

Questions for the public consultation "Europeana - next steps"

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 15 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 for consultation

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?

- 1.1. Europeana should be developed as a common direct access point to Europe's diverse cultural heritage and has to promote a European identity.
- 1.2. Europeana should include digitised collections and digital cultural material from all the memory institutions (libraries, archives, museums) at the national and local level.
- 1.3. Europeana should collaborate with other digital library initiatives of the world.

Question 2

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

The most important issues in the development of the site are:

- 2.1. the implementation of web 2.0 services,
- 2.2. improving interfaces and semantic web features,
- 2.3. extension of multilingual capabilities, for example automatic translation of search terms, etc.

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?

Our choice would be the first solution: Europeana should be a gateway to the collections of content holders and give links to the original systems of full text objects and metadata.

Question 4

How should Europeana further develop its own autonomous identity?

Europeana identity should be maintained in all possible applications as European added value. It is necessary to ensure support from the Member States and European Union in keeping Europeana brand.

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?

The minimum requirements for the content are necessary. It is necessary to have the content development scenario, coordinating this closely with content providers (aggregators, national cross-domain portals, etc.). This scenario should include:

- 5.1. requirements for data (data should be compliant with international standards, adopted and recommended by professional associations of libraries, museums, archives and other memory institutions),
- 5.2. all digitised content should contain a persistent identifiers,
- 5.3. content providers should use OAI-PMH protocol for data harvesting.

The requirements should be defined by Europeana office and approved by EDL Foundation.

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. Europeana content should focus on research, education, scholarly public as well as on general user. Important categories of material that it is not accessible now and should be available through Europeana are:

- in-copyright material,
- unique, valuable and fragile items to which public access is limited,
- e-learning guides on pan-European themes.

6.2. In order to ensure the availability of these works through Europeana following measures should be taken:

- development of new laws for internet usage of copyrighted digitised material,

- development and implementation of public and private partnership models,
- adequate national government support for digitisation.

Question 7

What is the best way to encourage cultural institutions and rightholders 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. There is a strong need to develop new laws for internet usage of the copyright protected material.

7.2. The national copyright acts and laws should authorize the national libraries to digitise all published material for long term preservation.

7.3. Implemented public and private partnership models should avoid licensing agreements which restrict use of material to specified territories and limit the cross-border access.

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)?

Setting a US model – 1923 cut-off date across the whole of Europe.

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?

There is a need of revisit copyright laws in Europe in relation to the web, legal advice and recommendations to content providers would be very useful. The question where the digitisation creates new rights is very important issue.

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?*

Cultural institutions should cooperate in digitisation of public domain material. It is needed to keep digital public domain works open. If the material (especially national cultural heritage) has been digitised with public money by public institutions it should be open and accessible for public. In Lithuania all necessary preconditions required for digitisation of the national cultural heritage, its long-term preservation and access have been established. *Concept for Lithuanian Cultural Heritage Digitisation* (approved on 25 August, 2005), the *Strategy on Digitisation of Lithuanian Cultural Heritage, Digital Content Preservation and Access* (approved on May 20, 2009) provide legal basis and ensure full and free access to digitised public domain material.

There should be requirements for the digitised public domain content which is made available through Europeana. Content ingestion should be flexible.

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?

Public funding that comes from the European Commission and Member States assuring safeguarding from the whims of the market. European Commission should continue co-funding through its programs, Member States should continue support by funding national digitisation and national digital libraries to aggregate content for Europeana. The partner institutions are also contributing financially to the sustainability of Europeana by dedicating time and resource to making their collections available. Financing Europeana by the private sector should be considered (sponsorship, advertising), but it is very important to keep the content fully accessible for public.

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 is European added value and it is very important to sustain public funding, which comes from the European Union and Member States. Other funding possibilities and alternative sources for funding could be considered, but it is necessary to secure freedom of access for everyone to the Europe's cultural and scientific heritage. It is the main aim of the European Commission's digital libraries initiative and needs to be highlighted.

Europeana contributes to the dissemination of the national cultural and knowledge heritage of the Member States. Therefore the financial contribution from the State's budgets should be considered. *Strategy on Digitisation of Lithuanian Cultural Heritage, Digital Content Preservation and Access and its Implementation Framework for 2009-2013* provide more sustainable options for funding from the State budget and the EU Structural Funds. Priority has been given to the projects, which provide possibilities for development of partnership relationships between memory institutions for creation of the single Lithuanian digital cultural heritage information space and integration of their services into the system of the digital cultural heritage and common portal "epaveldas.lt". Under the *Implementation Framework* 5,8 million EUR have been granted from the State budget and 12,3 million EUR from the EU Structural Funds.

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 stakeholders and the content providers. The new structure of EDL Foundation Council of Content

Providers and Aggregators will allow wide participation from individual content providers. Associations of cultural institutions should be the members of EDL foundation as well. There should be a role in the governance structure for the ministries of Member States.

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 rightholders where the user can buy in-copyright content, or through another type of partnership)?

All these types of partnership could be discussed.

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)?

Promotion of the material from the affiliate partners and other forms of the advertisement of the material (including services related to it) presented by the content holders would be beneficial first of all to the content holders. Europeana should continue to pursue the cultural and information policy objectives.

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?

Payment for the links provided for Europeana to the content for which the users have to pay would be another source of income.

Comments written by:

National Library of Lithuania
Gedimino pr.51
LT-01504 Vilnius
LITHUANIA
Tel. +3705 2497023
Fax +3705 2496129
E-mail s.leknickiene@lnb.lt