

PUBLIC CONSULTATION "EUROPEANA - NEXT STEPS"

National Library of Latvia fully supports the position taken by both the EDL Foundation and the Ministry of Culture of Latvia. Therefore the answers below are based a great deal on the answers provided by both these partners of the National Library of Latvia.

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?

Europeana should continue to integrate all available digital content from museums, libraries, archives and audiovisual collections from every Member State, providing trusted and broad information of high quality to its users.

Europeana should give access to paid-for material as well as unpaid, and look towards a generic multilingual payment system.

Europeana should continue to improve its financing and governance model in order to ensure sustainability of the service.

Question 2

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

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.

Multilingualism has to remain a high priority.

Cleaning and enriching data so it can be used for geographic and temporal search and browse.

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?

The balance seems reasonable at the moment. Europeana's branding at the search level gives way to the content provider's branding at the item level. It is unlikely that providers would so enthusiastically make content available were they to lose their branding opportunity.

It is important to find ways to show and prove ownership of the digital item when it is re-used via API's. Users need to know where the content comes

from to reference the item properly and to clear further rights of reuse should they need them.

Question 4

How should Europeana further develop its own autonomous identity?

Europeana has a fairly strong brand image. This should be maintained in all web 2.0 communications and applications alongside the branding of the contributor or publisher of the content. While of secondary importance to the users, it is of primary interest to the stakeholders (content providers and funders), and shows return on their investment in providing content to Europeana.

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.

Europeana should continue to position itself as a source of trusted and verified information to its users in order to establish the brand of Europeana as a trusted research tool.

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?

Minimum requirements for content should be defined by Europeana in consultation with content providers. Providers should conform to these.

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.

All data should comply with one of the current world standards for Library, Museum, Archive and Audiovisual materials. These standards, their update and maintenance are the responsibility of the professional associations such as IFLA, IASA, ICA and ICOM. Europeana should always make use of these and not invent more unless a new standard is needed to facilitate cross-domain interoperability.

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.

Organisations or aggregators submitting data to Europeana should use OAI-PMH or OpenSearch as an update mechanism as it will allow low maintenance and automatic update of their content regularly.

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?

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

Avoiding the 20th century black hole is critical, especially when seeking to engage younger audiences.

Other important categories of material include

- Current publications.
- Content that reflects cross-border history.
- Treasured items or those which in some way define a culture.
- Fragile items to which public access is extremely limited.
- Items which have been separated by the activities of collectors.

Cross country digitisation should be encouraged. For example, libraries in Estonia, Denmark and Sweden hold many of the earliest examples of Latvian book printing and other items of great significance to Latvian cultural history, while of secondary importance to the national institutions holding these items. Another example – many great monuments of Greek architecture are located outside the modern territory of Greece. Therefore it should be encouraged that countries digitise also items of importance to other countries, not only their own cultural legacy.

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?

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.

Practical examples of arrangements for blanket agreements enabling sums of money to be paid to all rightholders should be considered. Such examples include Kopinor in Norway.

Audiovisual material is more adversely affected by the inconsistency of legislation than any other class of material. Action is needed urgently to enable access to and preservation of the 20th century audiovisual record.

Legal inconsistencies and IPR-related difficulties around the digitisation of orphan and out-of-print works need resolution. The first results of the ARROW project are rather encouraging and it must be continued in order to establish a EU-wide copyright clearance solution.

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.

The focus should be on the creation of scalable multilingual solutions.

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)?

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

Setting a US-style cut-off date across the whole of Europe

Creation of basic level remuneration to rightholders such as Kopinor, via collecting agencies.

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?

Updating of EU Copyright law to the internet age.

Harmonization of copyright in Europe

In the short term, legal advice is needed to create greater clarity among organisations that digitise out of copyright material and potential users of such material as to what is acceptable usage.

The Public Domain Charter will seek to influence policy at a political level and provide recommendations at a practical level to content providers.

The digital reproduction of an analogue work should not create a new or derivative copyright object.

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?

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.

The Public Domain Charter will help to underline the primary importance of public access to information, and the public duty that cultural institutions have in underpinning knowledge transfer and innovation.

Forms of funding for digitisation programmes need further scrutiny. Cultural institutions seek money to digitise so that they may fulfil their public role and emulate equivalent institutions in other countries. They may be forced into closed-access revenue models unless alternative funding is available.

Therefore it is of vital importance to have a long-term EU funding support, including funding for projects fostering the inclusion of already digitised content in Europeana, adjusting them to the minimal requirements if necessary.

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?

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.

Individual Member States' primary responsibility in this area should be to fund national digitization and national digital libraries to aggregate content for Europeana.

Core funding from private sources creates high risks in relation to sustainability and independence.

Sponsorship funding is possible and should be encouraged on all levels, including national.

Sectoral or National Aggregation should be encouraged as this creates a workable business model based on the principal of subsidiarity. Each content contributor, however small, has a responsibility to provide clean, usable, standardised metadata. This can be aggregated and further standardised by the aggregator before being passed to Europeana for inclusion and for use by every European citizen and beyond. The aggregator model removes much of the data burden from Europeana while also ensuring that the original content provider can make use of their data in other collaborations with no extra work.

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?

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. 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.

Europeana also provides the European Union with a flagship demonstration of the desirability of digitisation and freedom of access to information for all, and offers a model for other nations and continents.

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?

The governance of Europeana should come from its major, long term, persistent stakeholders, the content providers.

Should there be any organisation providing a significant private funding in the future, it should not be allowed to directly influence the strategy and content of the service, allowing it no more than a consultative role.

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)?

All three models can be supported, although the sponsoring model seems to be the most preferable.

Involvement of content owners and e-content stores should be encouraged, providing links from Europeana to the sites of publishers and other right holders where the user can buy in-copyright content.

The technological partnerships are possible as long as they do not provide threats for the long-term sustainability of the service.

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)?

Sponsorship, insofar as it is possible, should be encouraged. The content providers should be allowed to attract their own sponsors, in return giving

them a higher visibility not only on national but also European level – preferably both on collection and item level. In any case there should be very strict rules for commercial communications on Europeana, drawing a firm line between what kinds of services can be offered to sponsors and what not.

Europeana definitely should not become a generic advertisement platform, regardless of its form or content. There could be made an exception for advertisements promoting cultural, scientific and educational products and services. However the same set of rules as managing the services provided to sponsors should be applied in this case.

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?

Both models could be applied and should be explored in more detail in order to indentify the most effective approach.