Council conclusions on the digitisation and online accessibility of cultural material and digital preservation

3164th EDUCATION, YOUTH, CULTURE and SPORT Council meeting
Brussels, 10 and 11 May 2012

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION,

CONSIDERING THAT:

- The digitisation and online accessibility of the Member States' cultural material and its long-term digital preservation are essential to enable access for all to culture and knowledge in the digital era and to promote the richness and diversity of European cultural heritage.

- Digitised cultural material is an important resource for European cultural and creative industries[1]. Digitisation and online accessibility of Member States' cultural heritage, considered both in a national and cross-border context, contributes to economic growth and job creation and to the achievement of the digital single market through the increasing offer of new and innovative online products and services.

- Coordinated action at Union level is necessary to create synergies between national efforts and ensure that online accessibility of Europe's cultural heritage reaches a critical mass.

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[1] According to the European Competitiveness Report 2010, creative industries account for 3.3% of EU GDP and 3% of employment in the EU.

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- The context for digitisation efforts and for collaboration at European level has changed since the Council adopted in 2006 conclusions on digitisation and online accessibility of cultural material and digital preservation[2]. Europeana was launched in 2008 as a common multilingual access point to Europe's digital cultural heritage and the agenda for its further development was set out in the 2010 Council conclusions on "Europeana: next steps"[3];

1.   WELCOMES

- the Commission Recommendation of 27 October 2011 on the digitisation and online accessibility of cultural material and digital preservation[4] (2011/711/EU) as part of the Digital Agenda for Europe[5];

2.   RECOGNISES

- the ongoing efforts in Member States to digitise and make accessible online the material of cultural institutions, as well as the efforts to provide funding for digitisation in a time of economic crisis;

- the valuable work done by Europeana, by the Member States' institutions and national aggregators contributing to Europeana in terms of content and coordination;

- that although progress has been made in digitising Europe's cultural heritage, further steps are necessary to turn this heritage into a lasting asset for Europe's citizens and economy in the digital age;

3.   UNDERLINES

- the need to bring out the richness of Europe's cultural heritage in the online environment and to promote the creation of content and new online services as part of the information society and the knowledge-based economy;

- the vital importance of ensuring the long-term viability of Europeana, including in terms of governance and funding, and the need to further develop it as a common multilingual access point to Europe's digital cultural heritage and a valuable resource for the creative industries, notably by improving the quality and the variety of the digitised cultural material from all categories (text, audiovisual, museum objects, archival records etc.);

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[2]   OJ C 297, 7.12.2006, p. 1.
[3]   OJ C 137, 27.5.2010, p. 19.
[4]   OJ L 283, 29.10.2011, p. 39.
[5]   COM(2010) 245 final/2.

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-   the need for a cooperative effort by the Member States and the Commission to promote quality and technical standards for the content brought into Europeana;

-   the need to continue work on technical standards for digitisation and metadata, including through the framework of Europeana, for the benefit of both accessibility and long-term preservation of digital material;

-   the underlying vision of working with all relevant partners to avoid a "20th century black hole" in the material available through Europeana and the need to make more in-copyright material available through the site;

-   the need to actively promote voluntary agreements[6] on the large scale digitisation and online availability of out-of-commerce works and to take the necessary measures to provide for the required legal certainty in a national and cross-border context;

-   that the digitisation and online accessibility of Europe's cultural heritage should be carried out in full respect of intellectual property rights;

4.   TAKES NOTE OF

-   the report "The New Renaissance"[7] by the Reflection group ('*Comité des Sages*') on bringing Europe's cultural heritage online, and of the Commission's recent legislative proposal regarding digital service infrastructures, including on funding of Europeana, as part of the Connecting Europe Facility[8], as well as the proposals regarding orphan works[9] and re-use of public sector information[10];

5.   INVITES THE MEMBER STATES TO

-   take the necessary steps in line with the priorities outlined in the Annex in order to:

    •   consolidate their strategies and targets for the digitisation of cultural material;
    •   consolidate the organisation of digitisation and the provision of funding for digitisation, including through promoting the use of public-private partnerships;
    •   improve the framework conditions for the online accessibility and use of cultural material;

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[6]   On 20 September 2011 a Memorandum of Understanding on the Key Principles on the Digitisation and Making Available of Out-of-Commerce Works was signed in Brussels by stakeholders' representatives, following a stakeholders' dialogue sponsored by the Commission.

[7]   http://ec.europa.eu/information_society/activities/digital_libraries/comite_des_sages/index_en.htm.

[8]   COM(2011) 665 final/3.

[9]   COM(2011) 289 final.

[10]   COM/2011) 877 final.

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- contribute to the further development of Europeana, including by encouraging cultural institutions to bring all relevant digitised cultural material into the site;
- ensure long-term digital preservation;

while taking into account the different levels of progress on, and approaches to, digitisation as well as the overall budgetary consolidation efforts being made in Member States;

6. INVITES THE COMMISSION TO

- continue to support Europeana as a common multilingual access point to Europe's digital cultural heritage in line with the 2010 Council conclusions on Europeana;

- gather, analyse and disseminate results and experience gained at national and Union level; present on this basis every two years a report on progress on digitisation, online accessibility and digital preservation;

- support the exchange of information and good practices including on public-private partnerships and standards for digitisation;

7. INVITES THE MEMBER STATES, THE COMMISSION AND EUROPEANA, within their respective competences, TO

- continue, in line with the 2010 Council conclusions on Europeana, the work on the content roadmap for Europeana, including the masterpieces of Europe's cultural heritage as selected in the individual Member States;

- raise awareness of Europeana amongst the general public;

- promote the use of material accessible through Europeana and the related metadata for innovative purposes in full respect of intellectual property rights;

- further develop Europeana as a user-friendly access point;

- make concrete progress in the discussions on the governance structure of Europeana.

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Priority actions and indicative timetable

The suggested table of activities and objectives is an indicative roadmap for work by Member States in the years 2012-15.

1.   To consolidate their strategies and targets for the digitisation of cultural material by:

Consolidating, <u>by the end of 2012</u>, targets for digitisation and maintaining or, where appropriate, increasing the priority given to digitisation
Developing, <u>by 2013</u>, standards for the selection of material to be digitised and the way the material is presented online, and implementing the technical standards to ensure the interoperability and migration of content. With regard to public domain material standards should encourage the widest possible access to re-use and discourage the use of intrusive watermarks or other visual protection measures that reduce usability
Reinforcing monitoring of progress in digitisation to create overviews at national level and contributing to an overview at European level
Contributing, <u>by the end of 2013</u>, to the Commission's assessment of progress of digitisation and digital preservation at European level

2.   To consolidate the organisation of digitisation and the provision of funding for digitisation, including through promoting the use of public-private partnerships by:

Encouraging public-private partnerships for digitisation between cultural institutions and private partners, taking as a point of departure the criteria outlined in the Commission Recommendation 2011/711/EU
Making use of the EU Structural Funds, if appropriate, to co-finance digitisation activities[11]
Promoting measures to optimise the use of digitisation capacity to achieve economies of scale, keeping in mind the potential for cross-border collaboration

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[11]   These conclusions do not prejudice the negotiations on the next Multiannual Financial Framework.

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3.   To improve the framework conditions for the online accessibility and use of cultural material by:

Ensuring that, in principle, material in the public domain remains in the public domain after digitisation, in full respect of intellectual property rights
Promoting voluntary stakeholders' agreements and other mechanisms facilitating digitisation and online accessibility of out-of-commerce works

4.   To contribute to the further development of Europeana by:

Encouraging cultural institutions as well as publishers and other rightholders to make their digitised material accessible through Europeana, taking into account the indicative targets for minimum content contribution to Europeana as set in Annex II to the Commission Recommendation 2011/711/EU
Making a wide selection of works and objects of cultural and historical significance accessible through Europeana, including the masterpieces as selected in the individual Member States
Finalise, by the end of 2012, the roadmaps for bringing content into Europeana in line with the 2010 Council Conclusions, taking into account the need to bring relevant, already digitised, material into Europeana
Promoting aggregation at national level by, for instance, setting up or reinforcing national aggregators and contributing to cross-border aggregators for Europeana
Encouraging the use of common digitisation standards and the systematic use of permanent identifiers
Encouraging the wide and free availability of the metadata that the cultural institutions deliver to Europeana for re-use and for innovative applications
Raising awareness of Europeana among the general public with particular attention to children and young people

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5.	To ensure long-term digital preservation by:

Promoting and reinforcing strategies for long-term digital preservation, accompanied by implementation plans
Exchanging information with each other on strategies and action plans for long-term digital preservation
Ensuring the necessary legal framework conditions for long-term digital preservation in terms of 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
Making the necessary legal arrangements for the deposit of material created in digital format in order to guarantee its long term preservation
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.
Ensuring that sufficient descriptive and technical metadata and permanent identifiers are produced as an integral part of digitising processes or when creating born-digital material

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