



EUROPEAN COMMISSION

Directorate-General for Communications Networks, Content and Technology

Media and Data
Creativity

**IMPLEMENTATION OF
THE COMMISSION RECOMMENDATION
ON DIGITISATION AND ONLINE ACCESSIBILITY
OF CULTURAL MATERIAL AND DIGITAL PRESERVATION**

PROGRESS REPORT 2011-2013

**Please complete and return by e-mail to
Rachel.Soucher@ec.europa.eu no later than 31 October 2013**

Country	Estonia
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NOTE: This template follows the structure of the Recommendation of 27 October 2011 on the digitisation and online accessibility of cultural material and digital preservation. This template should be strictly followed.

The Commission Recommendation was endorsed by Council on its Conclusion of 12 May 2012. The priority actions and indicative timetable contained in these Conclusions should clearly be taken into account in your reporting of progress.

Please note that particular attention should be given to new developments in the reference period 2011-2013, notably:

- Financial resources and quantitative/qualitative targets for digitisation
- Public-private partnerships for digitisation
- The transposition and implementation of the Directive 2012/28/EU of the European Parliament and the Council of 25 October 2012 on certain permitted uses of orphan works.
- Legislative or other actions taken by Member States to facilitate the large-scale digitisation of out-of-commerce works
- Actions taken by Member States to support Europeana (provision of content, funding, etc.)
- Measures taken by Member States to ensuring the wide and free availability of existing metadata produced by cultural institutions (Europeana Data Exchange Agreement)
- Financial and organisational aspects of digital preservation.

Besides your factual report, you are encouraged to raise any implementation problems or highlight any best practice examples to which you think special attention should be paid at national and/or European level. Where implementation is not fully reached, please describe how you plan to continue your work.

Please use the empty boxes underneath the questions to indicate your response/comments.

Please provide as much as possible quantitative indicators on progress achieved.

All reports will be published on the Commission's Digital Agenda for Europe website.

DIGITISATION: ORGANISATION AND FUNDING

1. PLANNING AND MONITORING OF THE DIGITISATION OF BOOKS, JOURNALS, NEWSPAPERS, PHOTOGRAPHS, MUSEUM OBJECTS, ARCHIVAL DOCUMENTS, SOUND AND AUDIO-VISUAL MATERIAL, MONUMENTS AND ARCHAEOLOGICAL SITES ("CULTURAL MATERIAL")

- Is there a scheme to plan, coordinate and monitor digitisation of cultural material?

If yes, provide details of all relevant aspects of the scheme and of the overall digitisation achievements (number of digitised objects) towards the overall targets mentioned under point 7 (support to Europeana).

To co-ordinate digitisation and digital preservation of cultural heritage in Estonia and monitor progress in digitisation, the Council for Digital Preservation of Cultural Heritage was affiliated to the Ministry of Culture of Estonia. The Council is made up of representatives of various memory institutions.

In 2011, the new development plan for digitisation (third of its kind) entered into force, with stepping up digitisation as one of the key subjects.

- Has your country set quantitative targets for the digitisation of cultural material?

If yes, please specify the targets and indicators/procedures for monitoring progress, if any.

Memory institutions present their digitisation plans to the Council for Digital Preservation of Cultural Heritage. The plans for the period of 2014-2018 will be specified in January 2014.

The goal in Estonia is to digitise all important cultural heritage objects by 2018.

- Has your country set qualitative targets for the digitisation of cultural material?

If yes, please specify the targets and indicators/procedures for monitoring progress, indicate the expected increase in digitised material which could form part of Europeana and budgets allocated by public authorities.

There have been no qualitative goals set. However, the memory institutions have been advised to start digitisation from the most valuable collections.

2. PARTNERSHIPS BETWEEN CULTURAL INSTITUTIONS AND THE PRIVATE SECTOR IN ORDER TO CREATE NEW WAYS OF FUNDING DIGITISATION OF CULTURAL MATERIAL AND TO STIMULATE INNOVATIVE USES OF THE MATERIAL, WHILE ENSURING THAT PUBLIC PRIVATE PARTNERSHIPS FOR DIGITISATION ARE FAIR AND BALANCED, AND IN LINE WITH THE CONDITIONS INDICATED IN ANNEX I

- Have any cultural institutions in your country entered into PPPs (including also partnerships with non-EU partners) for digitisation or for facilitating the access to digital cultural heritage?

If yes, please provide details of the partnerships, compliance of the respective agreements with the conditions in Annex I of the Recommendation as well as contact details of the cultural institution involved.

The public-private partnership model recommended by the Commission is difficult to implement in small linguistic and cultural areas. Private companies are not interested in funding digitisation of cultural heritage, as they are not able to make a profit on it. Thus, for small linguistic and cultural areas, public funding is crucial and PPP could not necessarily provide a good solution for funding digitisation.

- Has your country adopted legislation on PPPs in place (e.g. fiscal benefits, public procurement provisions) or is any such legislation under preparation?

If yes, provide details and references.

No, there has been no such legislation adopted in Estonia.

3. USE OF STRUCTURAL FUNDS, WHERE POSSIBLE, TO CO-FINANCE DIGITISATION ACTIVITIES

- Is your country using Structural Funds for the digitisation of cultural material?

If yes, provide details of the amounts and the specific programmes.

Estonia actively uses structural funds. Most of digitisation funding comes from the European Regional Development Fund resources oriented towards the development of economic environment and the IKT. During the period of 2007-2013 digitisation projects have been funded with 5 million euros in total(it has to be kept in mind that Estonia is a small country).

4. OPTIMISE THE USE OF DIGITISATION CAPACITY AND ACHIEVE ECONOMIES OF SCALE, WHICH MAY IMPLY THE POOLING OF DIGITISATION EFFORTS BY CULTURAL INSTITUTIONS AND CROSS-BORDER COLLABORATION, BUILDING ON COMPETENCE CENTRES FOR DIGITISATION IN EUROPE.

- Has your country taken practical measures to optimise the use of digitisation capacity?

If yes, please provide details about the ways to optimise the use of digitisation capacity. Does this involve cross-border collaboration?

In Estonia digitisation is assigned to relevant competence centres such as the Estonian National Library, Estonian Public Broadcasting, The National Archives of Estonia and State Conservation Centre Kanut. Cross-border collaboration has taken place in the digitisation of audiovisual heritage and 3D digitisation.

DIGITISATION AND ONLINE ACCESSIBILITY OF PUBLIC DOMAIN MATERIAL

5. IMPROVE ACCESS TO AND USE OF DIGITISED CULTURAL MATERIAL THAT IS IN THE PUBLIC DOMAIN

5.1. Mechanisms to ensure that material in the public domain remains in the public domain after digitisation.

- Has your country encountered obstacles in the process of ensuring that material in the public domain stays in the public domain after digitisation?

If yes, please provide details of the obstacles and explain how they have been overcome or how they are being addressed.

5.2. Widest possible access to digitised public domain material as well as the widest possible reuse of the material for non-commercial and commercial purposes.

- Are there projects or schemes for promoting the widest possible access to digitised public domain material?

If yes, please provide details.

Estonia has launched a central portal on cultural heritage, which helps us to offer better and more access to our cultural heritage through Europeana.

- Are there any schemes promoting reuse of the digitised material for non-commercial and commercial purposes? Please also indicate whether there are mechanisms for monitoring such reuse.

If yes, provide details of the schemes or best practice examples. Please also indicate whether there are mechanisms for monitoring such reuse (take-up by organisations engaging in re-use and take-up by end-users/visitors).

Digitised material is accessible through different portals and its reuse is permitted under the condition that the user refers to the primary source.

5.3. Measures to limit the use of intrusive watermarks or other visual protection measures that reduce the usability of the digitised public domain material.

- Has your country taken measures to limit the use of watermarks or other visual protection measures reducing the usability of digitised public domain material?

If yes, please describe the measures. Where applicable, please also indicate best/worst practice examples.

The museums are not allowed to use watermarks on digitised objects. The Estonian Public Broadcasting and the National Archive use watermarks but they are not intrusive watermarks.

DIGITISATION AND ONLINE ACCESSIBILITY OF IN-COPYRIGHT MATERIAL

6. IMPROVE CONDITIONS FOR THE DIGITISATION AND ONLINE ACCESSIBILITY OF IN-COPYRIGHT MATERIAL.

6.1. Rapid and correct transposition and implementation of the provisions of the Directive on orphan works

- When and how is your country going to transpose the Directive on orphan works?

Ministry of Justice is at the moment transposing the orphan works directive (2012/28/EU). The stakeholder dialogue started in summer 2013, initial responses were received in August 2013 and round-table to discuss the pending issues was conducted in September 2013. Since some matters of the future system still need political acceptance, they it is not possible to describe them here in detail.

6.2. Legal framework conditions to underpin licensing mechanisms identified and agreed by stake-holders for the large-scale digitisation and cross-border accessibility of works that are out-of commerce.

- Are there any legal/voluntary stakeholder-driven schemes in your country to underpin the large- scale digitisation and cross-border accessibility of digital cultural works?

If yes, please provide details of the schemes, references and describe impact.

6.3. Contributing to and promoting the availability of databases with rights information, connected at the European level, such as ARROW.

- How is your country contributing and promoting the availability of such databases at the European level?

EUROPEANA

7. CONTRIBUTE TO THE FURTHER DEVELOPMENT OF EUROPEANA

7.1. Encouraging cultural institutions as well as publishers and other right holders to make their digitised material accessible through Europeana, thus helping the platform to give direct access to 30 million digitised objects by 2015, including two million sound or audio-visual objects

- How is your country encouraging cultural institutions, publishers and other right holders to make their digitised material accessible through Europeana? Are there specific measures to encourage the contribution of sound or audio-visual material?

Most of digitised material accessible through Europeana that originates from Estonia has been made accessible with the help of numerous international projects such as ATHENA, CARARE, Linked Heritage, ATHENA Plus. The audiovisual content of Estonian Public Broadcasting was made accessible through the Linked Heritage project and any additional content will be made accessible with the help of the ATHENA Plus project.

7.2. Making all public funding for future digitisation projects conditional on the accessibility of the digitised material through Europeana.

- What measures has your countries taken to ensure that all cultural material digitised by means of public funding will be accessible through Europeana?

All cultural content digitised by means of public funding will be accessible through Europeana because memory institutions participate in aforementioned international projects.

7.3. Ensuring that all their public domain masterpieces will be accessible through Europeana by 2015,

- What measures has your country taken to ensure that your country's public domain masterpieces will be accessible through Europeana by 2015? Have you set indicators to measure progress?

Memory institutions will put together their digitisation plans by January 2014. The main focus of the plans will be on digitising and making accessible public domain masterpieces.

7.4. Setting up or reinforcing national aggregators bringing content from different domains into Europeana, and contributing to cross-border aggregators in specific domains or for specific topics, this may bring about economies of scale.

- Has your country set up a national aggregator bringing content from different domains into Europeana? If yes, please provide details of the aggregator, participating organisations and content domains covered.

Estonia has launched a central portal on cultural heritage, which helps us to offer better and more access to our cultural heritage through Europeana. All most important museums, Estonian Public Broadcasting, the National Heritage Board and the National Library participate in the portal. The portal could be accessed via the following website www.e-kultuur.ee and it is financed and maintained by the Estonian Ministry of Culture.

- Are there specific measures the participation of cultural institutions, publishers or other right holders in cross-border aggregators in specific domains or for specific topics? If no such measures have been taken, are you aware of voluntary participation by organisations based in your country? Please provide details of such participation and participants' motivation.

The participation does not bring about financial costs for the institutions and they are also interested in making their contents public.

7.5. Ensuring the use of common digitisation standards defined by Europeana in collaboration with the cultural institutions in order to achieve interoperability of the digitised material at European level, as well as the systematic use of permanent identifiers.

- How does your country encourage the use of common digitisation standards defined by Europeana? How do you support the systematic use of permanent identifiers?

All systems use permanent links and PIDs but only within the limits of the system.

7.6. Ensuring the wide and free availability of existing metadata (descriptions of digital objects) produced by cultural institutions, for reuse through services such as Europeana and for innovative applications.

- Which measures has your country taken to ensure the wide and free availability of existing metadata? How do cultural institutions in your country take up the Europeana Data Exchange Agreement?
- What experience has your country been able to gather to re-use of free metadata for re-use of the underlying content through services such as Europeana or for innovative applications? Please provide details, examples and references.

The Ministry of Culture is currently in the process of creating a digital repository for museums and an open data portal module for museums, that makes museums' metadata freely accessible.

7.7. Establishing a communication plan to raise awareness of Europeana among the general public and notably in schools, in collaboration with the cultural institutions contributing content to the site.

- What measures has your country taken to establish a communication plan to raise awareness of Europeana? Are there specific measures targeting schools or other specific user communities? If yes, please provide details.

Estonian National Library participates in a project that aims at raising awareness of Europeana.

DIGITAL PRESERVATION

8. REINFORCE NATIONAL STRATEGIES FOR THE LONG-TERM PRESERVATION OF DIGITAL MATERIAL, UPDATE ACTION PLANS IMPLEMENTING THE STRATEGIES, AND EXCHANGE INFORMATION WITH EACH OTHER ON THE STRATEGIES AND ACTION PLANS.

- Does your country have a strategy for the long-term preservation of digital material? What actions are you planning to implement the strategy? Have you exchanged information with other Member States in order to devise your strategy and action plan? If yes, please provide details.

Currently, all institutions deal with long-term preservation of digital cultural heritage separately. By the end of 2014, there is a goal of creating a common digital repository for all museums. The idea is to start using central Datacenters and digital cultural heritage would be part of material stored in Datacenters. Due to dynamic developments in this area, there is no separate strategy.

9. EXPLICIT AND CLEAR PROVISION IN YOUR COUNTRY'S LEGISLATION SO AS TO ALLOW MULTIPLE COPYING AND MIGRATION OF DIGITAL CULTURAL MATERIAL BY PUBLIC INSTITUTIONS FOR PRESERVATION PURPOSES, IN FULL RESPECT OF EUROPEAN UNION AND INTERNATIONAL LEGISLATION ON INTELLECTUAL PROPERTY RIGHTS.

- Have your country made explicit and clear provision in its legislation to allow multiple copying and migration of digital cultural material by public institutions for preservation purposes?

Estonian legislation permits multiple copying for the purpose of digitisation and digital preservation of cultural material.

10. MAKE THE NECESSARY ARRANGEMENTS FOR THE DEPOSIT OF MATERIAL CREATED IN DIGITAL FORMAT IN ORDER TO GUARANTEE ITS LONG-TERM PRESERVATION, AND IMPROVE THE EFFICIENCY OF EXISTING DEPOSIT ARRANGEMENTS FOR MATERIAL CREATED IN DIGITAL FORMAT.

10.1. Ensuring that right holders deliver works to legal deposit libraries without technical protection measures, or that, alternatively, they make available to legal deposit libraries the means to ensure that technical protection measures do not impede the acts that libraries have to undertake for preservation purposes, in full respect of European Union and international legislation on intellectual property rights.

- What arrangements has your country made to ensure that technical protection measures do not impede the acts that libraries have to undertake to guarantee long-term preservation of material created in digital format?

The current Estonian Legal Deposit Act does not mandate digital legal deposit. However, the National Library of Estonia has reached agreements with larger publishers of newspapers, journals and e-books for voluntary digital legal deposit of print files of their publications. These agreements contain recommendations on non-encryption of deposited files which, in most cases are followed. When encrypted files are sent to the National Library, the files are returned and new files are requested for deposit without encryption. National Library is currently the only library in Estonia receiving digital materials as legal deposit.

The current Legal Deposit Act reserves to libraries the right to process deposited files for preservation. The proposed amendment to the Legal Deposit Act mandates digital legal deposit and includes regulations for deposit on decrypted files. The date of enactment of these amendments is at present unclear.

10.2. Where relevant, making legal provision to allow the transfer of digital legal deposit works from one legal deposit library to other deposit libraries that also have the right to these works.

- Has your country made legal provision to allow the transfer of digital legal deposit works from one legal deposit library to other deposit libraries that also have the right to these works? If yes, please provide details.

Not at the moment, because Estonia does not yet have a mandated digital legal deposit and the National Library is the only library that has made arrangements for collecting digital print files. The proposed amendment to the Legal Deposit Act regulates the dissemination of digital legal deposit copies between the National Library (primary recipient of the digital legal deposit copy) and Tartu University Library (secondary storage site for digital legal deposit copies).

10.3. Allowing the preservation of web-content by mandated institutions using techniques for collecting material from the Internet such as web-harvesting, in full respect of European Union and international legislation on intellectual property rights.

- What measures has your country adopted to allow preservation of web-content by mandated institutions? Please provide details, e.g. of the types of web-content preserved and the organisations mandated.

In Estonia, the National Library deals with preservation of web-content. Specific legislation is still in development.

11. TAKING INTO ACCOUNT DEVELOPMENTS IN OTHER MEMBER STATES, WHEN ESTABLISHING OR UPDATING POLICIES AND PROCEDURES FOR THE DEPOSIT OF MATERIAL ORIGINALLY CREATED IN DIGITAL FORMAT, IN ORDER TO PREVENT A WIDE VARIATION IN DEPOSITING ARRANGEMENTS.

- How is your country taking into account developments in other Member States in order to prevent a wide variation in deposition arrangements? Please provide details.

The National Library participates in the IIPC for web archiving and follows the policies there. For best practice of other types of digital legal deposit we can only rely on personal contacts with colleagues from other countries.

ANY OTHER BUSINESS

- Please indicate in the box below any suggestions or other comments you would like to make, or any further information you consider of use for the purposes of this progress report and/or the further implementation of the Recommendation.

