search engines, online booksellers companies selling high quality images, audio and video files.
- 14.2. Europeana should go out to where the user is rather than creating more and more services where the user has to come to Europeana.
- 14.3. Technological partnerships for proprietary software are very difficult for an internet application. Open source software should be deployed wherever feasible to promote take-up and sharing of resources created by Europeana by the national portals that are being developed.
- 14.4. Through links from Europeana to the sites of publishers and other right holders where the user can buy in-copyright content.

### **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)?*

**Answer**

- 15.1. The first condition for sponsorship for Europeana is that Europeana will have to be able to show its value and a broad user base. Europeana will never be able to attract sponsors if sponsors do not receive sufficient visibility or other perceived value.
- 15.2. Europeana should be funded with Structural Funds by the EU, and to a lesser degree by other stakeholders in sympathy with Europeana's aims and ethos.

**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?*

**Answer**

- 16.1. Europeana should remain the place where users know they can find free content. Europeana should be the international showcase for European public cultural institutions. It is in this context that links to paying services that provide added value to the free content in Europeana could be encouraged.
- 16.2. 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.
- 16.3. Revenue opportunities such as affiliate income should be explored, e.g. links through to the item sold on BOL.com, Amazon, iTunes or on publishers' own sites.