Public consultation "Europeana - next steps"

These answers on the European Commission's consultation "Europeana - next steps" are from **LIBER (Ligue des Bibliothèques Européennes de Recherche / Association of European Research Libraries)**. LIBER is the principal organisation representing research libraries in Europe. Its current membership includes 400 national and university libraries in more than 40 countries.

LIBER's mission is to represent the interests of research libraries of Europe, their universities and researchers. LIBER promotes in particular:

- efficient information services
- access to research information, in any form whatsoever
- innovation in end-user services from research libraries in support of teaching, learning and research
- preservation of cultural heritage
- efficient and effective management in research libraries

LIBER strongly supports the submissions made by **CERL (Consortium of European Research Libraries) and by CENL (Consortium of European National Libraries)**. LIBER and CERL have a [Memorandum of Understanding](#).

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?

Answer
1.1. Europeana should continue to integrate all available digital content from libraries, archives, museums and audiovisual collections, but should be *better embedded into research and educational infrastructures*, e.g. into digital research and educational environments and workflows. This supposes a higher level of integration of Europeana into student and researcher digital communities. The notion of a research community, and what constitutes a research community, is changing. Community contributions to and community expertise in research and digital content should not be overlooked in future developments. Particularly, the notion of use and re-use of digital content is noteworthy. Open Access to digitised public domain content should be the emphasis of policy statements in Europe.

1.2. Europeana should work as a *catalyst* for further mass digitisation projects. More pressure for new funding for digitisation is needed. Europeana should also aim to encourage the efficient use of digitisation funds, through the avoidance of duplication, the adoption of appropriate standards, and a real concentrated effort by contributors to adopt a unified standard for metadata (more re-use of bibliographical data).

1.3. Europeana will have to develop services which bring *added value* to libraries (e.g. exchange and enhancement of metadata, guidance for digitisation), and to research and education by making the Europeana data more readily accessible.

1.4. *Diversification* of the contributing institutions. More countries contributing (at least members of the Council of Europe), and in each country, more institutions. Europeana should bring together and store as much metadata as possible on materials that are digitally available.

1.5. Europeana should provide editorial and/or technical input to *improve access* and reliable recall.

1.6. Europeana should define *clear and brief guidelines* for necessary (i.e. mandatory/desirable) metadata elements.

Question 2
Which features should be given priority in the further development of the site?

Answer
2.1. There should be much *more consultation* with users (academics, students, citizens). Closer consultation with academics at an institutional level would lead to a fruitful exchange of ideas on

- where Europeana sits in relation to teaching, learning and research strategies
- how Europeana needs to develop to meet these needs

2.2. Europeana data should be carefully positioned so that it is presented together with the other electronic resources in use in any given *research community*. Europeana should increase the chance that the user finds all he/she wants to find, by giving the user greater guidance in accessing the material. This may include, for example, pre-defining (thematic) sets, or offering filtering, or introducing some other form of query guiding.

2.3. *Multilingualism* should remain a high priority. One of the most interesting side effects of digitising and making freely available content in many languages is that this will result in large bodies of material that can be used to teach search engines to translate on the fly.

2.4. *Automatic full text indexing. Data enrichment.*

2.5. Semantic web and ontologies. Web 2.0 features. API's. Links to existing social media, not the development of a separate Europeana social media model.

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?

Answer

3.1.   It is important that Europeana gives access to a *critical mass* of materials in order to be relevant.

3.2.   The national libraries have made a major contribution to supply content for the Europeana portal. However, *research libraries* have a great deal to offer both in terms of historic material and new academic content, such as primary data which national libraries cannot provide. It is a *must* that Europeana should include these new types of material, which will then be available to the European user via a common interface. Europeana should also make use of this opportunity to exploit the research and educational networks to which these research libraries have access.

3.3.   Cultural organisations should standardise their metadata from the *provenance* point of view. This would ensure that the user would be able to identify the authority of the source and create a profile for the contributing institution; the user would be able to clear further rights for re-use should they need them.

3.4.   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.

3.5.   Open Access and Creative Commons should be the guidelines for *accessibility*.

Question 4
How should Europeana further develop its own autonomous identity?

Answer

4.1.   Europeana should become a strong brand both for libraries and for European students, researchers and citizens. Europeana should be a one stop shop for *quality information*. It has to demonstrate the quality of the materials it makes available, and - even more important - the quality of the access and retrieval.

4.2.   Institutions bring enormous reputational advantage through their contributions to Europeana and these should be emphasised to the user. The digital objects they produce can be made available as trustworthy resources by ensuring the physical and digital provenance of the metadata related to the digital object. *Market differentiation* – from e.g. Google – is achieved through quality digital metadata practices.

4.3.   Materials accessible through Europeana should also become much more *visible* through Google and other search engines. Europeana should provide a service through which libraries can make their materials highly ranked in Google search results. Europeana should NOT invest in developing another search engine, but should emphasize aggregation and retrievability/visibility through existing/other search engines. This is currently a problem: materials in Europeana often lack visibility/high rankings in search results through other search engines. Europeana should form strategic alliances with

(research, education, tourism, publishing) experts with the aim of heightening its visibility by making Europeana material available in all electronic environments.

4.4. *Long-term access*: this is a unique selling point for libraries and should be taken up by Europeana. Libraries who already have experience with long-term preservation tools and content (e.g. E-Depot, KB) should play the major role in preserving European materials available via Europeana and in guaranteeing perpetual access to that content to the European user. There should be strategic alliances with those involved in long-term curation (DRIVER, DANS, LIFE etc).

4.5. Play an *incentive role* in the digitisation of material relevant for European culture and not yet available in digital format.

4.6. *Post-coordinate the information* that is provided in a way that is meaningful for European culture (through exploitation and editing of metadata); e.g. Goethe in all kinds of editions, etc. "Highlights of European Culture" or for different subjects (define a subject structure). FRBRization of the results of a search, e.g. to bring all related editions of a work together in one search result, is highly desirable.

4.7. More *services* to contributing institutions (e.g. guidelines on digitisation, Public-Private Partnerships), possibly in partnership with private companies. Developing a "For demand" application through which the public could ask for a copy of an analogue object to be digitised and made available via Europeana.

4.8. Europeana should make itself *more relevant* to the student and researcher as well as the European citizen.

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?

Answer
5.1. Minimum requirements should be defined by Europeana. There should be a clearly stated use and re-use policy together with an agreed *Open Access* policy. Publicly-financed digital content should remain in the public domain; the use of privately-funded digital content should be defined by the fundraising body and copyright material should be accessed according to a legal framework harmonised at a European level and in the individual Member States. Public Private Partnerships contracted in order to digitise content should be licensed for short timescales. Online advances are so rapid, that tying up previously out-of-copyright information in exclusive deals for multiple years risks limiting freedom of access and thus inhibiting innovation and the development of the knowledge economy. However, services like the delivery of high quality images, sound and video records and print-on-demand materials could be charged services (if applicable through commercial partners).

5.2. *Technical* aspects (minimum set of metadata, persistent identifier for each item) should also be addressed. The EDL Foundation should be responsible for creating an agreed framework of standards. But these standards should be agreed in collaboration with participating partners and consortia, and these bodies should be responsible for

disseminating and complying with these standards in terms of the material and metadata they are offering up to Europeana.

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

5.4. 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.

5.5. The metadata and thumbnails contributed to Europeana should be re-usable in web services provided by Europeana because to do so:

- increases the routes to the content of the individual provider
- creates possible multiplier effects where such metadata can be instrumental in creating new services or mash ups
- allows Europeana the flexibility to widen its appeal, enabling metadata to be re-used to create sites targeted at specific audiences, e.g. the visually impaired, children under 10, societies devoted to the study of a historical personality, a musical instrument, a war

Such services do not give away the digitised item. Digitised items remain under the control of the content providers, and this gives them increased traffic and impact. It also allows them to charge for high resolution images for commercial use where appropriate.

5.6. 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.

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?

Answer
6.1. Early printed books and manuscripts. Films and sound archives. Genealogy and portraits. Music. Tourism. Postcards (high quality ones could be sold as Hallmark does). Modern material like newspapers and also current publications.

6.2. *Primary data*.

6.3. The possibilities of *linking cross domain material* are far-ranging. Multi-disciplinary research and data mining (e.g. links to statistical data) must be addressed.

6.4.   Documents that are fundamental for the history of a country (e.g. treaties, laws, charters) and for the cross-border history of Europe. Documents on local traditions (e.g. costumes, songs, architecture, cooking). The artistic outputs of iconic artists, composers, and writers from each European country. Views and videos/film of the landscapes and cities.

6.5.   Avoiding the *20th century black hole*, in particular regarding books, is critical – especially when seeking to engage younger audiences. Measures should be taken to *encourage organisations to digitise*. Financial incentives can be offered. Case studies on the multiplier effect or return on investment of digitisation should be encouraged and made more widely available.

Question 7
What is the best way to encourage cultural institutions and right holders 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?

Answer
7.1.   Libraries would need assistance in *negotiating favourable digitisation contracts* with private companies. An organisation like LIBER is willing to work on a more concrete implementation of the EU Guidelines on Public-Private Partnerships. All information, including full text, images (even if not at the highest resolution) and metadata should be made as freely available as possible through Europeana. Paying for access, if at all, should be limited by time (3-5 years, and certainly not more than 10 years).

7.2.   Europeana should have an *advocacy* strategy to make content providers and rights holders aware of the relevant copyright issues. In the European legal framework, we should avoid national silos of digital material. There should be a unified policy of Open Access. In order to encourage digitisation programmes and online access to knowledge, it is vital to revisit EU copyright laws in relation to the Internet. All in all, a change of law is required.

7.3.   The challenge of *copyright* in Europe is that legislation exists at both European and national levels. This may well lead to instances where a researcher has one set of entitlements in country A and a contradictory set in country B. In addition, fair dealing exemptions which are laid out at a European level are not *mandatory* in the Member States. These are two examples of a copyright regime in Europe which is currently unsatisfactory.

7.4.   What is required to overcome these barriers to trans-border access is a stronger *European* copyright regime, which balances the rights of rights holders with those of users. The EU Directive on Data Protection should similarly be harmonised at a European level and in Member States. Developments such as Europeana almost *require* a stronger European input into copyright legislation, and the relevant EU directorates should take action to press ahead in this direction.

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

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)?

Answer

8.1.   It is certainly true that there is a difference in this area between the US and EU. For example, in the UK printed text remains in copyright until 70 years after the death of the author. It could be argued that the US position is more supportive for digitisation activity because it is a rule that is easy to implement. What we propose is that the EU should pursue greater *harmonisation* of current legislation in the Member States in this area in order to facilitate digitisation of older content.

8.2.   *Orphan works* are particularly difficult. The current approach in many European countries is not to digitise material where the rights holders cannot be traced. Inevitably, such an approach will lead to the creation of a mass of orphan works, works which an individual would like to have digitised but where the rights cannot be cleared. In a digital Europe, this is an unsatisfactory position. We suggest that the creation of an Orphan Works database for European materials would be helpful in identifying the extent of the problem.

8.3.   In its digitisation activities, Google has created a central fund from which rights holders can be paid. We strongly urge the EU to take a leadership role in creating a similar fund to support European libraries who wish to digitise materials which would be classified as orphan works. The roles and responsibilities in creating this new copyright landscape remain to be discussed, although it is clear that Europeana has a major role to play and that it is the EU itself which must lead the discussion. The LIBER Position Statement at the EU Hearing on the Google Book Settlement makes helpful points.

8.4.   In the Nordic countries extended licensing is possible and can also be applied to orphan works. However, licensed material needs to have an embargo as it cannot be released into public domain.

8.5.   Suggestion for new cut-off dates: Year 1940 (70 years delay): before this date, works are considered out of copyright. Year 1985 (25 years delay): before this date, lower requirements for diligent search in relation to orphan works.

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?

Answer

9.1.   The EU should develop policies which are more explicit on access to materials which are digitised. Where digitisation takes place with funding from the EU or other public bodies in Member States, the resulting digitised materials should be available in Open Access. The EU has already taken this step in terms of secondary publications which are the

output of EU-funded projects. It is a relatively small step to extend this principle to digitisation outputs and we recommend that the EU does indeed take this step.

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?*

Answer
10.1.   The answer to Question 9 is also the answer to Question 10, in that the requirement for publicly-funded digitisation outputs to be *freely available* (via Europeana) addresses this question and provides a simple but robust solution. Libraries will use the Europeana platform to publish their materials if they feel the context is appropriate; it will increase their visibility and will strengthen their position. Communication with content providers therefore is of the greatest importance.

10.2.   Provide more funding through EU funding streams, e.g. e-content for shared European *subject-oriented digitisation*, the outputs of which will be available via Europeana.

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?

Answer
11.1.   Europeana should become the principal European gateway to Europe's digital content. As such, it is appropriate that *European structural funds* in each of the Member States be used to provide sustainable financial support for Europeana.

11.2.   Individual Member States' primary responsibility should be to fund *national digitisation and national digital libraries to aggregate content* for Europeana. The EU should give incentive financing for the development of pan-European digitisation programmes, especially in the fields of cross-border interest.

11.3.   Income could be generated from *added value services* developed for users. These services could attract private companies interested in raising their visibility via sponsorship. Services could also be developed in collaboration with private companies (e.g. online booksellers). It is important that Europeana and services from private companies are more closely integrated.

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?

Answer

12.1. See also the answer to Question 11.

12.2. Structural funding for Europeana should be part of the European *long-term strategy* for Europeana in order to ensure continuity in building meaningful digital collections.

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?

Answer

13.1. The following parties should be represented in the Europeana *governance structure*: content providers (including research libraries which are currently under-represented), professional bodies (e.g. European library groupings, such as LIBER and CERL), users (including students and researchers, European citizens, currently under-represented), Europeana executives, private companies (advisory, no voting rights), funding agencies, and representatives from the EU.

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)?

Answer

14.1. Europeana should take every opportunity to make its materials *more visible and ready for sharing and re-use*, both in a non-commercial context (integration into education and research), but also in commercial environments. Europeana should integrate with services provided by commercial companies such as search engines (e.g. Google Books and OCLC-WorldCat), online booksellers (like Amazon, but also local booksellers), companies selling high quality images, audio and video files.

14.2. Europeana should *go out to where the user is* rather than creating more and more services where the user has to come to Europeana.

14.3. It should be noted that if Europeana is more broadly used and becomes a stronger brand than it is now, commercial companies will also be interested in getting *visibility* in Europeana and should be more willing to offer sponsorship to achieve this objective.

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)?

Answer

15.1.   The first condition for sponsorship for Europeana is that Europeana will have to be able to show its value and a broad user base. Europeana will never be able to attract sponsors if sponsors do not receive sufficient *visibility*.

15.2.   Europeana should be funded with *Structural Funds* by the EU, and to a lesser degree by commercial companies.

15.3.   There is a real future in *customised sponsorship*, where adverts could be shown in the results list, just like Google does. In this context, logos, promotion of producers and adverts would be possible. The key is to segregate the search and retrieval facility from the displaying of, and links to, commercial content and products. The two should co-exist in harmony, but commercial coverage should not dominate the usability of the interface.

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?

Answer

16.1.   Europeana should remain the place where users know they can find *free content*. Europeana should be the international showcase for European public cultural institutions. It is in this context that links to paying services that provide added value to the free content in Europeana should be encouraged.

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on behalf of
The LIBER Executive Board and the LIBER membership

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