



Brussels, 7.3.2017  
C(2017) 1444 final

**COMMISSION DECISION**

**of 7.3.2017**

**setting up the Expert Group on Digital Cultural Heritage and Europeana**

## COMMISSION DECISION

of 7.3.2017

### setting up the Expert Group on Digital Cultural Heritage and Europeana

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Whereas:

- (1) Article 6(c) of the Treaty assigned the European Union the competence to carry out actions to support, coordinate or supplement the actions of the Member States in the field of culture. Article 167 provides that the Union shall contribute to the flowering of the cultures of the Member States and actions by the Union shall be aimed, among others, at encouraging cooperation between Member States and, if necessary, supporting and supplementing their action in areas such as:
  - (a) improvement of the knowledge and dissemination of the culture and history of the European peoples,
  - (b) conservation and safeguarding of cultural heritage of European significance.
- (2) The European Commission adopted on 27 October 2011 a Recommendation on the digitisation and online accessibility of cultural material and digital preservation (2011/711/EU)<sup>1</sup> ('the Recommendation').
- (3) In the Council Conclusions of 13 November 2006 on the digitisation and online accessibility of cultural material and digital preservation<sup>2</sup>, the European Commission was invited to contribute to improved policy co-ordination in these domains, in particular through the creation of a Group of Member States' experts.
- (4) Following this invitation, the European Commission set up by the Commission Decision 2007/320/EC of 22 March 2007<sup>3</sup> the Member States' Expert Group on Digitisation and Digital Preservation ('the MSEG'). The mandate of the MSEG, extended by the Commission Decision 2010/C 349/04 of 15 December 2010<sup>4</sup>, Commission Decision C(2013) 8562 final of 5 December 2013 and Commission Decision C(2015) 8445 final of 2 December 2015, expired on 31 December 2016.
- (5) In November 2008, Europeana - The European Digital Library - was launched as an online common multilingual access point for digital cultural material<sup>5</sup>.
- (6) On 31 May 2016, the Council adopted conclusions on the role of Europeana for the digital access, visibility and use of European cultural heritage<sup>6</sup>. The Council explicitly invites the Commission to continue the work of the MSEG and to renew and revise its mandate until 2020.

---

<sup>1</sup> OJ L 283, 29.10.2011, p. 39.

<sup>2</sup> OJ C 297, 7.12.2006 p.1.

<sup>3</sup> OJ L 119, 9.5.2007, p. 45.

<sup>4</sup> OJ C 349, 22.12.2010 p.5.

<sup>5</sup> OJ C 319, 13.12.2008, p. 18.

<sup>6</sup> OJ C 212, 14.6.2016 p. 9.

- (7) In the light of the above developments and Commission Decision C(2016) 3301 final of 30 May 2016 establishing new horizontal rules on the creation and operation of Commission Expert Groups, it is appropriate to adopt a new decision to set up the Expert Group on Digital Cultural Heritage and Europeana to continue the work of the MSEG and to adapt its mandate in line with the Council Conclusions.
- (8) This Group should review and discuss policies for digital cultural heritage, notably by assisting the Commission in monitoring progress and assessing the impact of the implementation of the Recommendation and related Council Conclusions. It should provide a forum for cooperation between Member States' bodies and the Commission in the area of digitisation, online accessibility of cultural material and digital preservation and give guidance on Europeana's annual work programmes under CEF.
- (9) Moreover, the Group should provide high quality advice on specific policy issues where such advice is important for the development of Union policies or legislation. To obtain such high quality, timely advice the Commission may need to set up sub-groups and call upon the expertise of external experts on an ad hoc basis.
- (10) This Group should be composed of the representatives of the Member States' competent authorities.
- (11) Personal data should be processed in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000<sup>7</sup>.
- (12) This Decision will apply from the date of adoption until 31 December 2020. The Commission will in due time consider the advisability of an extension.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

##### *Subject matter*

The Expert Group on Digital Cultural Heritage and Europeana ('the Group') is set up.

#### *Article 2*

##### *Tasks*

The Group's tasks shall be:

- (a) to review and discuss policies for digital cultural heritage, notably by assisting the Commission in monitoring and assessing the progress and the impact of the implementation of the European Commission Recommendation of 27 of October 2011 on the digitisation and online accessibility of cultural material and digital preservation (2011/711/EU) and related Council Conclusions, in particular those of 31 May 2016 on the role of Europeana for the digital access, visibility and use of European cultural heritage;
- (b) to provide a forum for cooperation between Member State bodies and the Commission at European level and to exchange information and good practices of Member States' policies and strategies on the digitisation and online accessibility of cultural material and digital preservation;

---

<sup>7</sup> OJ L 8, 12.1.2001, p. 1.

- (c) to contribute to the evolution and sustainability of Europeana; to support the Commission in defining the general objectives, priorities for actions and the envisaged level of funding to be proposed for the Europeana core service platform and generic services in the annual CEF work programmes, which are submitted to the CEF Committee for opinion;
- (d) to assist the Commission in monitoring developments regarding the way cultural digital resources can be innovatively re-used to offer economic opportunities to the cultural and creative industries.

### *Article 3*

#### ***Membership***

1. The members of the Group shall be Member States' competent authorities that shall appoint up to two permanent representatives from specialists who have competence in the areas referred to in Article 2.
2. Member States' competent authorities shall be responsible for ensuring that their representatives provide a high level of expertise.
3. The members of the Group who are no longer capable of contributing effectively to the Group's deliberations, who, in the opinion of the Commission department concerned, do not comply with the conditions set out in Article 339 of the Treaty on the Functioning of the European Union or who resign, shall no longer be invited to participate in any meetings of the Group and may be replaced for the remainder of their term of office.
4. Personal data shall be collected, processed and published in accordance with Regulation (EC) No 45/2001.

### *Article 4*

#### ***Chair***

The Group shall be chaired by a representative of the Commission's Directorate-General for Communications Networks, Content and Technology ('DG CNECT').

### *Article 5*

#### ***Operation***

1. The group shall act at the request of DG CNECT, in compliance with the Commission's horizontal rules on expert groups ('the horizontal rules')<sup>8</sup>.
2. The Group shall normally meet twice a year. It may also be convened for additional *ad-hoc* meetings when urgent advice is needed.
3. Meetings of the Group shall, in principle, be held on Commission premises. The Commission shall provide secretarial services.
4. Commission officials from other departments with an interest in the proceedings may attend meetings of the Group and its sub-Groups.
5. In agreement with DG CNECT, the group may, by simple majority of its members, decide that deliberations shall be public.

---

<sup>8</sup> C(2016) 3301.

6. Minutes on the discussion on each point on the agenda and on the opinions delivered by the Group shall be meaningful and complete. Minutes shall be drafted by the secretariat under the responsibility of the Chair.
7. The Group shall operate in a collegial way, seeking consensus among its members. The working procedures shall seek to ensure that all members take an active role in the activities of the Group.

#### *Article 6*

##### ***Sub-groups***

1. DG CNECT may set up sub-groups for the purpose of examining specific questions on the basis of terms of reference defined by the Commission. Sub-groups shall operate in compliance with the horizontal rules and shall report to the Group. They shall be dissolved as soon as their mandate is fulfilled.
2. The members of the Group shall nominate representatives for each sub-group. The Commission may also select the members of sub-groups via an open public call for applications in compliance with the horizontal rules.

#### *Article 7*

##### ***Invited experts***

The Chairperson of the Group may invite experts with specific expertise with respect to a subject matter on the agenda to take part in the work of the Group or sub-groups on an ad hoc basis.

#### *Article 8*

##### ***Observers***

1. The Chairperson of the Group may give observer status to individuals, organisations or public entities, such as candidate countries or third countries, in compliance with the horizontal rules.
2. Organisations and public entities appointed as observers shall nominate their representatives.
3. Observers and their representatives may be permitted by the Chair to take part in the discussions of the Group and provide expertise. However, they shall not participate in the formulation of recommendations or advice of the Group.

#### *Article 9*

##### ***Rules of procedure***

On a proposal by and in agreement with DG CNECT, the Group shall adopt its rules of procedure by simple majority of its members, on the basis of the standard rules of procedure for expert groups, in compliance with the horizontal rules.

#### *Article 10*

##### ***Professional secrecy and handling of classified information***

The members of the Group and their representatives, as well as invited experts and observers, are subject to the obligation of professional secrecy, which by virtue of the Treaties and the rules implementing them applies to all members of the institutions and their staff, as well as to the Commission's rules on security regarding the protection of Union classified information, laid down in Commission Decisions (EU, Euratom) 2015/443<sup>9</sup> and 2015/444<sup>10</sup>. Should they fail to respect these obligations, the Commission may take all appropriate measures.

#### *Article 11*

##### ***Transparency***

1. The Group and its sub-groups shall be registered in the Register of Commission Expert Groups and Other Similar Entities ('the Register of expert groups'). The names of the EU Member States represented, of the other public entities and of the observers shall be published.
2. All relevant documents, including the agendas, the minutes and the participants' submissions, shall be made available either on the Register of expert groups or via a link from the Register to a dedicated website, where this information can be found. Access to dedicated websites shall not be submitted to user registration or any other restriction. In particular, the agenda and other relevant background documents shall be published in due time ahead of the meeting, followed by timely publication of minutes. Exceptions to publication shall only be foreseen where it is deemed that disclosure of a document would undermine the protection of a public or private interest as defined in Article 4 of Regulation (EC) N° 1049/2001<sup>11</sup>.

#### *Article 12*

##### ***Meeting expenses***

1. Participants in the activities of the Group and its sub-groups shall not be remunerated for the services they offer.
2. Travel and subsistence expenses incurred by participants in the activities of the Group and its sub-groups shall be reimbursed by the Commission. Reimbursement shall be made in accordance with the provisions in force within the Commission and within the limits of the available appropriations allocated to the Commission departments under the annual procedure for the allocation of resources.

#### *Article 13*

##### ***Applicability***

This Decision shall apply as from the date of its adoption until 31 December 2020.

Done at Brussels, 7.3.2017

*For the Commission*  
*Andrus Ansip*  
*Vice-President*

---

<sup>9</sup> OJ L 72, 17.3.2015, p. 41.

<sup>10</sup> OJ L 72, 17.3.2015, p. 53.

<sup>11</sup> OJ L 145, 31.5.2001, p. 43.